

**BEFORE THE HEARINGS PANEL  
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

**IN THE MATTER** of the Resource  
Management Act 1991

**AND**

**IN THE MATTER** of Hearing Stream 14:  
Wakatipu Basin hearing  
and transferred Stage 1  
submissions related to  
Arrowtown and Lake  
Hayes

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**SECTION 42A REPORT OF ANITA MARY VANSTONE  
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

**PLANNING: LADIES MILE (STAGE ONE) SUBMISSIONS**

**30 May 2018**

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## 1. INTRODUCTION

- 1.1 My full name is Anita Mary Vanstone. I hold the position of Senior Policy Planner at Queenstown Lakes District Council (**QLDC**). I have been in this position since 24 February 2016.
- 1.2 I hold a Bachelor of Science (Geography) and Masters of Regional and Resource Planning from University of Otago. I have 13 years' experience in resource management planning. I am a member of the New Zealand Planning Institute and Resource Management Law Association.
- 1.3 My experience includes planning for a residential housing company, working as a private consultant and in local government in New Zealand and the United Kingdom.
- 1.4 My current role at QLDC involves a range of policy work including processing Special Housing Areas (**SHA**) and qualifying development resource consents, the Housing and Business Development Capacity Assessments and the Future Development Strategy required under the National Policy Statement on Urban Development Capacity. I am also required to offer support in the development of the Proposed District Plan (**PDP**).
- 1.5 In relation to the PDP, I was involved in the updating of the dwelling capacity model that was the subject of evidence in the Upper Clutha and Queenstown rezoning Stage 1 hearings.
- 1.6 Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witness contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person. The Council, as my employer, has authorised that I give this evidence on its behalf.

**1.7** This evidence provides recommendations to the Hearings Panel on Stage 1 submissions seeking changes to plan map annotations and zonings on land located generally at Lake Hayes. This includes Ladies Mile.

**1.8** I refer to and rely on the evidence of:

- (a) Ms Helen Mellsop (Landscape);
- (b) Ms Bridget Gilbert (Landscape);
- (c) Mr Glen Davis (Ecology);
- (d) Ms Andrea Jarvis (Infrastructure);
- (e) Mr Vaughn Crowther (Infrastructure); and
- (f) Mr Dave Smith (Transportation).

**1.9** When referring to the Stage 1 PDP provisions, I am referring to the Council's Decisions Version notified on 5 May 2018 (i.e. Decisions Objective 3.2.1).

**1.10** In this report I have not undertaken a separate Section 32AA analysis. The analysis of the requirements of section 32AA are set out in the body of the report.

**1.11** The key documents I have used, or referred to, in forming my view while preparing this section 42A report are:

- (a) the notified Chapters 24 Wakatipu Basin and 38 Open Space and Recreation Section 32 evaluations dated November 2017 and September 2017 respectively;
- (b) Stage 1 PDP Decision version 2018;
- (c) The Strategic Overview and Common Themes Section 42A report prepared for Queenstown Mapping Hearing Stream 13 dated May 2017;<sup>1</sup>
- (d) Report and Recommendations of Independent Commissioners regarding Queenstown (other than Wakatipu Basin) Planning Maps, Report 17-1, dated 4 April 2018;

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<sup>1</sup> <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Hearings-Page/Hearing-Stream-13/Section-42A-Reports-and-Council-Expert-Evidence/Section-42A-Reports/QLDC-13-Queenstown-Mapping-Kim-Banks-Strategic-s42A-Report.pdf>

- (e) Housing Accord and Special Housing Areas Act 2013 (including the Orders in Council);
- (f) Queenstown Lakes District Housing Accord;
- (g) Queenstown Lakes District Council Housing Accords and Special Housing Areas Act 2013 Implementation Policy;
- (h) Housing and Infrastructure Fund Indicative Business Case March 2017;
- (i) The Resource Management Act 1991;
- (j) The Operative 1998 Regional Policy Statement for Otago;
- (k) The Proposed 2015 Regional Policy Statement for Otago.
- (l) the s42A Chapter 24 Wakatipu Basin attached to Mr Barr's evidence;
- (m) the relevant landscape assessments supporting the Section 32 Evaluation Report for the Landscape chapter and Rural Zones:
- (n) Read Landscapes Limited, 'Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features' 2014 (**Landscape Boundaries Report**);
- (o) peer review of the Wakatipu Basin component by Ben Espie, landscape architect, 1 April 2014;
- (p) Peer review of Landscape Assessment; Outstanding Natural Landscape of the Upper Clutha Part of the Queenstown Lakes District – Anne Steven, June 2014;
- (q) Read Landscapes Limited 'Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features: Post review amendments', October 2014;
- (r) the Wakatipu Basin Land Use Planning Study, dated March 2017 (**Land Use Study**), which supports and was attached to the Section 32 Evaluation Report for the Wakatipu Basin Chapter; and  
the relevant submissions seeking rezoning in the eastern and southern parts of the Wakatipu Basin or landscape classification changes in the Wakatipu Basin as a whole, and supporting landscape assessments, where provided.

1.12 Attached to my evidence is :

- (a) **Appendix 1:** Recommended New Rule 8.5.19; and
- (b) **Appendix 2:** Recommendation on Submissions.

## 2. SCOPE

2.1 My evidence addresses and makes recommendations on requests on Stage 1 submissions seeking changes to landscape annotations and rezonings in the vicinity of Lake Hayes, Ladies Mile and Shotover Country.

2.2 I have also considered one submission that relates to the location of the Outstanding Natural Landscape (**ONL**) line in the vicinity of the Quail Rise Special Zone, as far as it is within the scope of the PDP.

2.3 Although the text of the provisions that apply to these areas of land has been subject to hearings and Council decisions in April 2018, the plan map annotations and zonings that have been submitted on, have not been heard or decided on.

2.4 In relation to the Ladies Mile area, for the purposes of this hearing report this is broadly identified in Figure 1 below, with the relevant areas outlined in red.



**Figure 1: Aerial photograph indicating location of Ladies Mile submissions**

- 2.5 I have also considered Stage 2 submission 2323 seeking the rezoning of an area of land off Old School Road, as it deals to a similar area of land to submission 838; and submission 2553 as it relates to the position of the ONF line.

### 3. EXECUTIVE SUMMARY

- 3.1 The following amendment to the Outstanding Natural Feature (ONF) and Outstanding Natural Landscape (ONL) boundary are recommended:

- (a) At Lot 403 DP 379406 relocate the ONL boundary to the southern portion of the property (Submitter Scott Crawford - #842); and
- (b) Relocate the boundary line of the ONF to exclude the Glenpanel Homestead and curtilage, and the dwellings at 399 Frankton Ladies Mile Highway and 14 Lower Shotover Road (Submitters: Wayne Evans, GW Stalker Family Trust, Mike Henry – #534; K Stalker - #353; G W Stalker, Mike Henry, Mark Tylden, Wayne French, Dave Finlin, Sam Strain - #535, Milstead Trust - #813, GW Stalker Family Trust - #2553)

**3.2** Overall, I oppose the submissions seeking rezoning and I recommend they are rejected, except for the following changes to the notified PDP Planning Maps which I recommend are accepted:

- (a) rezone part of the Bridesdale Farm site to Medium Density Residential Zone (**MDRZ**) (Submitter: Bridesdale Farm Developments #655); and
- (b) rezone Lots 12- 14 DP 445230 to LDSRZ<sup>2</sup> (Submitter Jane and Richard Bamford #492).

**3.3** Each of the relevant submissions are considered in the sections below.

**3.4** Otherwise, I consider that the Stage 1 notified zones are more appropriate than the zonings being pursued by submitters. Many of the other submissions do not provide sufficient information to be able to make a recommendation other than to agree with the s32 assessment underpinning the notified zones and maps.

#### **4. MATTERS OF SCOPE AND CONSIDERATION OF SUBMISSIONS IN THE OPEN SPACE HEARING**

##### **Shotover Country Special Zone**

**4.1** Except for one small exception, all of the land that I address in my evidence was notified in Stage 1 and was not subject to the Stage 2 plan maps in terms of a variation to the zoning of the land. I have addressed scope consistently with the same approach taken by the Chair of the Panel (and the Panel in its Stage 1 recommendations) in various minutes that have been issued.

**4.2** The submissions of Don Moffat and Brian Dodds (239), Sanderson Group Limited (404) and Shotover Country Ltd (528) all relate to land that was notified as Rural in Stage 1, and also to an additional area of land that was not notified in Stage 1 (or 2 for that matter), which is zoned as Shotover Country Special Zone (**SCSZ**) in the Operative District Plan (**ODP**).

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<sup>2</sup> In the Notified Version of the PDP this was referred to as the LDRZ. This report adopts the Decision Version LDSRZ of the PDP notified on 5 May 2018.



**4.3** The parts of the submissions attempting to challenge the SCSZ is not 'on' Stage 1 of the PDP. The zoning for this area of land has not been notified on the plan maps. In addition and to avoid any doubt, this area of land has been withdrawn from the PDP in accordance with Section 8(D) of Schedule 1 of the Act.<sup>3</sup> This land and the associated SCSZ chapter (and relevant district wide chapters) are located within Volume B of the ODP.

**4.4** I consider the parts of these submissions (239), (404) and (528) that are on land notified as Rural Zone in Stage 1 in my evidence below.

#### **Miscellaneous Submission – Quail Rise Special Zone**

**4.5** The submission by Woodlot Properties Limited (501) seeks to amend the Ferry Hill ONL currently identified west of Trench Hill Road within the MDRZ by relocating it further north within the Quail Rise Special Zone. The submitter also sought a corresponding shift of the UGB to align with the relocated ONL. The submission relates to land that was notified as MDRZ and Rural in Stage 1, and also to an additional area of land that was not notified in Stage 1 (or 2 for that matter), which is zoned as Quail Rise Special Zone (**QRSZ**) in the ODP. There were a number of further submitters on this point, one that supported it in part (FS1270), and the rest sought for the relief to be disallowed (FS1102, FS1289, FS1189 and FS1195).

**4.6** The Decision version of Plan Map 31 indicates both the ONL and UGB have been relocated around the extremities of the MDRZ and the Quail Rise Special Zone. As a result, I consider this submission has been partly addressed as part of Hearing Stream 13<sup>4</sup>. The QRPZ is not being considered as part of Stage 1 or 2. This part of the submission is therefore out of scope as the zoning for this area of land has not been notified on the plan maps. At this stage, the Council is planning to include the QRSZ in a future stage of the PDP plan review. This will be the appropriate time for the submitter to have their say on the appropriate zoning of the land.

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3 Refer to Council resolution dated 16 March 2017

4 Pg. 24-25, Section 12, Report 17-6

## Out of Scope Submissions

**4.7** On the 23 November 2017 the Council notified variations to the District plan described as “Stage 2”. In relation to this hearing it included:

- (a) The rezoning of Council-owned reserve land to one of the eight Open Space zones or sub-zones;
- (b) The rezoning of land zoned Rural, Rural Lifestyle and Rural Residential (and their respective sub-zones) within the Wakatipu Basin to Wakatipu Basin Rural Amenity Zone (**Amenity Zone**), with some portions being in the Wakatipu Basin Lifestyle Precinct sub-**(Precinct)** ; and
- (c) The inclusion of the Visitor Accommodation Sub-zone onto various planning maps.

**4.8** Submission 655 requests that the area of land containing Bridesdale Farm be rezoned to MDRZ. The area of land subject to this submission was notified in Stage 1 as Rural (**Rural Zone**), Rural Lifestyle (**RLZ**), and Low Density Suburban Residential (**LDSRZ**). Part of this land was subject to the (Stage 2) Open Space Zone variation. The specific Stage 1 zoning request that relates to the part of their land notified as Open Space Zone in Stage 2 has been allocated to Hearing Stream 15, Open Space and Recreation.

**4.9** On the 16 April 2018, the Hearing Panel issued a minute confirming submission points that are not ‘on’ Stage 2 of the PDP and therefore will not be heard as part of the Stage 2 hearing process. These are as follows:

- (a) Ladies Mile Consortium (2489.1);
- (b) J & L Bagrie (2246.1);
- (c) R & J Kelly (2251.1);
- (d) D Stanhope & G Burdis (2253.1);
- (e) G Burdis (2541.1);
- (f) D Stanhope (2542.1); and
- (g) P Blakely & M Wallace (2499.6);

**4.10** On 17 May 2018, the Panel confirmed that it agreed with Council's legal submissions and that submission point 2548.1 by Glenpanel Developments Ltd is also not on Stage 2 of the PDP.

**4.11** These submissions are not considered within this evidence.

## **5. STATUTORY CONSIDERATIONS**

**5.1** This report draws on the analysis of statutory considerations that were contained in Sections 8 and 9 of Ms Kimberley Banks Strategic Overview and Common Themes for Hearing Stream 13.<sup>5</sup> This section of my evidence only evaluates new or updated information.

### **National Environmental Standard and National Policy Statements**

**5.2** The National Policy Statement for Freshwater Management amendments made in August 2017 took effect 7 September 2017 and the National Environmental Standards for Plantation Forestry came into effect on the 1 May 2018. These have both come into effect following the filing of Ms Banks Strategic Overview and Common Themes for Hearing Stream 13. All district plans must be in accordance with any regulations (including National Environmental Standards).

### **National Policy Statement on Urban Development Capacity 2016**

**5.3** The National Policy Statement on Urban Development Capacity (**NPS UDC**) is designed to provide direction to local councils and to help make informed decisions about planning for growth in urban environments. Ensuring that there are sufficient opportunities for development to operate in an efficient land market means that there are a range of opportunities for businesses and households to be accommodated in appropriate locations without undue constraint over the short (three years), medium (ten years) and long terms (30 years).

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<sup>5</sup> <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Hearings-Page/Hearing-Stream-13/Section-42A-Reports-and-Council-Expert-Evidence/Section-42A-Reports/QLDC-13-Queenstown-Mapping-Kim-Banks-Strategic-s42A-Report.pdf>

**5.4** The Council provided evidence on feasible development capacity in Hearing Streams 12 and 13 and the Panel have concluded that there is sufficient housing capacity in the District's urban environment over the short and medium terms. In particular, I refer to Section 3 of Report 17, Queenstown Mapping, which sets out the Panel's conclusions that the evidence provided in those hearings was a reliable basis for evaluating rezoning requests because the District is well-supplied with zoned, undeveloped (feasible capacity) in the short and medium term.

**5.5** Since the release of the Stage 1 decisions, Council have adopted Housing and Business Development Capacity Assessments (**BDCA and HDCA**), which is a requirement of Policy B1 of the NPS UDC. Under Policy B1, local authorities are required to, "on at least a three-yearly basis, carry out a housing and business development capacity assessment that:

- (a) *Estimates the demand for dwellings, including the demand for different types of dwellings, locations and price points, and the supply of development capacity to meet that demand, in the short, medium and long-terms; and*
- (b) *.....*
- (c) *Assess the interaction between housing and business activities, and their impacts on each other."*

**5.6** The HDCA and BDCA provides a re-calibration of the results that informed the PDP.

**5.7** Like the evidence provided in the Stage 1 hearings, the HDCA and BDCA are based on:

- (a) the notified PDP 2015 for land notified in Stage 1; and
- (b) the ODP for all non-Stage 1 areas.

**5.8** They both draw on Council's datasets, consider past trends and monitoring of indicators, and factor in current and proposed infrastructure. The capacity assessments carried out also takes into consideration the position of any existing dwellings and/or buildings on the site, to ensure that development capacity is not over stated. This

is a more conservative assessment of development capacity to the PDP Dwelling Capacity Model (**DCM**), which was presented in evidence in the Stage 1 hearings by Mr Phil Osborne. The results of the HDCA are in my view, more robust and realistic, and there is very little change compared to the Stage 1 evidence.

**5.9** The HDCA and BDCA have not at this point in time, been updated following the release of decisions on Stage 1. The majority of changes made by the Panel, did however allow for a more enabling framework.

**5.10** The NPS UDC has limited relevance to this hearing, as the land in question is largely outside of the Queenstown Urban Environment. The only rezoning submissions that fall within or partly within the ‘Urban Environment’ are:

- (a) Martin MacDonald and Sonya Anderson #451, 51 Walnut Lane, 45A-C Erskine Street and LDSRZ<sup>6</sup> portion of Bridesdale Farm;
- (b) Jane and Richard Bamford, #492, portions of 38, 44 and 46 Judge and Jury Drive and the LDSRZ portion of Bridesdale Farm; and
- (c) Bridesdale Farm Developments #655, LDSRZ portion of Bridesdale Farm.

**5.11** The findings of the HDCA are consistent with the PDP DCM model (and Ms Osborne’s evidence) and confirm that there is sufficient feasible development housing capacity enabled by the PDP in the short, medium and long terms. This confirms the Panel’s findings in Hearing Streams 12 and 13 that there is no pressing need to extend the area of residential zoned land in Queenstown due to there being sufficient residential development capacity enabled by the PDP (and ODP where still relevant), and as a result the relief sought needs to be supported on some other relevant basis.<sup>7</sup>

**5.12** The Panel’s recommendations on Hearing Stream 12, Report 16 observed that the NPS UDC:

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<sup>7</sup> Pg. 26, Section 3.3 Report 17-1

*“does not prescribe where any particular urban development capacity needs to be located merely that sufficient capacity has to be provided in terms of policy PA1 and that, in terms of policy PA3(a), particular regard has been had to provision for choices meeting the needs of people and communities and future generations.”*

- 5.13** The analysis of demand and feasible development capacity for housing in the HDCA has indicated that the PDP and ODP (where relevant) are able to meet all the requirements under the NPS UDC in terms of total feasible development capacity for growth for the long term (next 30 years) in a range of locations and densities. This inclusion applies to both the urban environment and the total demand for the district generally. This exceeds NPS requirements, as the district plan is only required to provide feasible (zoned) development for the medium term (being ten years).

## **6. REQUESTS FOR CHANGES TO LANDSCAPE LINES**

- 6.1** The submissions discussed below all seek amendments to the notified ONL or ONF boundaries for all areas within the scope of this hearing.
- 6.2** In the below paragraphs I outline the framework within the PDP for the identification of the landscape lines and how development within ONLs, ONFs and RLCs are managed by the PDP, decisions version (acknowledging that the appeal period is currently open on the Stage 1 decisions). I have taken these matters into consideration in the assessment of submissions seeking changes to the notified landscape lines.
- 6.3** The Decision Strategic Objective 3.2.5 and Policy 3.3.29 creates the framework for the use of ONL and ONF annotations to retain the District’s distinctive landscapes. The policies in Chapters 3 and 6 describe the implementation of these lines. Overall, in the Stage 1 recommendations, the Panel determined that the identification of ONL / ONF boundary lines is more efficient and effective than relying on the identification of landscape categories on a case-by-case basis, as is required by the framework of the ODP.

- 6.4** The framework in the PDP provides for the ONL and ONF classifications and lines within the Rural Zone (Chapter 21). The rules and assessment matters relating to the three landscape classification overlays (ONF, ONL and Rural Character Landscapes (**RCL**)) are in the Rural Zone chapter and are in addition to the objectives and policies contained within Chapters 3 and 6.
- 6.5** The identification of the ONF and ONL lines on the PDP Planning Maps within the Ladies Mile area is described in detail in the evidence of Ms Mellisop for the Council
- 6.6** Consistent with the Panel's recommendations in relation to Chapters 3 and 6 of the PDP, where land that is identified as outstanding under s 6 of the Act as an ONF or ONL is located within a zone other than the Rural Zone, there should be objectives or provisions that manage the respective section 6 landscape values. In terms of Stage 1 or 2 PDP land located in the Queenstown and Wakatipu area, in addition to Chapter 24 Wakatipu Basin<sup>8</sup>, the Jacks Point Zone (Chapter 41), Waterfall Park (Chapter 42) and Millbrook (Chapter 43) have specific objectives, policies, rules and methods such as zoning overlays that manage the landscape resource in terms of sections 6 (a), (b) and section 7(c) of the Act. However, these chapters do not refer specifically to the ONF, ONL or RCL overlays.
- 6.7** For example, in the MDRZ there are no provisions to recognise and provide for the protection of landscape values, and residential development (that meets the relevant rules) can be undertaken as of right in this zone.

## **7. REQUESTS FOR CHANGES IN ZONING**

- 7.1** I have used the Panel's Stage 1 approach to the analysis of rezoning submissions<sup>9</sup> from Report 17.1, Report regarding Queenstown, as

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<sup>8</sup> Noting that Chapter 24 only takes this approach to deal with adjacent ONLs/ONFs, rather than any ONLs/ONFs being located in the Wakatipu Basin Zone

<sup>9</sup> Page 35-36 Section 5.1 <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Recommendations/Reports/Report-17-01-Qtn-Map-Introduction.pdf>

guidance, and the statutory tests<sup>10</sup> for deciding on what are the most appropriate provisions or zones in the PDP. This is copied below:<sup>11</sup>

- (a) whether the change implements the purpose of the PDP Strategic Direction, Urban Development and Landscape Chapters;
- (b) the overall impact of the rezoning gives effect to the ORPS and the PRPS;
- (c) whether the objectives and policies of the proposed zone can be implemented on land;
- (d) economic costs and benefits are considered;
- (e) changes to the zone boundaries are consistent with the maps in the PDP that indicate additional overlays or constraints (e.g Airport Obstacle Limitation Surfaces, SNAs, Building Restriction Areas, ONL/ONF);
- (f) changes should take into account the location and environmental features of the site (eg. the existing and consented environment, existing buildings, significant features and infrastructure);
- (g) zone changes are not consistent with the long term planning for provision of infrastructure and its capacity;
- (h) zone changes take into account the effects on the environment or providing infrastructure onsite;
- (i) there is adequate separation between incompatible land uses;
- (j) rezoning in lieu of resource consent approvals, where a portion of a site has capacity to absorb development does not necessarily mean another zone is more appropriate (i.e rezoning of land when a resource consent is the right way to go); and
- (k) zoning is not determined by existing use rights, but these will be taken into account.

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10 Section 32 RMA  
11 Paragraph 132 Pg 38



**7.2** Relevant local context factors have been considered and include:

- (a) the layout of streets and location of public open space and community facilities;
- (b) land with physical challenges such as steep topography, poor ground conditions, instability or natural hazards;
- (c) accessibility to centres and the multiple benefits of providing for intensification in locations with easy access to centres; and
- (d) the ability of the environment to absorb development.

### **Split Zoning**

**7.3** I have also drawn my mind to the Panel's comments regarding split zoning<sup>12</sup> and the use of building restriction<sup>13</sup> areas to avoid these. I agree with the Panel that split zoning should be avoided where possible if the Stage 1 definition of 'site' was to stay in the PDP. However, this has been subsequently addressed by the proposed Stage 2 variation of the definition of site, and I refer to Mr Langman's evidence who addresses this issue in some detail.

**7.4** The new definition has removed the deeming provision, thus addressing the Panel's main concern regarding how the definition could lead to the introduction of new lots through subdivision on an arbitrary nature, without consideration of its suitability in accordance with the PDP.<sup>14</sup>

**7.5** The issue of 'split zoning' is an important consideration in my report due to the level of development that has been constructed and consented in close proximity to the ONL/ONF and Hayes Creek. This includes the properties that are covered by the following submissions:

- (a) ONL location (Alexander Reid #277, Stalker et al #535, Martin MacDonald and Sonya Anderson #451, Jane and Richard Bamford, #492, Bridesdale Farm Developments #655, R and R Jones #850); and

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12 Pg. 39, Section 5.2, Report 17-1

13 Pg. 22, Section 19.3, Report 17-4

14 Pg. 39 Section 5.2, Report 17-1

- (b) Proximity to Hayes Creek (Bridesdale Farm Developments #655).

**7.6** I agree with Mr Langman regarding the issue of split zoning in the context of the Wakatipu Basin, which involves large blocks of rural land that have various levels of protection from inappropriate subdivision and development through Chapter 6. It is my view that 'split zoning' should be avoided on smaller lots, particularly on those sites that adjoin an ONL. As discussed in Section 6.7 of this report in the MDRZ there are no provisions to recognise and provide for the protection of landscape values, and residential development (that meets the relevant rules) can be undertaken as of right in this zone. This matter is discussed in detail under each relevant zoning request.

### **Queenstown Airport Corporation Further Submissions**

**7.7** It was Council's view in Hearing Stream 13 that it is not appropriate or necessary for the PDP to go beyond the limitations imposed by Plan Change 35 process (**PC35**). The Panel agreed with this approach and concluded:<sup>15</sup>

- (a) Air Noise Boundary (**ANB**) and Outer Control Boundary (**OCB**) provide limitations on the amount of noise that Aircraft Operations can create. This is a condition of their designation;
- (b) The community has accepted a level of noise through the PC35 process;
- (c) If Queenstown Airport Corporation (**QAC**) wish to increase aircraft noise and extend the ANB and OCB then a new process would need to commence to amend the conditions; and
- (d) There is no certainty surrounding whether or not the community would accept the increased noise, or the increases in passengers that QAC have predicted will eventuate.

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<sup>15</sup> Pg. 39-40, Section 5.3, Report 17-1.

**7.8** Overall, the Panel did not consider it sound resource management practice to limit development potential based on these factors. I agree and have adopted this approach when assessing further submissions from the QAC that fall on land outside the ANB and OCB of the PDP.

**8. ASSUMPTIONS USED TO CALCULATE THE DEVELOPMENT YIELD OF LAND RECOMMENDED TO BE REZONED**

**8.1** In this report I have adopted the same approach to yield calculations that was used in Hearing Streams 12 and 13 to calculate an approximate development yield from land recommended to be rezoned (to an urban zone).

**8.2** Where a rezoning submission has requested a zone or activity but has not provided any detail on the likely development or any restrictions, particularly for larger 'greenfield' rural areas, the potential yield has been calculated on the anticipated subdivision minimum allotment size (based on the decision version), with a reduction of 32% for roads and reserves. While I accept that the 32% is an estimate, it has been adopted throughout the PDP review (for rezoning submissions where an urban zone is sought). It is considered a reasonably sound estimate of the amount of land within a greenfield area that would be required for roading and reserves. This reduction was only removed for urban type developments, for example, LDSRZ, MDRZ, HDRZ and LLR. However, the 32% was not removed from Rural Zone, RRZ, and RLZ.

**8.3** The yield calculations for the respective zones are based on the following minimum allotment sizes for subdivision as set out in the Subdivision chapter:

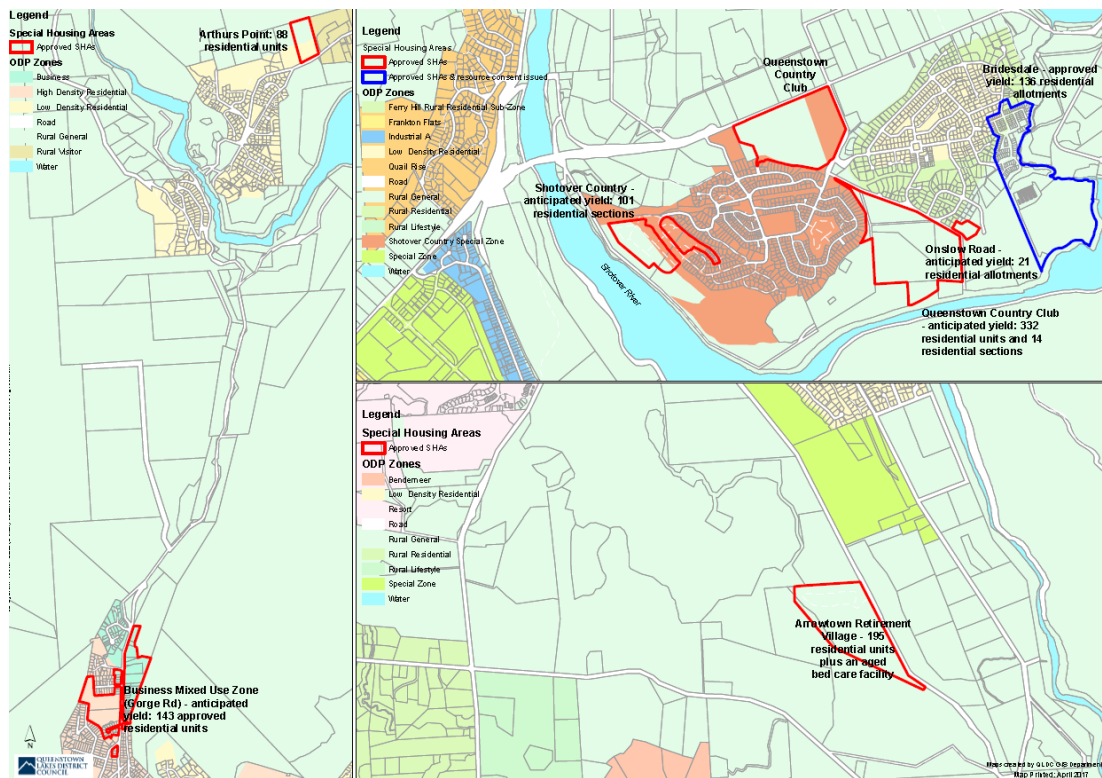
- (a) Lower Density Suburban Residential – 450m<sup>2</sup>;
- (b) Medium Density Residential – 250m<sup>2</sup>;
- (c) High Density Residential – 450m<sup>2</sup>;
- (d) Large Lot Residential A – 2,000m<sup>2</sup>;
- (e) Large Lot Residential B – 4,000m<sup>2</sup>;
- (f) Rural Residential – 4,000m<sup>2</sup>; and
- (g) Rural Lifestyle – 2 hectares.

**9. RELEVANCE OF THE HOUSING ACCORDS AND SPECIAL HOUSING AREAS ACT 2013**

- 9.1** The purpose of the HASHAA is to enhance housing affordability by facilitating an increase in land and housing supply in certain regions or districts, including the Queenstown Lakes District.
- 9.2** In October 2014 the Council and Government entered into the Queenstown-Lakes District Housing Accord (**Housing Accord**). The Housing Accord is intended to increase housing supply and improve housing affordability in the District by facilitating development of quality housing that meets the needs of the growing local population. The Housing Accord included agreed targets related to housing supply for Years 1-3 of the Accord. Targets for years 4-6 are to be agreed between the Council and the Minister of Housing and Urban Development (**the Minister**). The Housing Accord includes priority actions aiming to increase the supply of housing in the District and to guide the Council's exercise of powers provided by HASHAA. It also addresses governance, processes, monitoring and review.
- 9.3** Under HASHAA the Council may at any time recommend to the Minister that one or more areas within the District be established as special housing areas (**SHAs**). To date eight SHAs have been approved in Queenstown, as indicated in [Figure 2](#) below. This includes Bridesdale, Onslow Road, Arthurs Point, Arrowtown Retirement Village, Shotover Country, Business Mixed Use Gorge Road),<sup>16</sup> Queenstown Country Club.

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<sup>16</sup> An SHA was re-established over the Business Mixed Use (Gorge Road) SHA, with a slightly amended area.



**Figure 2: Queenstown SHAs**

**9.4** The bulk of the approved SHAs have been in the vicinity of the Ladies Mile, including; Bridesdale, Onslow Road, Shotover Country and the Queenstown Country Club SHAs. The Queenstown Country Club and Onslow Road SHAs are discussed in detail below (Paragraphs 9.7 to 9.11 below), while the Bridesdale and Shotover Country SHAs are discussed as part of the assessment of Submissions 655 and 842.

**9.5** A key aspect of the HASHAA is that it is only in effect for a limited amount of time. On the 16 September 2016, the Housing Legislation Amendment Act 2016 came into effect, which extended the HASHAA by an additional three years. This resulted in the deadline for establishing a SHA and the date of repeal of the HASHAA being extended to September 2019 and 16 September 2021 respectively. The Council has promoted resource consents by adding areas to Category 2 of the Lead Policy, over plan changes via the HASHAA, to encourage development, rather than a new zone that applies in perpetuity, with no guarantees on the timing of development and high risks of 'land banking'.

- 9.6** On 26 October 2017, the Council adopted an amended Housing Accords and Special Housing Areas Implementation Policy (**the Lead Policy**). The purpose of the Lead Policy is to assist the Council in deciding whether to recommend the establishment of SHAs to the Minister, and in considering applications for resource consent for qualifying developments within SHAs. This is relevant to this hearing stream as the Ladies Mile area now falls within Category 2 of the Lead Policy.

### **Queenstown Country Club & Onslow Road SHAs**

- 9.7** Urbanisation of a portion of the Ladies Mile landscape unit has recently been consented and is under development at present as part of the Queenstown Country Club developments. The Queenstown Country Club SHA (**QCC SHA**) was approved via an Order in Council on the 4 July 2016, and the Onslow Road SHA was approved via an Order in Council on the 16 May 2016. Both of these SHAs are being developed as part of the Queenstown Country Club development.
- 9.8** Following this, SH160140 was consented on the 4 April 2017 under the HASHAA over the QCC and Onslow Road SHA areas and related specifically to 420 and 444 Frankton - Ladies Mile Highway, Onslow Road East, and land adjacent to Jones Road.<sup>17</sup>
- 9.9** SH160140 approved the development of up to 332 residential dwellings (including villas and apartments), a hospital, 82 bed aged care and dementia care facility, clubhouse, bowling green and pavilion with ancillary community and recreation activities (medical centre, childcare facility and gym/pool), and ancillary commercial activities (including retail, café and boatshed café/restaurant). Consent was also granted to construct 10 workers accommodation units and to undertake a 21 unit title subdivision and 2 lot subdivision. The approved development is indicated in Figure 3 below:

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<sup>17</sup>Land relevant to Submissions 404, 842, and 850





**Figure 3: SH160140 Approved Masterplan (Noting clubhouse has reduced in size).**

- 9.10 To date, 34 building consents have been issued for the construction of buildings on the QCC SHA portion of the land and construction is underway.
- 9.11 SH160140 has significantly transformed the southern portion of the Ladies Mile and until recently had only been developed for Rural / Rural living type developments.

## 10. Wakatipu Basin Land Use study

- 10.1 The Land Use Study was completed in March 2017 in response to the Hearings Panel Minute dated 1 July 2016. The Land Use Study identified a total of 25 landscape character units within the study area, each being identified as having varying capability levels to absorb additional development.
- 10.2 Overall, the key findings of the Land Use Study was that the rural character and amenities values of the Basin do not derive from

predominantly rural/productive land uses and that the Discretionary Activity regime is unlikely to achieve the Strategic Direction of the PDP.

- 10.3** The Landscape Character Units (**LCUs**) that are relevant to this report are LCUs 10 and 25 and are indicated in [Figure 4](#) below:



**Figure 4. Relevant Landscape character units of the Land Use Study**

- 10.4** The findings of the Land Use Study recommend that the Ladies Mile area be included in the Ladies Mile Gateway Precinct, which was largely due to the approval of the QCC SHA. The consultants recommended it be developed to an urban parkland type development character, which would enable higher densities in places (range from 250m<sup>2</sup> to 450m<sup>2</sup>), with lower densities and landscape buffers. The Land Use Study concludes that a Structure Plan process will be required to address amenity, landscape and infrastructure issues to maximise densities of the area and ensure that it is developed sympathetically in acknowledgement of the area being a key gateway into Queenstown. Overall, it was concluded that the Ladies Mile LCU has a high capacity to absorb increased levels of development that should be prioritised for development given its strategic location.



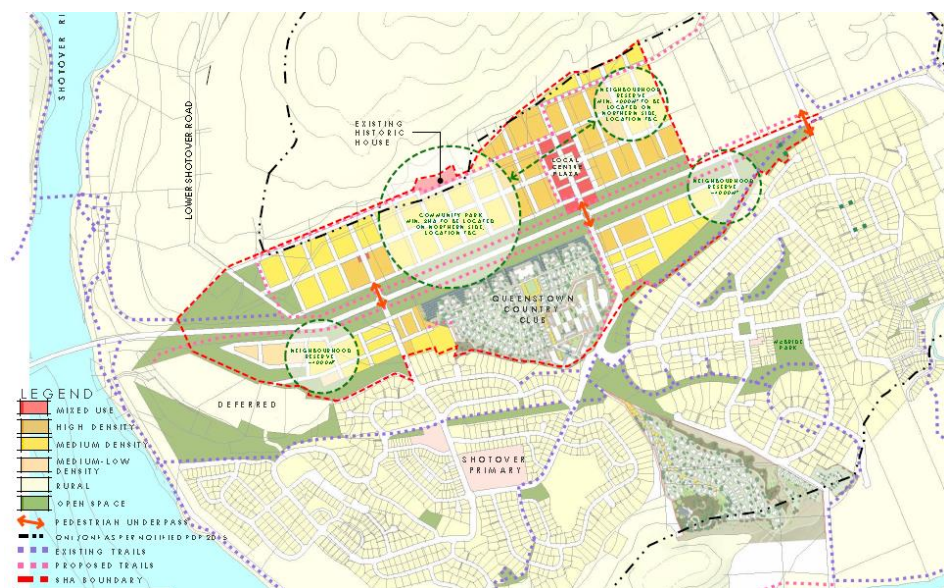
- 10.5** The Shotover Country LCU is split into two areas, which is the eastern and western area. The eastern area is the location of the Shotover Country SHA where the approved density is similar to the LDSRZ and the neighbouring Shotover Country Special Zone (around 450m<sup>2</sup>). Taking this into consideration and its proximity to the Shotover Country Special Zone, the western portion of this LCU has been assessed as having a high capability to absorb change. This area is largely over the Shotover Country SHA, with the balance to be maintained as reserve land. The overall planning strategy for this area is LDSRZ interspersed with Open Space Reserve Zones.
- 10.6** The eastern portion of LCU 25 was determined to have a Moderate to High Capability of absorbing increased levels of development because of its role of the area as a relatively spacious green edge to Lake Hayes Estate and Shotover Country, its proximity to the ONL and the topographical constraints. The Land Use Study recommends that any additional development in this area seeks to retire and revegetate the steep slopes throughout the area, exploit existing access sways and avoid developments away from the ridgeline. Overall, the recommended planning strategy for this portion of land is LLR.

#### **Inclusion of the Ladies Mile within the SHA Lead Policy**

- 10.7** On 26 October 2017, the Council resolved to incorporate a portion of the Ladies Mile Landscape Unit within Category 2 of the Lead Policy. The Lead Policy provides three categories as follows:
- (a) Category 1 – Areas suitable for SHAs, specifically areas consistent with the Proposed District Plan zonings and urban growth boundaries;
  - (b) Category 2 – Areas that may be suitable, subject to further assessment; and
  - (c) Category 3 – Areas unsuitable due to their sensitivity or inappropriate location for residential development.
- 10.8** A Category 2 area is identified by Council as an area that “may” be suitable for the establishment as an SHA and the category can only be

updated following a resolution from full Council, which includes both the addition and removal of areas from this category.

- 10.9** An indicative masterplan was prepared for this area (see [Figure 5](#) below) and attached to the Lead Policy along with a design statement, landscape strategy and specific development objectives for the Ladies Mile Area. All Expressions of Interest for this area need to demonstrate compliance with the Lead Policy.



**Figure 5 Indicative Ladies Mile Masterplan (Source: Lead Policy)**

- 10.10** Key elements specific to the Ladies Mile that are promoted in the Lead Policy include connectivity, a grid pattern of development and a 75m setback from the Ladies Mile Highway. A mix of residential density, including mixed use (a small retail area to service the local community), High, Medium and Low Density Residential (with a predominance of High and Medium) as well as cycle, walkways and infrastructure measures.

- 10.11** Prior to adopting the Ladies Mile area into the Lead Policy, Council consulted with New Zealand Transport Agency (**NZTA**) in relation to the indicative master plan. NZTA indicated that they were comfortable with 1025 residential units being proposed for the area; however, they were opposed to the full extent of the development enabled under the original Indicative Masterplan, which enabled approximately 2224-

2874 residential units. NZTA's primary concern was the capacity of the Shotover Bridge to cope with the additional demand.

- 10.12** As a result, of NZTA's concerns, the Lead Policy includes a 'policy pause' once applications for qualifying development exceed 1,100 units so that no new expressions of interests will be considered. This 'pause' is to enable a further assessment of the traffic impact of any additional housing and to assess the impact that the improved bus service and increased Town Centre car parking charges are having on travel volumes and mode share. A Park and Ride Facility on the Ladies Mile is provided for in the Queenstown Integrated Transport Programme Business Case and the timing for the works is in the 'medium term' with 'Park and Ride Public Transport Services – Other Locations' set down for 2025. Ladies Mile Corridor improvements are also scheduled for the short-term i.e before 2021.
- 10.13** Another key aspect of the Lead Policy is the requirement for 10% of the developable land area or market value of the development to be provided to the Queenstown Lakes Community Housing Trust (QLCHT) for affordable housing. The aim of QLCHT in obtaining and developing this land is to establish and retain affordable housing in perpetuity on the basis that the QLCHT can only utilise it for the Secure Home Programme, Affordable Rental or Rent Saver products.
- 10.14** Overall, the intention of the inclusion of the Ladies Mile area within the Lead Policy, as evidenced by the provisions within the policy, as well as the indicative master plan and its supporting documents, is to provide an integrated and comprehensive approach to the development of the area. This is important given multiple landowners exist across the land area and the constraints, such as limited access to SH6 and stormwater management, which need to be addressed in a strategic manner across the landholdings. The master plan also shows that Council's intention for the land is to provide for intensive residential development (with a small mixed use area) to maximise the yield of the land in terms of housing density to provide for the projected population growth of Queenstown.

- 10.15** Given the relatively limited opportunities in the District to establish significant new urban development at scale and in close proximity to a wide range of employment, entertainment and services and on relatively flat land without any known significant geotechnical issues, the Council is anxious to avoid piecemeal development of the area in an inefficient development pattern. Council also wants to avoid the establishment of a poorly integrated street pattern and stormwater system with no local centre to provide the amenity and sustainability benefits of local services and conveniences. To date Council have not received any Expressions of Interest in relation to this land.
- 10.16** It is noted that the land off Max's Way falls within the "deferred area". This area is "deferred" in acknowledgement of the need to stage urban development of the Ladies Mile area to align with the capacity of the surrounding transport network – in particular the Shotover Bridge. This is discussed further in my assessment of submission 838.
- 10.17** Since the release of the Lead Policy, the NZTA have raised concerns with the remaining capacity of the Shotover Bridge. This is something that is being further explored through the Housing and Infrastructure Fund, which is further discussed below:

## **11. HOUSING INFRASTRUCTURE FUND**

- 11.1** The Housing Infrastructure Fund (**HIF**) was established by the Government in 2017 to assist high growth councils to advance infrastructure projects important to increasing housing supply. The Council was successful in three growth areas applied for (Kingston, Quail Rise south and the Ladies Mile) and based on an indicative business case, has provisionally been allocated up to \$50 million dollars as part of the HIF.
- 11.2** The Ladies Mile Development Area is shown in [Figure 6](#) below, which is a very early option assessment of the Indicative Business Case when the area was investigated in its entirety. It covers approximately 140 hectares of land along both sides of the Ladies Mile (SH6) between the Shotover River and Lake Hayes. The area is currently zoned Rural and Amenity Zone in the PDP.



ONF due to topography, vegetation and the existing development. Submitter 534 states that the part of the site contained within the ONL cannot reasonably be considered as an ONL as the site is not “... *open and natural landscape of minimal modification, natural plant patterns and indigenous species devoid of structures*”<sup>19</sup>.

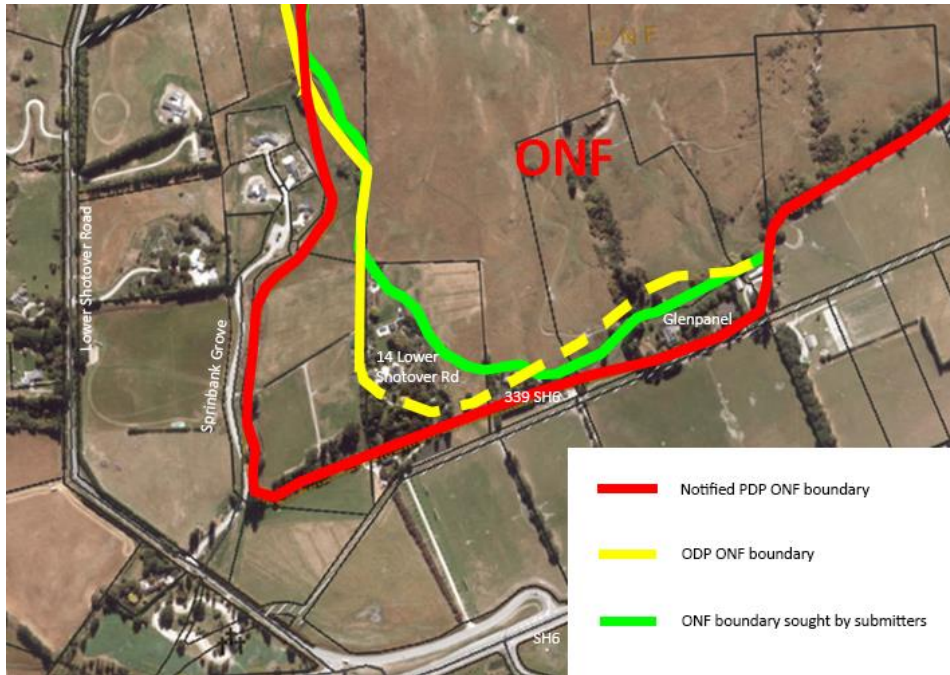
- 12.2** Further submitters FS1068 (Lemaire-Sicre), FS1071 (LHECA) oppose any amendments, while FS1259 (Walker Family Trust) and FS1267 (Walker Family Trust), FS1016 (Clark Fortune McDonald and Associates) support the primary submissions.
- 12.3** The south western boundary of the Slope Hill ONF was considered by the Environment Court in C216/2001,<sup>20</sup> which formed the solid black line in Map 1 of Appendix 8A of the ODP. Ms Mellsop details in her report the key areas where the two lines differ. Ms Mellsop agrees with the submitters that the ONF boundary should exclude the Glenpanel Homestead and curtilage of dwellings at 399 Frankton Ladies Mile Highway and 14 Lower Shotover Road. I agree that the Glenpanel Homestead and its curtilage are largely on the flats rather than the hill slope. As a result, I agree that the Glenpanel Homestead should be located outside the ONF boundary.
- 12.4** Ms Mellsop states in her evidence that the existence of dwellings and domestication does not necessarily disqualify a landscape or landscape feature from consideration as an ONL or ONF. There are many examples of dwellings and built form being located in an ONL or ONF throughout the District. However, Ms Mellsop agrees with the submitters that the dwellings and curtilage of 399 Frankton Ladies Mile Highway and 14 Lower Shotover Road are more appropriately located outside the boundaries of the ONF and should therefore be included as part of the more domesticated lower slopes of Slope Hill. This is indicated in the aerial shown in Figure 7:

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19 Pg. 16 Submission 535

20 *Stalker Family Trust v Queenstown Lakes District Council* (2001) NZENVC 428 (C216/2001)





**Figure 7: ODP, PDP and Submitters ONF boundary**

- 12.5** Ms Mellsop considers that the PDP ONF boundary is appropriately located at all other locations. I agree that it provides a clear boundary between the more developed lower slopes and the more open elevated upper slopes.
- 12.6** I rely on Ms Mellsop’s opinion on the matter and I recommend that the ONF boundary be amended to exclude Glenpanel, 339 Frankton Ladies Mile Highway and 14 Lower Shotover Road. I do not support the other amendments sought by submitters.

**NORTHERN SIDE OF LADIES MILE – ZONING REQUESTS**

**13. ALEXANDER REID (277) AND GW STALKER FAMILY TRUST ET AL. (535)**

- 13.1** Two submissions have been received for the zoning of the general area to the north of Frankton Ladies Mile Highway (Submissions 277 and 535). As a result, I have assessed submissions 277 and 535 together in the summary tables and paragraphs below as they relate to the same area.

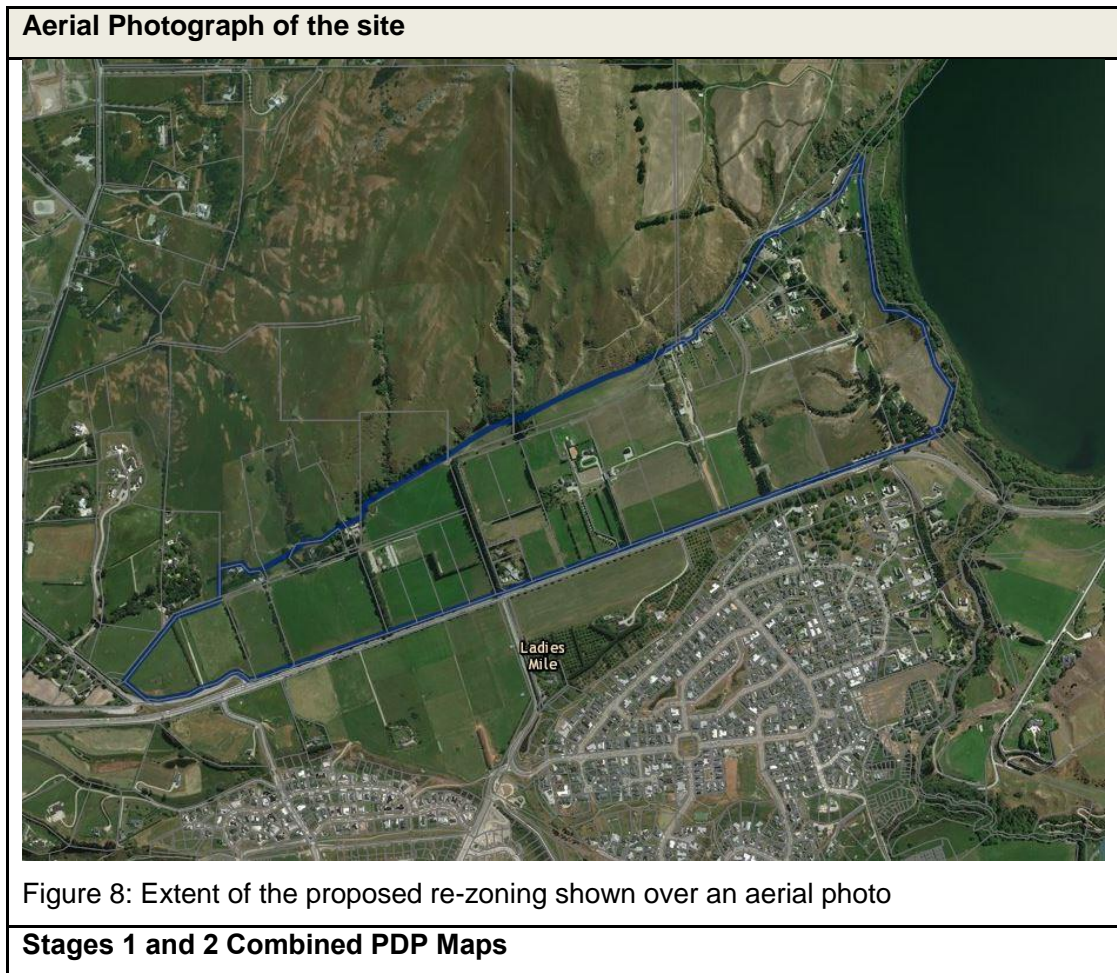
Overall Recommendation	
Recommendation	Reject

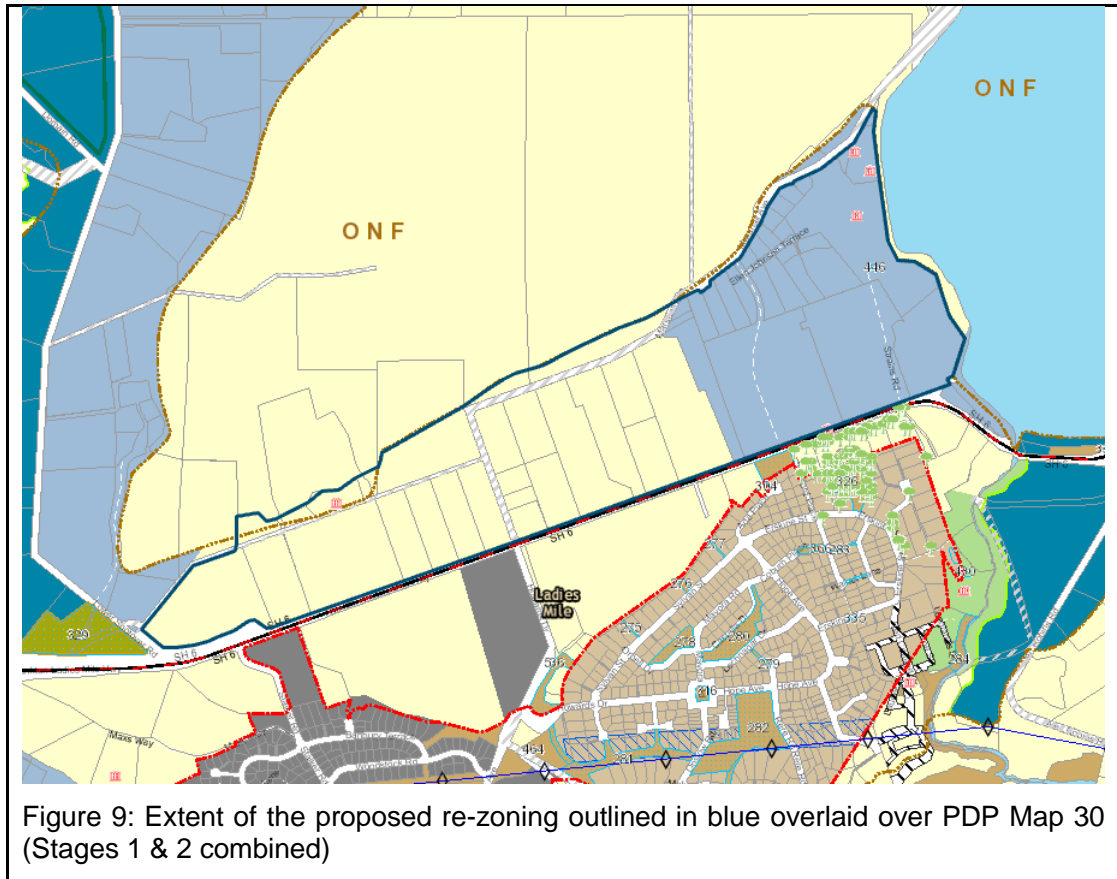
<b>Property and submission information</b>	
<b>Further Submitters</b>	<p><b>Submission 535.39</b>            FS1068.39 – Keri &amp; Roland Lemaire-Sicre – oppose            FS1071.52 – LHECA – oppose            FS1092.22 – NZTA - oppose            FS1259.23 – Bill and Jan Walker Family Trust – support            FS1267.23 – DV Bill and Jan Walker Family Trust – support</p> <p><b>Submission 535.40</b>  <b>Submission 535.41</b></p>
<b>Land area/request referred to as</b>	Northern side of Frankton Ladies Mile Highway
<b>Stage 1 zone and any mapping annotation</b>	Rural (parts replaced by variation) ONL Listed Heritage Features 70a, 70b, 122, 240 and 242
<b>Stage 1 Zone requested and any mapping annotation requested</b>	A mix of Rural Lifestyle and Rural Residential (277) Rural Lifestyle (535) ONL boundary moved
<b>Stage 2 PDP Zone and any mapping annotations</b>	Eastern portion (Threepwood) located in the Amenity Zone
<b>Stage 2 Zone requested</b>	Discussed in Sections 4.9 and 4.10 above
<b>Supporting technical Information or reports provided with submission</b>	None
<b>Legal Description</b>	Various properties (approximated from submission – QLDC GIS): Sec 1 SO 24954, Sec 42 Blk III Shotover SD, Pt Sec 45 - 46 Blk III Shotover SD, Lot 1 DP 22874, Lot 16 DP 12921, Lot 2 DP 21614, Sec 54 Blk III Shotover SD, Sec 43 Blk III Shotover SD, Pt Sec 50 Blk III Shotover SD, Pt Sec 49 Blk III Shotover SD, Lot 1 DP 20162, Lot 1 DP 12822, Sec 44 Blk III Shotover SD, Lot 1 DP 359142, Lot 2 DP 359142, Part Lot 1 DP 368875, Lot 13 DP 378242, Lot 22 DP 378242, Lot 24 DP 378242, Lot 25 DP 378242, Lot 26 DP 378242, Lot 57 DP 378242, Lot 1 DP 407526, Lot 2 DP 407526, Lot 3 DP 407526, Lot 4 DP 407526, Lot 5 DP 407526, Lot 6 DP 407526, Lot 7 DP 407526, Lot 8 DP 407526, Lot 9 DP 407526, Lot 10 DP 407526, Lot 11 DP 407526, Lot 12 DP 407526, Lot 14 DP 407526, Lot 15 DP 437509, Lot 16 DP 437509, Lot 17 DP 437509, Lot 18 DP 437509, Lot 19 DP 437509, Lot 2 DP 458502, Part of Lot 1 DP 463532, Lot 2 DP 463532, Lot 3 DP 463532, Lot 4 DP 463532, Part of Lot 5 DP 463532, Part of Lot 6 DP 463532, Part of Lot 7 DP 463532, Lot 1 DP 475308, Lot 2 DP 475308, Lot 2 DP 388976, Lot 1 DP 495771, Lot 2 DP 495771
<b>Area</b>	256,0351m <sup>2</sup> (approximated from submission - QLDC GIS)



<b>QLDC Property ID</b>	Various properties (approximated from submission – QLDC GIS): 28148, 11328, 11329, 11330, 28469, 2582, 28470, 11331, 20826, 20827, 24798, 24799, 24800, 24801, 24802, 24803, 24804, 24805, 24806, 24807, 24808, 24809, 24810, 24811, 24812, 27584, 27585, 27586, 27587, 27588, 27597, 29620, 31760, 43440, 60220, 60230, 2584, 10172, 10173, 10174, 15871
<b>QLDC Hazard Register</b>	Liquefaction Risk: Possibly Susceptible (Hazards Register Part II Stage 2 Risk Management Study Report Opus 2002)

<b>Summary of Council assessments and recommendations</b>	
<b>Landscape</b>	Not oppose RLZ Oppose RRZ
<b>Traffic</b>	Oppose
<b>Water, stormwater</b> <b>wastewater,</b>	Not oppose

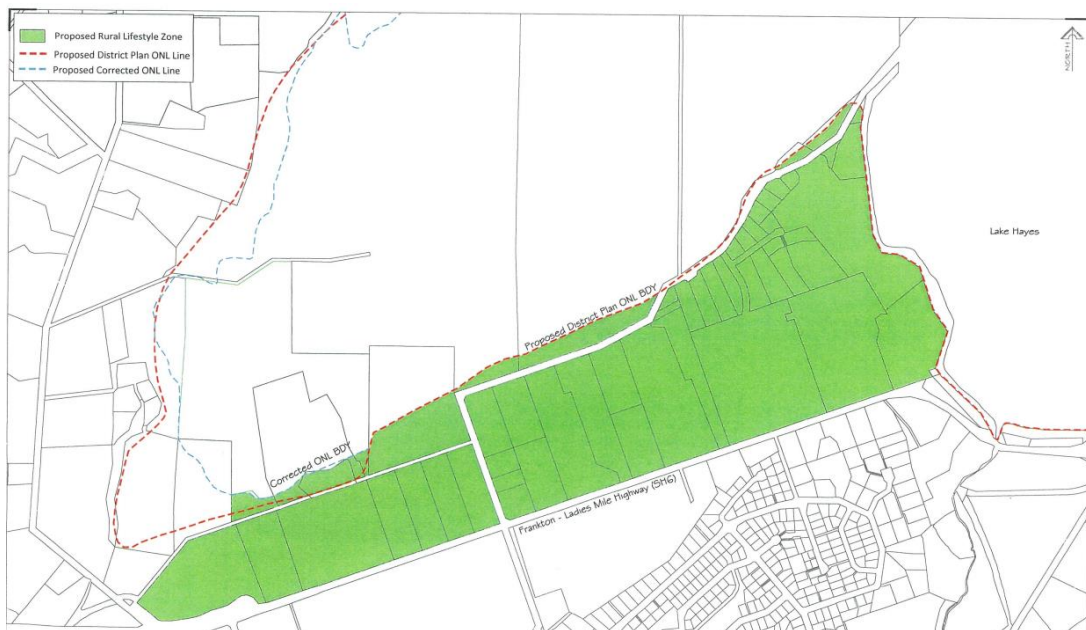




- 13.2** As can be seen in [Figure 9](#) above, the western extent of the subject land area is zoned Rural Zoneas notified in August 2015. The eastern portion of the sites, commonly known as Threepwood, is located within the Amenity Zone. This Amenity Zone area is being considered in Mr Langman’s s42A Report.
- 13.3** Submitter 277 seeks that “*some developed areas of rural living*” along the northern side of Ladies Mile be rezoned to a mixture of RRZ or RLZ, as the current urban growth boundaries do not provide for future residential subdivision. It is unclear from the submission where the UGB should be extended to on the northern side of Ladies Mile, and the specific area that should be rezoned RLZ and RRZ.
- 13.4** Submitter 535 has requested that the zoning of this area change from Rural Zone to RLZ and that the ONL boundary be amended as shown in [Figure 10](#) below. As part of the re-zoning request, Submitter 535 has proposed a 100m wide Building Restriction Area (**BRA**) so that no buildings can be located within 100m from SH6. Additionally, they have proposed an additional rule requiring submission of a landscape plan with any application for resource consent to plant the 100m setback

BRA to create a visual screen between SH6 and any residential unit, and to remove any existing trees within the 100m building setback to enhance views from SH6. They have also requested the minimum allotment size of 1 hectare. It is noted that this issue was deferred by the Panel as a result of the Council's decision to undertake structure planning process in the Wakatipu Basin.<sup>21</sup>

- 13.5** Four further submissions were received in relation to Submission 535, two in support (FS1259.22 & FS1267.22) and two in opposition (FS1068.38 & FS1071.51).



**Figure 10: Extent of re-zoning and location of the ONL line as requested by Submitter #535**

- 13.6** The existing area can be characterised as rural living, being houses on lifestyle-sized properties. A pet lodge and a visitor accommodation lodge are also located within the area. The land to the east is adjacent to Lake Hayes and this has been subdivided to greater intensity of development than that of the remainder of the land. This area is known as Threepwood and the buildings are predominantly located at the base of Slope Hill.

21 Pg.107, Section 8.1, Hearing Report 7

## **Landscape**

**13.7** From a landscape perspective, Ms Mellsop does not oppose the rezoning of the land to RLZ, subject to a 2 hectare lot average, due to the increasing urbanisation of the Ladies Mile terrace and adjoining land, including the Shotover Country roundabout. Ms Mellsop considers that the RLZ could be absorbed without significant landscape or visual amenity effects and agrees with the 100m building setback from the SH6 proposed by Submitter 535, as well as screen planting for any new development. Ms Mellsop believes the proposal to remove existing roadside vegetation within 100m of the highway would increase available views from the highway to surrounding landscapes.

**13.8** Ms Mellsop considers the RRZ of the land will result in the loss of remaining rural character and amenity north of the highway. As a result, Ms Mellsop considers RRZ would be inappropriate for this site.

## **Traffic**

**13.9** Mr Smith opposes any zoning that would allow for an increase in development of this area because of the cumulative significant impact on the efficiency of the network on the Shotover Bridge that would necessitate significant investment that has not been planned. However, Mr Smith does note that the RLF or RRZ densities that are proposed would be less significant than those under a higher density zoning such as the densities indicated in the Ladies Mile Masterplan or those indicated in the Land Use Study.

## **Water, wastewater, stormwater**

**13.10** Ms Jarvis has no objections to the requested rezoning from an infrastructure perspective. The majority of the area (with the exception of 25 McDowell Drive) that is being addressed as part of these submissions lies outside the Council scheme boundaries, and as a result all infrastructure would continue to be provided privately for onsite.

## Analysis

- 13.11** The possible yield arising from the rezoning of the northern aspect of Ladies Mile from RZ to either RRZ or RLZ ranges from approximately 31 to 156 residential units. It is acknowledged that the change of zoning to either RRZ or RLZ would result in an increase of rural living opportunities and potential employment opportunities through increased jobs relating to the subdivision and construction of residential units.
- 13.12** I agree with Ms Mellsop that the Ladies Mile area has been subject to increased urbanisation, particularly over the past 12 months. As a result, the future zoning of this area is challenging.
- 13.13** I also agree with Submitters 277 and 355 that the existing character of the area is not reflective of the Rural Zone, particularly when the developments approved for the wider area are taken into account, including those approved as part of the Queenstown Country Club (approved under SH160140) on the southern portion of Ladies Mile.
- 13.14** Equally however, I do not consider the rezoning of the area to RLZ or RRZ would be an efficient use of this area compared to that which Council is trying to achieve through the Lead Policy and Indicative Masterplan for Ladies Mile, as well as the work that is being undertaken as part of the HIF. However, it is acknowledged that if development occurs in accordance with the Lead Policy, it has the potential to urbanise the area to a much greater degree than already exists at present, or is approved under SH160140 and would be incongruous with a Rural Zone.
- 13.15** A finding of the Council's monitoring of development activity and land and house prices in the District is that development of land for lifestyle blocks in the Wakatipu Basin leads to development at extremely expensive price points. The rural living development of this area would very likely render development of this area for urban purposes in a compact and efficient manner extremely unlikely if not impossible.



- 13.16** Overall, while I agree with Ms Mellsop that in terms of the landscape effects, the zoning of the northern aspect of Ladies Mile could change from Rural Zone to RLZ, I consider this to be an inefficient use of the land. Land in this area, compared to much of Queenstown, is relatively unconstrained in terms of topographical challenges or hazards and therefore I consider it to be well-placed to provide for residential development of low – high densities.
- 13.17** The Panel has concluded in Stage 1 based on the decisions version of the UGB that there is sufficient commercially feasible capacity in a range of locations throughout the District. However, a large proportion of the greenfield development capacity in the District is currently owned by a small number of owners who have shown widely varying degrees of intention to facilitate development of their land in a timely manner, despite high prices and projections for strong growth in the local population, the local economy and numbers of visitors to continue. In my view these features of Queenstown’s local development market mean that the development potential of this flat accessible and proximate land at some time in the future is an important consideration in relation to these submissions. In particular, a focus will need to be made on the delivery and retention of affordability.<sup>22</sup>
- 13.18** There is no scope through the submissions to recommend an urban zoning across the land. Furthermore, the land is in multiple ownership and has a number of constraints that need to be addressed in a holistic manner across the landholdings and the Ladies Mile area as a whole. Mr Smith has raised significant capacity concerns with the Shotover Bridge that needs to be considered holistically across the Ladies Mile and include an assessment of the effect of the \$2 bus fare and the Park and Ride facility that is proposed in order to reduce traffic movements across the Shotover Bridge.
- 13.19** Consequently, in my opinion, a review of the entirety of the Ladies Mile landscape unit, including the promotion of a structure plan that considers the efficient future development of the whole area would be beneficial to ensure the area can be developed holistically, maximising density and which allows all environmental effects (including

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<sup>22</sup> The Affordable and Community Housing Chapter is being considered as part of Stage 4 of the PDP

transportation) to be carefully considered. I also consider it important that the community is involved in the development of this area being one of the key gateway entrances to Queenstown. While I note that there is an opportunity for the Community to be involved in the PDP review this is limited through the submission process.

**13.20** For the above reasons, I recommend that the rezoning requests in Submissions 277 and 355 and Further Submissions FS1259 and FS1267 are rejected and Further Submissions FS1068 and FS1071 and accepted.

**14. KERRI LEMAIRE-SICRE (134)**

**14.1** The submitters seeks that the changes promoted in the PDP where a resource consent is no longer required “*providing a set of standards are met*” does not give the submitter confidence that the reverse sensitivity effects on the Pet Lodge can be adequately mitigated. It is unclear from the submission if it applied to the planning rules in its entirety or specifically the Ladies Mile Area only.

**14.2** Further to the assessment completed as part of Section 13 above, it is my recommendation that the Rural Zone remain on the northern side of Ladies Mile. The merits of the Rural Zone have been assessed in detail as part of Hearing Stream 2 and the points of this submission were discussed in Decision Report 4A.<sup>23</sup>

**14.3** Consequently, it is recommended that Submission 134.2 be rejected.

**SOUTHERN SIDE OF LADIES MILE**

**15. D BOYD (838)**

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Further Submitters	Submission 838.1


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<sup>23</sup> Section 4.10, Report 4A

	<p>FS1071.9 – LHECA – oppose</p> <p>FS1092.31 – NZTA – oppose</p> <p>FS1340.155 – QAC – oppose</p> <p><b>Submission 838.2</b></p> <p>FS1071.10 – LHECA – oppose</p> <p>FS1340.156 – QAC – oppose</p> <p><b>Submission 838.3</b></p> <p>FS1071.11 – LHECA – oppose</p>
<b>Land area/request referred to as</b>	Southern side of Frankton Ladies Mile Highway, surrounding 53 Max's Way and to the east of Old School Road
<b>Stage 1 PDP zone and any mapping annotation</b>	Rural (replaced for western part of site only) Listed Heritage Feature 69
<b>Stage 1 Zone requested and any mapping annotation requested</b>	Expand boundaries of UGB, and parts of the southern side of Ladies Mile should be rezoned to Large Lot Residential.
<b>Stage 2 PDP Zone and any mapping annotations</b>	Amenity Zone (western part only)
<b>Stage 2 Zone requested in submission</b>	N/A
<b>Supporting technical information or reports provided with submission</b>	None
<b>Legal Description</b>	<p>Lot 1 DP 325561 (submitter's property)</p> <p>Several other properties see below (approximated from submission – QLDC GIS)</p> <p>Lot 2 DP 23101, Lot 5 DP 23508, Lot 4 DP 23508, Lot 1 DP 325561, Lot 2 DP 325561, Lot 4 DP 325561, Lot 8 DP 325561, Lot 9 DP 325561, Lot 1 DP 431492, Lot 1 DP 439440, Lot 2 DP 439440, Lot 1 DP 473343</p>
<b>Area</b>	<p>53 Max's Way and surrounding properties</p> <p>41047m<sup>2</sup> *(submitter's property)</p> <p>302075m<sup>2</sup> total (approximated from the submission, measured from QLDC GIS)</p>
<b>QLDC Property ID</b>	<p>53 Max's Way and surrounding properties</p> <p>18599 (submitter's property), 18593, 27056, 18595, 50640, 18597, 18598, 18414, 18415, 28010, 28011, 18417</p>
<b>QLDC Hazard Register</b>	Liquefaction Risk: Possibly Susceptible (Hazards Register Part II Stage 2 Risk Management Study Report Opus 2002)



Summary of Council assessments and recommendations	
Landscape	Accept in part
Traffic	Oppose
Water, stormwater	wastewater, Not oppose
Ecology	Native and threatened bird species have been observed within the Shotover River

Aerial Photograph of the site

Figure 11: Aerial photo
<b>Stage 1 and Stage 2 Combined</b>

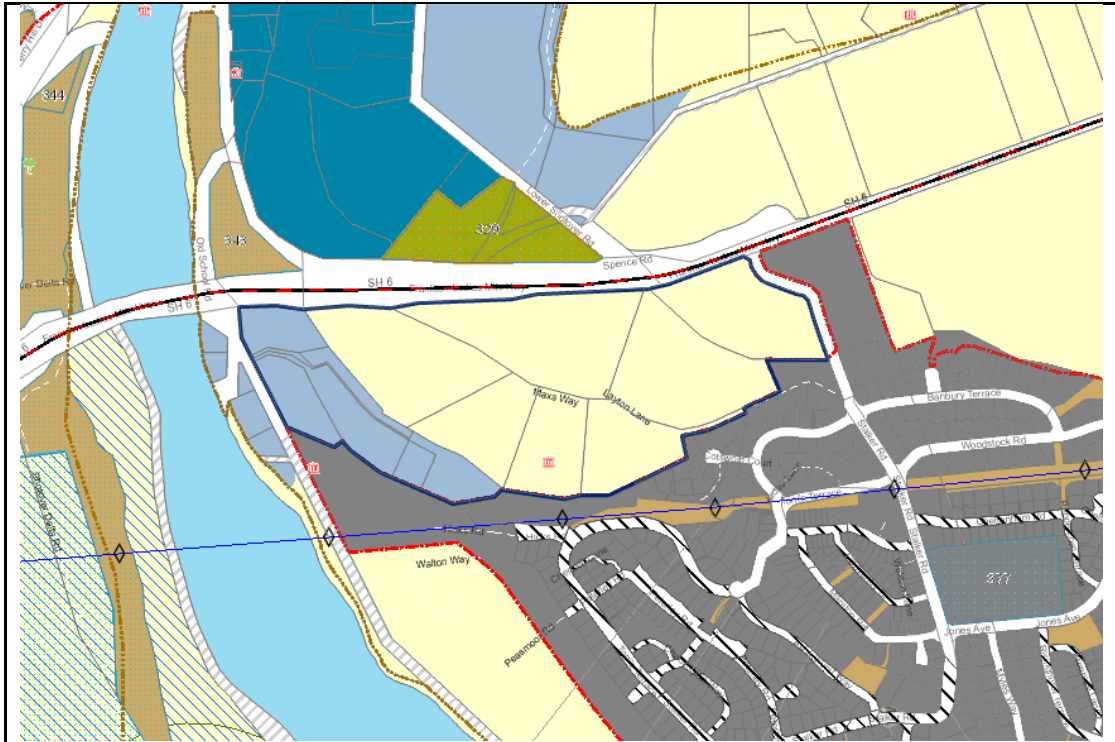


Figure 12: Extent of the proposed re-zoning outlined in blue overlaid over PDP Maps 30 & 31 (Stages 1 & 2 combined)

- 15.1** The submitter seeks that land south of the Ladies Mile Highway and in the general vicinity of Max's Way be rezoned Rural Zone to LLRZ. It is noted that the western part of the site falls within the Amenity Zone. As the majority of the site is Rural Zone it has been considered as part of this hearing report rather than that of Mr Langman. Three further submission in opposition were received from the NZTA, QAC and the LHECA.

### Landscape

- 15.2** Ms Mellsop partly supports the rezoning from a landscape perspective. Her evidence is that the two open terraces that adjoin SH6 are highly visible from SH6 and are important components of the amenity views from the highway. Ms Mellsop opposes the rezoning of this area and considers development on these slopes would result in significant adverse effects.
- 15.3** Ms Mellsop does not oppose the rezoning of the lower terraces as they have limited visibility from the surrounding landscape and are screened by mature shelterbelts on the terrace escarpments and are located

adjacent to Shotover Country. Ms Mellsop evidence is that the lower terraces would be suitable for LLRZ Area B or RRZ.

### **Traffic**

- 15.4** Mr Smith considers the additional traffic movements are unlikely to be noticeable on the road network when considered in isolation from other zoning requests. However, Mr Smith considers the request would result in negative cumulative transportation effects on the long-term performance of the network. Consequently, Mr Smith opposes the rezoning request.

### **Water, wastewater, stormwater**

- 15.5** Ms Jarvis does not oppose the rezoning from an infrastructure perspective because it is expected that the sites will be privately serviced onsite at the developer's cost, due to the type of zoning being pursued. GIS Council records show that the site is not within the current Council water and wastewater scheme boundaries. Ms Jarvis notes that there may be an opportunity to connect into QLDC infrastructure, but this would require an extension of the scheme boundary, at the submitter's cost.

### **Ecology**

- 15.6** Mr Davis has noted that there are threatened bird species nearby, however these are located within the Shotover River. Mr Davis does not raise any specific concerns from an ecological perspective.

### **Analysis**

- 15.7** The Indicative Ladies Mile Masterplan contained in Council's Lead Policy (See [Figure 5](#)) clearly signals an intention to provide for urban development of the Ladies Mile area, which has been discussed in detail in Paragraphs 10.7 to 10.17 above. The land falls entirely within the deferred area of the Ladies Mile Masterplan. It is an area that is being considered further as part of the Detailed Business Case for the HIF and was considered to be an area with a 'high' capability of

absorbing increased levels of residential development in the Land Use Study

- 15.8** I agree with Ms Mellisop that urban development and the consenting of urban development in the wider Ladies Mile area, has altered the character of the area and the setting of this landscape, but that the slopes on the upper terrace still play an important role in the amenity of the land around SH6 and contributes to the values of the Shotover River ONL. I also consider the development of this area to be a natural progression from the SCSZ.
- 15.9** In this context, I do not support the reasons for declining the submission advanced by the further submission from the Lake Hayes Estate Community Association (FS1071), that retaining the same dominance of the rural landscape character of the rest of the Wakatipu Basin along the highway at Ladies Mile is a critical principle for spatial planning in this area.
- 15.10** I agree with Submitter 838 that the Rural Zone is not reflective of the existing character of the area and note that the use of the area for productive purposes pursuant to the objectives and policies of the Rural Zone is likely to become increasingly challenging over time. While development of the site with 4,000m<sup>2</sup> sites under a LLR Area B zone is less likely to be problematic and challenging than enabling urban development from an infrastructure, ecological, and landscape perspective, I do not support the rezoning of the area.
- 15.11** I acknowledge that the relevant tests for a rezoning request do not require the best possible use, or an ultimate maximisation of utility to be achieved. I also acknowledge that the HDCA findings have confirmed that there is sufficient feasible zoned residential capacity over the next 30 years to meet the demands of QLD including the 15% buffer imposed by the NPS-UDC. However, the opportunity cost of allowing this area to be developed for lifestyle blocks and its inevitable adverse impact on urbanising the area in an orderly and efficient manner in the future cannot be overlooked. In my view unless evidence is provided that shows that urban development is unlikely to be tenable in this area, rezoning as LLR or a similar zone would be

contrary to sustainable management of natural and physical resources and to providing for the well-being of people and communities.

- 15.12** Retaining the notified Rural Zone at this time pending a comprehensive plan change (including the development of a comprehensive structure plan) would in my opinion be a significantly better approach to achieving the relevant strategic objectives of the PDP than creating an island of LLR zoning in this area.
- 15.13** Urban development that addresses the infrastructure issues and carefully addresses the important landscape amenity values identified by Ms Mellsop through a comprehensive planning exercise is in my view both a preferred outcome and a reasonable prospect. Regarding the transport network capacity constraints identified by Mr Smith and NZTA, I accept that investments in infrastructure on this scale cannot be assumed to be a foregone conclusion and such investments must be carefully planned and prioritised in the context of other potential competing projects and limited funding. However, I note that Queenstown is New Zealand's fastest growing district that plays an increasingly critical role in the region and nation's economy. The pressure of a growing Queenstown economy and growth from already consented developments in this area will necessitate investment in this critical route that resolves these capacity constraints within a reasonable time horizon. Protecting the capacity of the bridge in the meantime as a "dead hand" that prevents all additional urban growth north of the bridge is not tenable in my view. However, it provides further evidence that all development on the Ladies Mile area needs to be considered holistically.
- 15.14** Overall, while I agree with Ms Mellsop that in terms of the landscape effects, the zoning of the land could change from Rural Zone to LLR or RRZ, I consider this to be an inefficient use of the land. This land compared to much of Queenstown, is relatively unconstrained in terms of topographical challenges or hazards and therefore I consider it to be well-placed to provide for residential development of low – high densities. This has also been identified in the Land Use Study as an area that has a 'High' capability of absorbing change with proposed densities of the Ladies Mile LCU ranging from 250m<sup>2</sup> to 450m<sup>2</sup>.

- 15.15** Furthermore, as outlined above, the challenges of the Ladies Mile need to be addressed in a holistic manner across all of the landholdings to provide for economic social wellbeing and integrated management of effects. A review of the entire Ladies Mile landscape unit, including the development and implementation of a structure plan would be beneficial to ensure the area can be developed successfully, maximising density and carefully managing environmental effects, transport network issues and three waters infrastructure. I also consider it important that the community is involved in the development of this area.
- 15.16** Regarding the further submissions by Queenstown Airport Corporation (FS1340), the site is not within the Queenstown Airport outer control boundary. I also note that there is no evidence provided alongside QAC's submission. This issue has been discussed in Sections 7.7 and 7.8 above.
- 15.17** For the above reasons, I recommend that the rezoning request made by Submitter 838.3 is rejected. I recommend further submissions FS1340, FS1071 and 1340 be accepted but not for the reasons provided.

**16. A ELMS & P SMITH (2323 – Stage 2 submission)**

- 16.1** The submitters seeks that the zoning of the Old School Road area is rezoned to better reflect its existing character and location. It is unclear from the submission if it applies to all of the Old School Road area and/or in the general vicinity of the submitter's property. The general Old School Road area is the light blue area (Amenity Zone) to the south of SH6 in Figure 12 above.
- 16.2** Further to the assessment completed as part of Section 15 above, it is my recommendation that the Amenity Zone remain on this portion of land until the planning challenges of the Ladies Mile are addressed in a holistic manner across all of the landholdings. A review of the entire Ladies Mile LCU, including the development and implementation of a structure plan would be beneficial to ensure the area can be developed

successfully, maximising density and carefully managing environmental effects, transport network issues and three waters infrastructure.

**16.3** Consequently, it is recommended that Submission 2323 be rejected.

**17. BILL & JAN WALKER FAMILY TRUST (532)**

Overall Recommendation	
Recommendation	Reject

Property and submission information	
<b>Further Submitters</b>	<p><b>Submission 532.30</b>            FS1071.88 – LHECA – oppose            FS1322.34 – Juie Q.T Limited - support</p> <p><b>Submission 532.37</b>            FS1071.95 - LHECA - oppose            FS1092.19- New Zealand Transport Agency - oppose            FS1340.122 – Queenstown Airport Corporation – oppose</p> <p><b>Submission 538.38</b>            FS1071.96 - LHECA - oppose            FS1340.123 – Queenstown Airport Corporation – oppose</p>
<b>Land area/request referred to as</b>	516 Frankton-Ladies Mile Highway, Queenstown
<b>Stage 1 PDP zone and any mapping annotation</b>	Rural
<b>Stage 1 zone requested and any mapping annotation requested</b>	Rezone to Rural Lifestyle
<b>Supporting technical information or reports provided with submission</b>	None
<b>Legal Description</b>	Lot 4 DP 22156, contained within CFR 13D/878
<b>Area</b>	149,000m <sup>2</sup> (provided for in the submission)
<b>QLDC Property ID</b>	18356
<b>QLDC Hazard Register</b>	Liquefaction Risk: Possibly susceptible (Hazards Register Part II Stage 2 Risk Management Study Report Opus 2002)



Summary of Council assessments and recommendations	
Landscape	Not oppose
Traffic	Oppose
Water, stormwater	wastewater, Not oppose

**Aerial Photograph of the site**



Figure 13 Extent of the proposed re-zoning shown over an aerial photo

**Stage 1 and Stage 2 Combined**

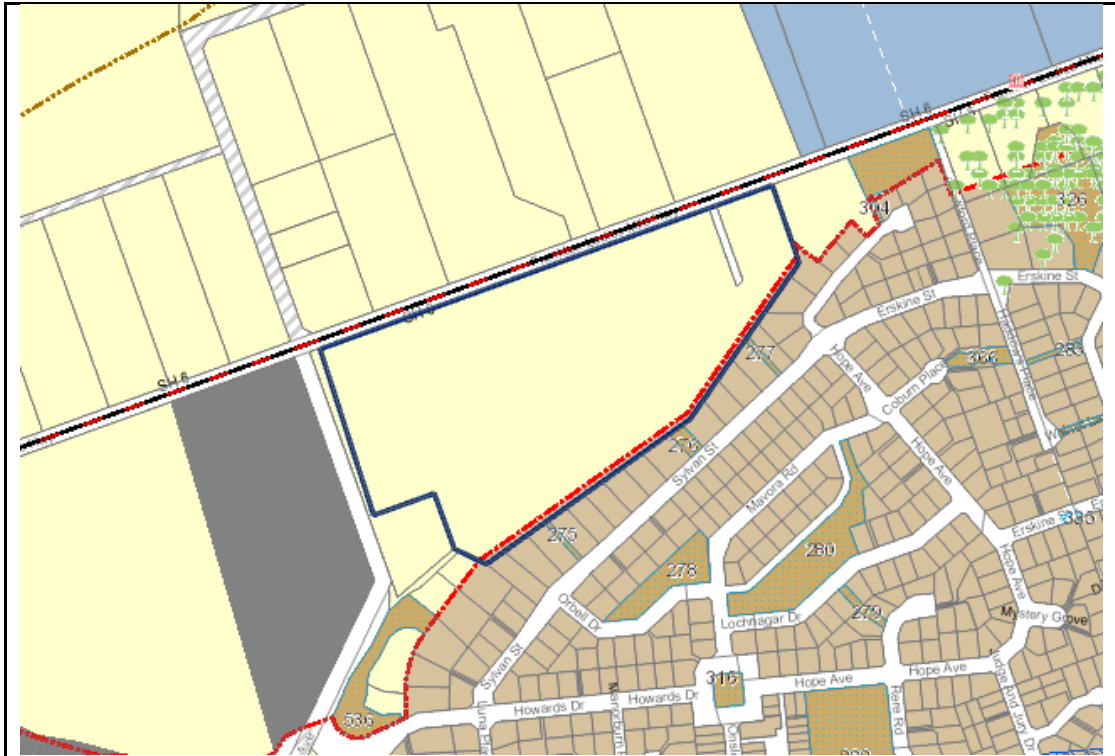


Figure 14: Extent of the proposed re-zoning over Map 30 (Stages 1 & 2 combined)

- 17.1** The land addressed by these submissions is identified in [Figures 13 and 14](#) above and is contained within Lot 4 DP 22156, 516 Frankton – Ladies Mile Highway, Wakatipu Basin and is zoned Rural Zone as notified in Stage 1.
- 17.2** The site contains an existing house surrounded by paddocks adjacent to SH6 and groves of trees to the northeast, east, south and west of the dwelling. To the south the land also adjoins the properties that make up Lake Hayes Estate.
- 17.3** Submitter 532 has requested the zoning of this land change from Rural Zone to RLZ. As part of the re-zoning request, Submitter 535 has proposed a 100m wide BRA so that no buildings can be located within 100m from SH6. Additionally, the submission proposes an additional rule requiring submission of a landscape plan with any application for resource consent to plant the 100m setback BRA to create a visual screen between SH6 and any residential unit and to remove any existing trees within the 100m area to enhance views from SH6.

- 17.4** Four further submissions have been received in relation to Submission 535, one in support (FS132) and three in opposition (FS1071, FS1092 and FS1340). NZTA oppose the proposed rezoning due to the potential adverse effects upon SH6. QAC have opposed the rezoning on the basis that it is counter to the land use management regime established under PC35 and has the potential to have significant adverse reverse sensitivity effects on the Queenstown Airport.

### **Landscape**

- 17.5** From a landscape perspective, Ms Mellsop does not oppose the rezoning of the site to RLZ, subject to a rule requiring a 2 hectare minimum average lot size for any subdivision, due to the increasing urbanisation of the Ladies Mile terrace and adjoining land, including the Shotover Country roundabout. Ms Mellsop considers that the RLZ could be absorbed without significant landscape or visual amenity effects and agrees with the 100m building setback from SH6 proposed by the submitter, as well as the landscaping control proposed.

### **Traffic**

- 17.6** Mr Smith is of the view that the rezoning when considered in isolation would not be noticeable on the road network. On this basis, he believes the additional demand can be accommodated within the current capacity of the network. However, he is of the opinion that it will negatively impact on the long-term performance of the network when considered cumulatively with all other developments in the Wakatipu Basin and as such opposes the submission.

### **Water, wastewater, stormwater**

- 17.7** Ms Jarvis does not oppose the rezoning from an infrastructure perspective because it is expected that the sites will be privately serviced onsite at the developer's cost. GIS Council records show that the site is not within the current Council water and wastewater scheme boundaries.

## Analysis

- 17.8** I agree with Ms Mellsoy that urban development and the consenting of urban development in the wider Ladies Mile area, particularly over the past 12 months, has fundamentally altered the character of the area and its role in the landscape as a transition between the rural areas of the Wakatipu Basin, and highly urban development in Frankton. This has been discussed in detail above. As a result, the zoning of this area is challenging.
- 17.9** I also agree with Submitter 532 that the Rural Zone of the area is not reflective of the existing character of the area, particularly when the developments approved for the wider area are taken into account, including the qualifying development within the Queenstown Country Club SHA approved under SH160140 on the land to the west of the subject site. Furthermore, the site is immediately adjacent to the PDP LDSRZ to the south, albeit located at a lower topographical level than the subject land.
- 17.10** Notwithstanding, I do not consider the rezoning of the area to RLZ or RRZ would be an efficient use of this area compared to what Council is trying to achieve through the Lead Policy and Indicative Masterplan for Ladies Mile. The Indicative Masterplan identifies areas of Medium and High Density land over the site, as well as areas of open space areas adjacent to SH6 and Lake Hayes Estate.
- 17.11** It is acknowledged that if development occurs in accordance with the Lead Policy, it has the potential to urbanise the area to a much greater degree than already exists at present, or is approved under SH160140.
- 17.12** Overall, while I agree with Ms Mellsoy that in terms of the landscape effects, the zoning of the land could change from Rural Zone to RLZ, I consider this to be an inefficient use of the land. This land compared to much of Queenstown, is relatively unconstrained in terms of topographical challenges or hazards and therefore I consider it to be well-placed to provide for residential development of low – high densities.

**17.13** However, there is no scope in the submission to recommend an urban zoning across the land.

**17.14** Furthermore, as outlined above, the land along Ladies Mile is in multiple ownership and has a number of infrastructure challenges and complex practical challenges that need to be addressed in a holistic manner across all of the landholdings to be developed to provide for economic social and environmental wellbeing and integrated management of effects in its widest sense. In my opinion, a review of the entirety of the Ladies Mile landscape unit, including the development and implementation of a structure plan that considers the efficient future development of the whole area would be beneficial. The merits of this have been discussed in detail in section 13 above.

**17.15** For the above reasons, I recommend that the rezoning request made by Submitter 532 is rejected. I also recommend that Further Submission FS1322 is rejected and Further Submissions FS1071, and FS1092 are accepted.

**17.16** Regarding the further submissions by QAC (FS1340), the site is not within the Queenstown Airport outer control boundary. I also note that there is no evidence provided alongside QAC's submission. I recommend the further submission is accepted but not for the reasons provided by QAC<sup>24</sup>.

**18. DON MOFFAT AND BRIAN DODDS (239) AND SANDERSON GROUP LIMITED (404)**

**18.1** These two submissions are in relation to 420 Frankton Ladies Mile Highway (239 and 404). As a result, I have assessed these as a group in the summary tables and paragraphs below as they relate to the same site.

Overall Recommendation	
Recommendation	Reject

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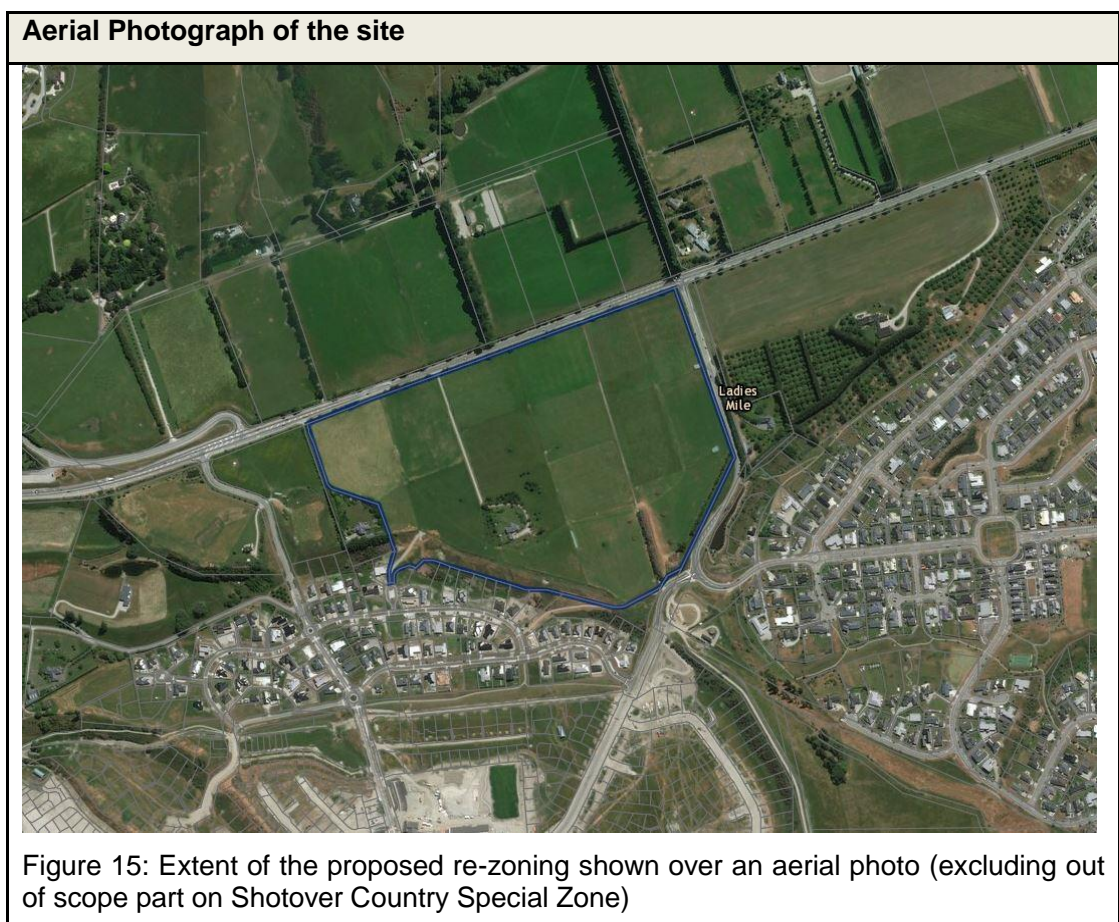
<sup>24</sup> Refer to Sections 7.7 & 7.8 above.

<b>Property and submission information</b>	
<b>Further Submitters</b>	<p><b>Submission 239.2</b></p> <p>FS1071.99 – Lake Hayes Estate Community Association (LHECA) - oppose</p> <p>FS1259.26 – Bill and Jan Walker Family Trust – support</p> <p>FS1267.25 – DV Bill and Jan Walker Family Trust – support</p> <p>FS1340.69 – Queenstown Airport Corporation (QAC) – oppose</p> <p><b>Submission 239.4</b></p>
	<p><b>Submission 404.1</b></p> <p>FS1004.1 - Elizabeth &amp; Murray Hannan – support</p> <p>FS1357.1 – Janet Lamont - oppose</p> <p>FS1259.30 – Bill and Jan Walker Family Trust – conditionally support</p> <p>FS1267.29 – DV Bill and Jan Walker Family Trust – conditionally support</p> <p>FS1340.100 – Queenstown Airport Corporation – oppose</p> <p><b>Submission 404.2</b></p> <p>FS1259.31 – Bill and Jan Walker Family Trust – conditionally support</p> <p>FS1267.30 – DV Bill and Jan Walker Family Trust – conditionally support</p> <p><b>Submission 404.3</b></p> <p>FS1357.2 – Janet Lamont – oppose</p> <p>FS1259.32 – Bill and Jan Walker Family Trust – conditionally support</p> <p>FS1267.31 – DV Bill and Jan Walker Family Trust – conditionally support</p>
	<p><b>Land area/request referred to as</b></p> <p>420 Frankton Ladies Mile Highway, Queenstown</p>
<p><b>Stage 1 PDP zone and any mapping annotation</b></p>	<p>Rural</p> <p>Adjoins Urban Growth Boundary</p> <p>Also on Shotover Country Special Zone, which is not within scope.</p>
<p><b>Stage 1 zone requested and any mapping annotation requested</b></p>	<p>Portion of the site zoned Rural be rezoned to Rural Lifestyle Zone (239)</p> <p>Portion of the site zoned urban to allow the development of a retirement village and the UGB be relocated to include the subject site (404)</p>



<b>Supporting technical information or reports provided with submission</b>	Resource consent history SH160140
<b>Legal Description</b>	QLDC GIS reference Lot 500 DP 470412
<b>Area</b>	236,578m <sup>2</sup> (approximated from QLDC GIS includes portion of the site zoned Shotover Country Special Zone)
<b>QLDC Property ID</b>	28915
<b>QLDC Hazard Register</b>	Liquefaction Risk: Possibly Susceptible (Hazards Register Part II Stage 2 Risk Management Study Report Opus 2002)

<b>Summary of Council assessments and recommendations</b>	
<b>Landscape</b>	Oppose
<b>Traffic</b>	Not Oppose (239) Not oppose LDSRZ & LLR (404) Oppose MDRZ & HDRZ (404)
<b>Water, stormwater, wastewater,</b>	Not oppose (239) Oppose (404)



### Stage 1 and 2 Combined

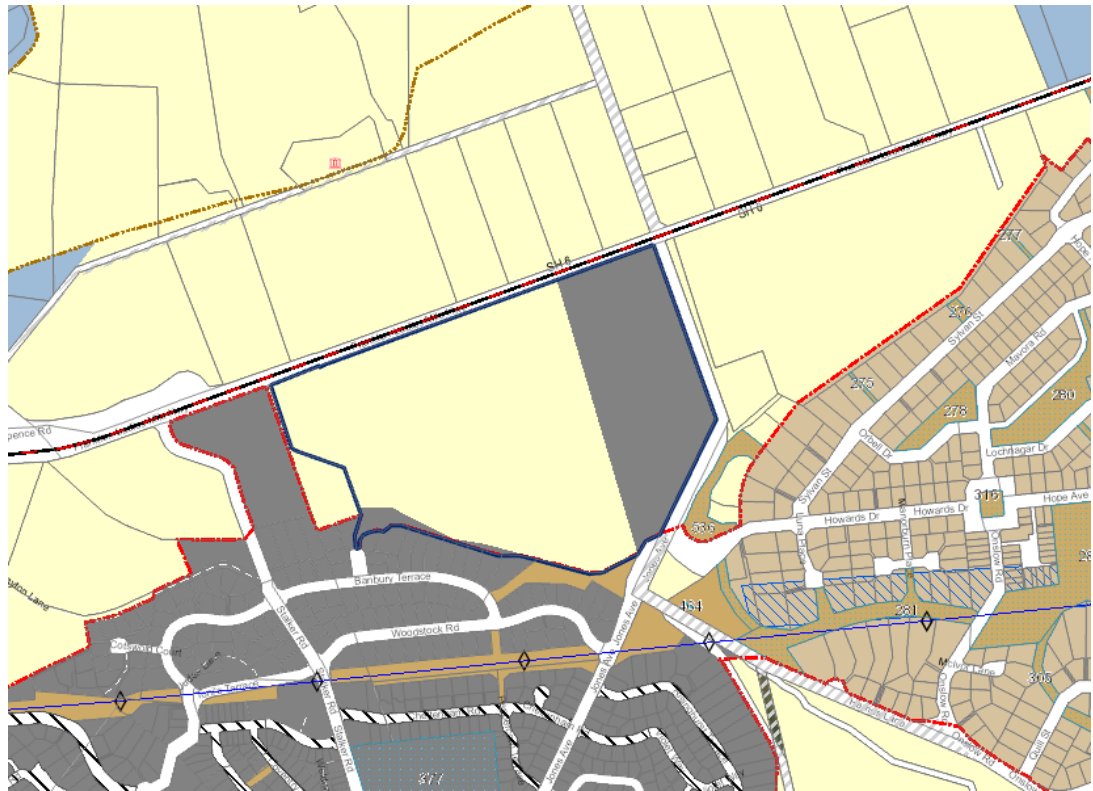


Figure 16: Extent of the proposed re-zoning shown over Map 30 (Stage 1 and 2 zoning shown) (excluding out of scope part on SCSZ)

**18.2** Don Moffat and Brian Dodds (239) seek that the zoning of 450 Frankton – Ladies Mile be partially changed from the notified Rural Zone to RLZ, with the land within 150m of SH6 remaining Rural Zone. The submitter also sought that the minimum property size for RL be reduced from 2ha to 1ha. The submitter states that the site is unique as it adjoins Shotover Country and that the RLZ would provide a buffer between the residential sized lots to the south and the Rural Zone land to the north. The submitter also states that the site would not require any new access points on to SH6.

**18.3** This submission is supported by two further submissions by the Bill and Jan Walker Family Trust (FS1259.25 and 1267.25). The submission is opposed by QAC who state that they are concerned with any rezoning that will result in intensification of ASAN within close proximity of the Queenstown Airport (FS1340.69). The Lake Hayes Estate Community Association (FS1071.99) also oppose the submission and have raised concerns relating to increasing the density of development along a scenic highway that is outside the UGB.

- 18.4** Sanderson Group (404) also seek to rezone 420 Frankton - Ladies Mile Highway from Rural Zone to an 'urban zone' and to provide for the construction and use of a retirement village (including all associated earthworks and ancillary construction activities) as a Controlled or Restricted Discretionary activity. Submitter 404 also seeks the deletion of the UGB or inclusion of the subject site within the UGB.
- 18.5** No specific 'urban zone' is proposed in submission 404. This could be interpreted as a range of potential zones including the LLR, LDSRZ, MDRZ or HDRZ. The submission is very brief and does not contain an analysis of the potential effects or costs and benefits of rezoning this land.
- 18.6** It is noted that the BMU and LSCZ could also potentially be considered 'urban zoning'. As noted above, the site is consented and is being developed as a retirement village, which is more akin to a residential use, and given that the submitter has not provided any detailed justification as to why the LCSZ or BMUZ zone may be suitable, consideration of these zonings will not be considered further and are recommended to be rejected.
- 18.7** The other logical zoning option would be inclusion of the land within the Shotover Country Special zone given the site's proximity to this land. However, as mentioned above in paragraphs 4.1 to 4.4, this zone has been excluded from this stage of the PDP review and is currently intended to sit within Volume B of the District Plan until the fourth and final stage of the review. Nor has evidence been provided with the submission that would enable that zone to come into the PDP, via this submission, and justify all the relevant RMA tests including relating to the zone provisions, themselves. Consequently, this option has not been considered further in this evidence.
- 18.8** Submission 404 is supported by Further Submission FS1004 (Elizabeth & Murray Hanan) and by FS1259 and FS1267 (both made by the Bill and Jan Walker Family Trust) conditionally upon their reviewing further information and detail (to be provided by Submitter 404) on the scale and effects of the proposed rezoning. The submission is opposed by FS1357 (Janet Lamont) for landscape and

traffic reasons and by FS1340 (QAC) for the same reasons as outlined above.

- 18.9** The land which is the subject of these rezoning requests is currently under development as approved by SH160140 for a retirement village. As can be seen in Figure 3 above, the site which is proposed to be rezoned by Submitters 239 and 404 represents the northern part of the Queenstown Country Club development approved under SH160140. Discussed in detail in paragraphs 9.7 to 9.11 above.
- 18.10** SH160140 includes a number of design measures to protect the interface between the site and SH6. This includes a 75m building setback, limits on the number of villas within 120m of SH6, significant landscaping around these villas, a 5.8m height limit and (in general) a 310m<sup>2</sup> footprint limit for all villas fronting SH6 as well as restrictions on the height and character of fencing and conditions pertaining to the removal of the trees adjacent to SH6.

### **Landscape**

- 18.11** Taking into account the approval and development of the retirement village under SH160140, Ms Mellsop does not consider the RLZ sought by Submitter 239 would be relevant or appropriate from a landscape perspective due to the level of existing and consented development on the site. Furthermore, the 150m landscape protection buffer proposed by the submitter has already been partially developed given that SH160140 has approved development within the area.
- 18.12** Ms Mellsop also opposes the unspecified urban zone sought by Sanderson Group from a landscape perspective. She notes that given the density of the approved retirement village, a zoning of Low or Medium Density Residential zoning could be applied, however such zonings would allow for small lots to be created and for buildings heights to be constructed up to 8m in height. These zonings would not, according to Ms Mellsop, ensure that the landscape and visual amenity values of the interface between the site and SH6 was protected in the way that as the controls imposed by SH160140 do.

## **Traffic**

- 18.13** Mr Smith does not oppose the proposed change from Rural Zone to RLZ, as this is a significant decrease to the level of development approved as part of SH160140.
- 18.14** Mr Smith opposes the MDR and HDR zoning of the site, but does not oppose the LLR or LDSRZ due to the level of consented development that was approved as part of SH160140. Mr Smith has noted that the MDRZ would allow for an additional 202 residential units over what has been approved in the SHA. It is his opinion that this would exacerbate congestion at this location bringing forward the need to duplicate or four lane the Shotover Bridge.

## **Water, wastewater, stormwater**

- 18.15** Ms Jarvis does not oppose the rezoning from Rural Zone to RLZ (submission 239) from an infrastructure perspective because the water and waste water capacities with programmed upgrades have been confirmed via SH160140.
- 18.16** In terms of Submission 404, Ms Jarvis notes that water and waste water supply capacity has been reported and detailed as part of the Queenstown Country Club SHA development. These reports confirm that there is sufficient capacity to service the property to the density that was approved as part of SH160140. This will also connect up to Council's water and waste water services. An urban zone has the potential to significantly increase the density of development that has been approved as part of this consent.
- 18.17** As a result, Ms Jarvis raises concern regarding the lack of clarity of the submission 404, and the potential impact this would have on the infrastructure demands. An unspecified urban zone creates a large amount of uncertainty as to the infrastructure demands generated.



## Analysis

**18.18** In assessing this submission, I am mindful of the consenting history of the site, and the principles regarding the consented environment that have been supported by the Panel's recommendations in Stage 1. In particular, the Panel have noted that the zoning of a site is not determined by existing resource consents, but they will be taken into account<sup>25</sup>.

**18.19** As outlined above, Submitter 404 seeks rezoning to an 'urban zone' but does not specify which one specifically. Consequently, this relief is anticipated to include the LDSRZ, MDRZ, HDRZ, or LLRZ.

**18.20** Additionally, the submitter has requested that a retirement village be provided for on the site as a Restricted Discretionary or Controlled Activity with Council's control or discretion restricted to the following:

- (a) positive effects;
- (b) demand for housing supply;
- (c) site layout;
- (d) effects on infrastructure;
- (e) onsite serviceability;
- (f) effects on landscape and visual amenity values;
- (g) landscape treatment;
- (h) site access arrangements;
- (i) traffic and parking effects; and
- (j) construction effects.

**18.21** Retirement villages are Discretionary activities within the LDSRZ, MDRZ, and HDRZ of the PDP. The Panel noted that the rules associated with retirement villages in the LDSRZ were not subject to any explicit submission.<sup>26</sup> The Panel determined that this rule (among others) to be the most appropriate means to implement the zone objectives and policies, and no further analysis was required.

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<sup>25</sup> Pg.37, Section 5.1, Report 7-1

<sup>26</sup> Pg 84 Para 416 – Panels Report on Chapters 7, 8,9, 10 and 11



- 18.22** It is noted that the rules relating to retirement villages in both the HDRZ and MDRZ were also not subject to any explicit submissions and remain unchanged to the notified version of the PDP. The submitter did not make a submission in relation to the rules specific to retirement villages in these zones. As a result, it is assumed that the submitter is seeking a site specific rule or sub-zone to provide this relief.
- 18.23** I agree with Ms Mellsop that the requested 'urban zoning' of the site to LDSRZ, MDRZ or HDRZ, without the inclusion of a number of site specific provisions (or a carefully considered Structure Plan), could allow for significant development beyond that consented by SH160140. Furthermore, this would be without the level of scrutiny and certainty provided by the resource consent approved under the HASHAA. In addition, it is my view that the site would not satisfy Objective 9.2.1 and Policies 9.2.1.1 and 9.2.1.2 of the HDRZ zone because it is not in close proximity to the Town Centre to reduce car trips and reliance on vehicles.
- 18.24** I also agree with Ms Mellsop that the RLZ and 150m setback as proposed by Submitter 239 are no longer relevant due to the consented and existing development that has taken place on the site. The QCC SHA development approved via the HASHAA occurred after this submission was made. The development that has been consented is generally more akin to LDSRZ – MDRZ, noting that the apartment building and dementia care unit are more similar to HDRZ type developments. Therefore, the RLZ of the site is not considered to be any more suitable than the notified Rural Zone.
- 18.25** It is also acknowledged that the Rural Zone of the site is at odds with the existing and consented environment. The subject site is not included within the Council's HASHAA Lead Policy or the Indicative Masterplan for Ladies Mile, given that SH160140 was approved prior to its formulation. However, for consistency, I consider that this land should nevertheless be included within a review of the entirety of the Ladies Mile landscape unit as recommended for the above submissions.

**18.26** Alternatively, an 'urban zoning' of the site may be suitable subject to the drafting of a number of site-specific District Plan provisions (and preparation of a carefully considered Structure Plan), of similar extent to the development constraints imposed by SH160140. However, I note that Council has generally opposed the inclusion of numerous site-specific rules within the PDP to improve its administration and to reduce complexity. The submitter has not advanced any such provisions that would support the 'urban zoning'. Without these, the proposed 'urban zoning' is recommended to be rejected.

## **UGB**

**18.27** The key objectives and policies relevant to the UGB include;

- (a) Objective 3.2.2 and 3.2.2.1 (a to h) – Urban Growth is managed in a strategic and integrated manner;
- (b) Policy 3.3.13 to 3.3.15 – apply UGBs around urban areas, apply provisions that enable urban development within UGBs and avoid urban development outside UGBs, and locate urban development of the settlements where no UGB is provided within the land zoned for that purpose;
- (c) Objective 4.2.1 – UGBs used as a tool to manage the growth of larger urban areas within distinct and defensible urban edges and associated Policies 4.2.1.1 to 4.2.1.7;
- (d) Objective 4.2.2A – A compact and integrated urban form within the UGB that is coordinated with the efficient provision and operation of infrastructure services;
- (e) Objective 4.2.2B – Urban Development within UGBs that maintains and enhances the environment and rural amenity and protects ONL and ONFs, and areas supporting significant indigenous flora and fauna; and associated policies; and
- (f) Wakatipu Basin Specific Policies – 4.2.2.13 to 4.2.2.21.

**18.28** The submission to delete the UGB is unclear as to whether it seeks deletion of the UGB in general, or the UGB at this location. Irrespective, I oppose this submission point as it is contrary to the Decisions Objectives 3.2.2 and 3.2.2.1, which promote the management of urban growth in a strategic and integrated manner. The merits of the UGB

have also debated extensively throughout the hearing streams for Chapters 3 and 4 and I support the Panel's findings in that regard.

- 18.29** As discussed above, the existing and consented development on the site presents a challenge in terms of its zoning and the site's position within the UGB. As outlined above, it is my view that the entire Ladies Mile area needs to be considered holistically.
- 18.30** I consider that the location of the site within or outside the UGB is dependent upon its zoning and as outlined above, the proposed RLZ and 'urban zoning' of the site is recommended to be rejected. As a consequence, the notified Rural Zone of the site is supported and in the absence of the conditions for urban development of this area outlined above being met my view is that the site should remain outside of the UGB.
- 18.31** However, it is acknowledged that as things stand the existing and consented environment will result in an urban residential development outside of the UGB. While not ideal, there are other examples of residential developments that fall outside the UGB, including Millbrook and the LDSRZ adjacent to Lake Hayes. It is also anticipated that this may be an interim situation until such time as further assessment is undertaken of the Ladies Mile landscape unit.
- 18.32** For the reasons stated above, I recommend that Submissions 239 and 404 are rejected. I also recommend that Further Submissions FS1259, FS1267 and FS1004 are rejected and Further Submissions FS1071 and FS1357 are accepted.
- 18.33** Regarding the further submissions by Queenstown Airport Corporation (FS1340), the site is not within the Queenstown Airport outer control boundary. I also note that there is no evidence provided alongside QAC's submission. I recommend the further submission is accepted but not for the reasons provided.

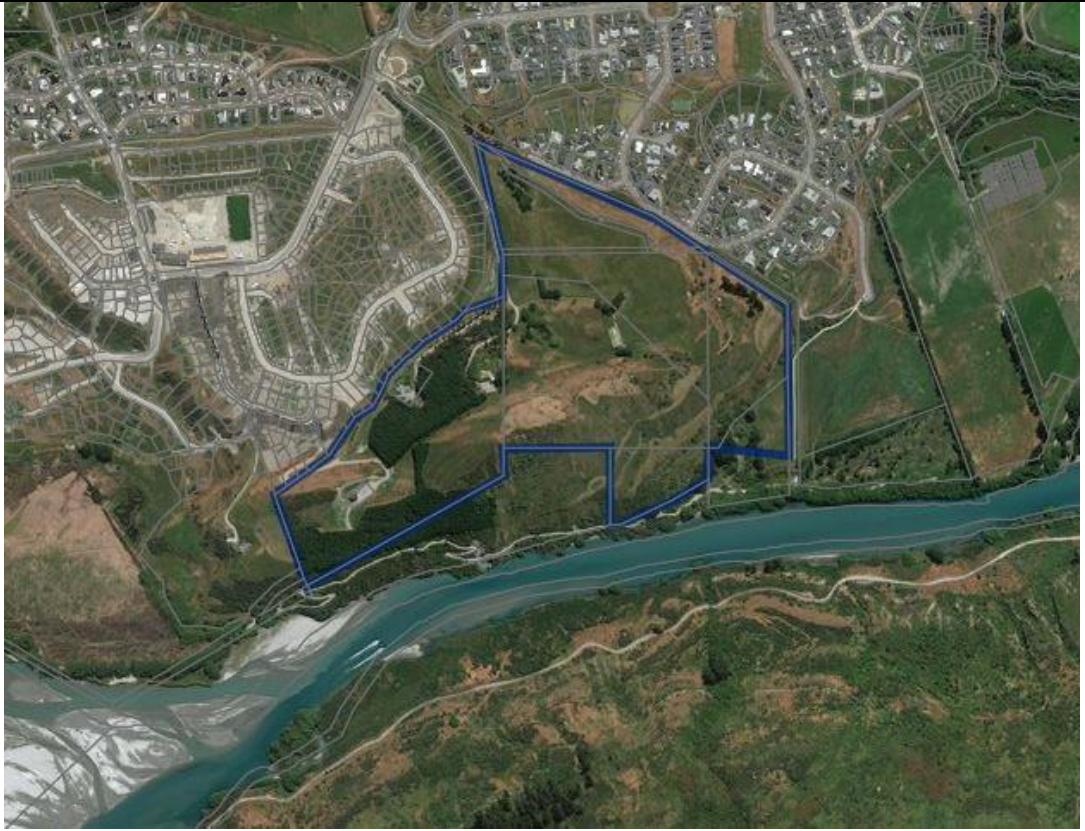
**LAKE HAYES ESTATE MARGINS**

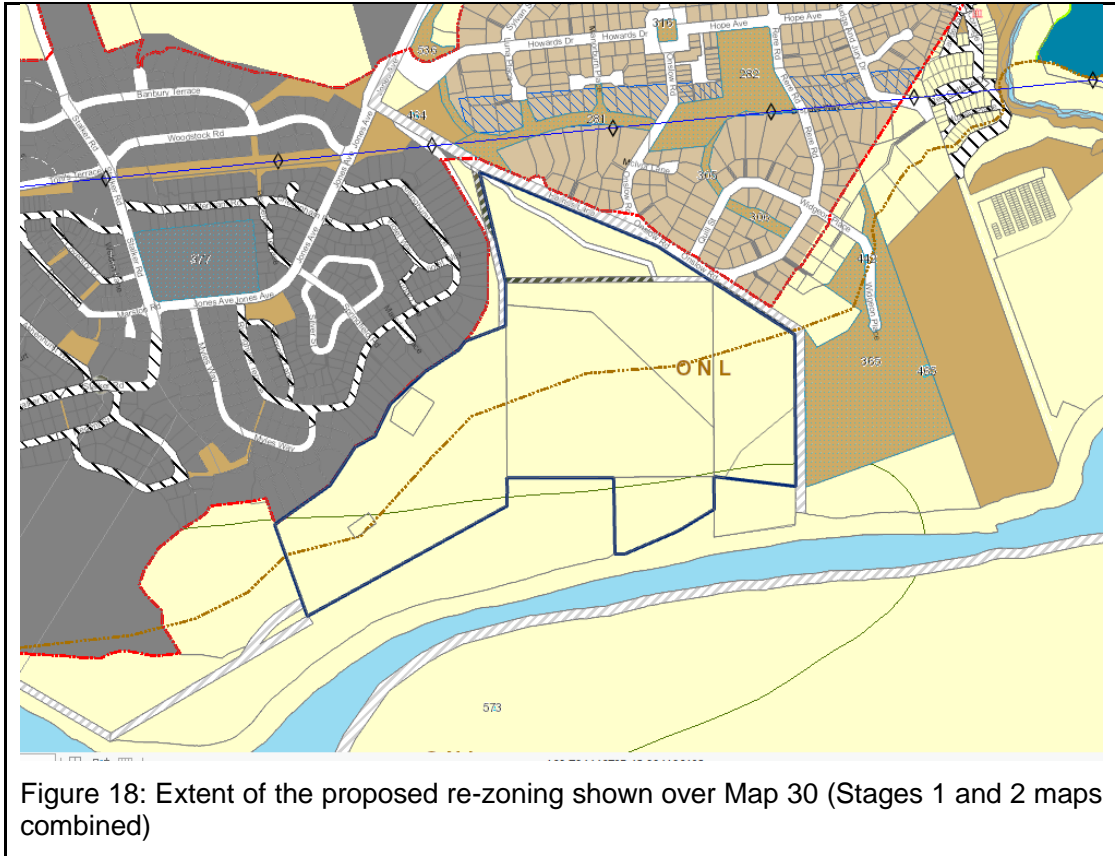
**19. R & R JONES (850)**

<b>Overall Recommendation</b>	
<b>Recommendation</b>	Reject

<b>Property and submission information</b>	
<b>Further Submitters</b>	<p><b>Submission 850.1</b> FS1071.111 – LHECA – oppose FS1340.163 – Queenstown Airport Corporation – oppose</p> <p><b>Submission 850.6</b> FS1071.116 – LHECA - oppose</p>
<b>Land area/request referred to as</b>	Adjoining Shotover Country and Lake Hayes Estates to the south
<b>Stage 1 PDP zone and any mapping annotation</b>	<p>Rural ONL OCB Adjoins UGB Adjoins (ODP) Shotover Country Special Zone, LDSRZ and (Stage 2) Open Space Zone</p>
<b>Stage 1 Zone requested and any mapping annotation requested</b>	<p>Low Density Residential Urban Growth Boundary extended to incorporate the site</p>
<b>Supporting technical information or reports provided with submission</b>	None
<b>Legal Description</b>	<p>Sections 109, 110, 66 and 129 Blk III Shotover SD Lot 2 DP 20797 Lot 2 DP 475594</p>
<b>Area</b>	37.7795 hectares approximately (QLDC – GIS)
<b>QLDC Property ID</b>	18410, 34350
<b>QLDC Hazard Register</b>	<p>Liquefaction Risk: Possibly Susceptible (Hazards Register Part II Stage 2 Risk Management Study Report Opus 2002) – Northern portion of site Liquefaction Risk: Susceptible (Hazards Register Part II Stage 2 Risk Management Study Report Opus 2002) –east of site</p>

Summary of Council assessments and recommendations	
Landscape	Oppose
Traffic	Oppose
Water, stormwater	wastewater, Oppose
Ecology	Part of the site has been identified as having threatened plant records.

Aerial Photograph of the site

Figure 17: Extent of the proposed re-zoning shown over an aerial photo
<b>Stages 1 and 2 Combined</b>



- 19.1** Submission 850 seeks that the subject land identified above in [Figures 17 and 18](#) be re-zoned LDSRZ and that the UGB be applied to the boundary of the land.
- 19.2** The submitter opposes the notified Rural Zone applied to this area and they state that the Council has failed to take into account the changing nature of residential activities in Lake Hayes Estate and Shotover Country, which adjoin the subject site and have domesticated the area. The submitter contends that further development could be located within the site without detracting from the landscape and visual amenity of the wider Wakatipu Basin and would be serviced by the existing Shotover Country and Lake Hayes Estate roading network.
- 19.3** This submission is opposed by Further Submissions FS1071 (Lake Hayes Estate Community Association) and FS1340 (QAC).
- 19.4** Resource consent for residential development was granted on the majority of the area of land the submitter seeks to rezone for residential development under SH160140 as shown in [Figure 19](#) below. However,

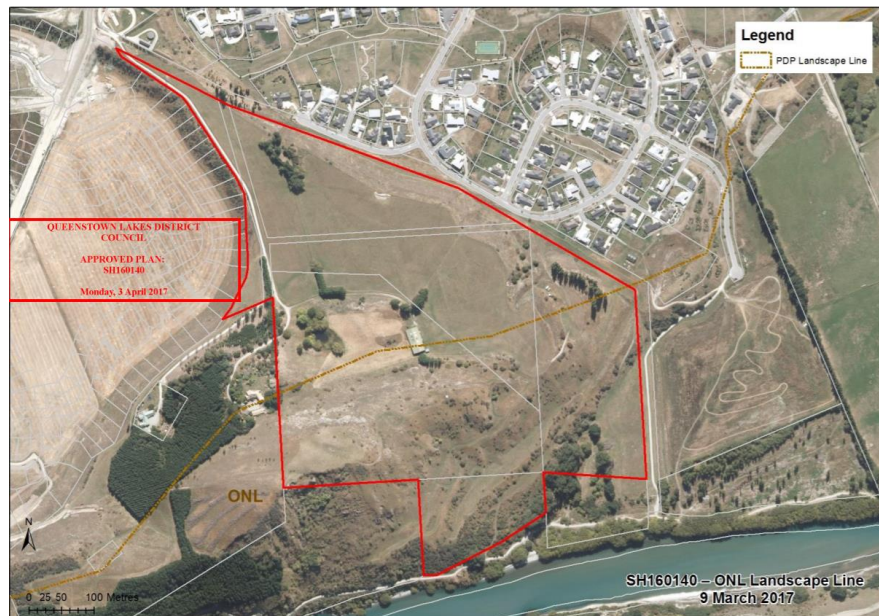


Lot 2 DP 475594, which was not part of SH160140, is proposed to be rezoned as part of Submission 850.



**Figure 19: Portion of the approved site plan for SH160140 and part of submission 850 land (noting the Onslow Road SHA is located to the south east)**

**19.5** As can be seen from [Figure 18](#) above, the ONL line runs through the approximate middle of the subject land, with the land to the south being located within the ONL, which is detailed in [Figure 20](#) below. Submitter 850 has not requested a change in the ONL in their submission.



**Figure 20: ONL line on plans approved as part of SH160140**

**19.6** In addition, as can be seen in [Figure 18](#) above, a portion of Lot 2 DP 475594 and Section 129 Blk III Shotover Survey District is also located within the OCB of the Queenstown Airport. Submission 850 has also not sought any relief in relation to the OCB line. QAC lodged a further submission in relation to Submission 850 (FS1340) which opposes the proposed rezoning due to it being counter to the land use management regime established under PC35 and that the rezoning would have significant adverse effects on QAC, which have not been adequately assessed.

### **Landscape**

**19.7** Ms Mellsop has considered Submission 850 and states that given that the land is well setback from SH6 and has resource consent for a density of development akin to or greater than LDSRZ. Ms Mellsop has noted that the consented development under the HASHAA includes a number of design controls that protect the interfaces of the retirement village from key view points including Shotover Country, Onslow Road and the ONL. These include restriction on building heights, setbacks from the crest and the escarpments and required landscaping. In her opinion, any LDSRZ that did not include these mitigation measures could have significant adverse effects on the integrity of the escarpment landforms, the visual amenities from Shotover Country and Lake Hayes Estate and the character of the views towards the ONL.

**19.8** In addition, Ms Mellsop does not support the LDSRZ zoning of the area of the subject land, which is located within the ONL or is on the lower but still visually prominent slopes of the small rouche moutonée (Trig A349). This is also an area that was not consented for development as part of the Queenstown Country Club developments. Ms Mellsop considers the most important value of this part of the ONL is its open character and legibility with the small roche moutonée. Ms Mellsop is of the opinion that urban development within the ONL would significantly reduce the legibility, openness and naturalness of the hill feature.

- 19.9** Overall, Ms Mellsop is of the opinion that urban development in this area would not be consistent with the Chapter 6 policies relating to the ONL and ONF.

### **Traffic**

- 19.10** Mr Smith opposes the rezoning of the site due to the significant increase in capacities that would result from the rezoning of the site to the LDRSZ. Mr Smith has calculated that the proposed change in zone would result in an extra 150 vehicle movements over the Shotover Bridge during the peak PM periods. Mr Smith has concluded that this will exacerbate congestion on the Shotover Bridge. As a result, Mr Smith opposes the rezoning from a transportation perspective.

### **Water, wastewater, stormwater**

- 19.11** Ms Jarvis notes that water and waste water supply capacity has been reported and detailed as part of the QCC SHA development. These reports confirm that there is sufficient capacity to service the property to the density that was approved as part of SH160140. The LDRSZ has the potential to significantly increase the density of development that has been approved as part of this consent.
- 19.12** As a result, Ms Jarvis raises concern regarding the lack of clarity of submission 850, and the potential impact this would have on the infrastructure demands.

### **Ecology**

- 19.13** Mr Davis has identified threatened plant records on the southernmost portion of the site, which is indicated on Figure 5 of his evidence.

### **Analysis**

- 19.14** The increased yield for the site from Rural Zone to the LDRSZ could result in approximately 606 additional residential units (which includes land within the ONL). I note that the QCC SHA developments

approved approximately 88 residential units plus a café on part of this land.

- 19.15** The rezoning of the areas of the subject site which are located within the OCB of Queenstown Airport are considered to be contrary to the land use management regime recently determined in PC35 and that which is outlined in Decisions Objective 7.2.2 and Policy 7.2.2.1 which seek to limit and discourage new ASANs within the OCB. Consequently, the relief sought by QAC (FS1340) is recommended to be accepted, insofar as it relates to the land located within the OCB. For the portion of the subject land that is located outside of the OCB, the relief sought by QAC is not accepted as it goes beyond that which was agreed upon by PC35. Furthermore, QAC have not provided any evidence as to why the rezoning of the subject land to a zoning akin to that which has been consented for the site would result in significant adverse effects on QAC.
- 19.16** The submitter has not challenged the ONL line on the subject site. Extension of the LDSRZ throughout the entirety of the site into the ONL is not supported for the reasons outlined by Ms Mellsop in her evidence, with which I concur. In addition, I consider that the LDSRZ zoning within the ONL would be contrary to the following relevant Policies, 3.2.5.1, 3.2.5.2, 6.3.12 and 6.3.16. Mr Davis has also identified threatened plant species on the southernmost portion of the submitters site. These are isolated to a small area of land that is located within the ONL.
- 19.17** I also agree with Ms Mellsop that the area of the subject land which is located outside of the ONL could be suitable to be rezoned to LDSRZ without resulting in adverse effects on the landscape character or visual amenity of the area (nor of the adjacent ONL), but with the inclusion of various site specific design controls. This assessment is reached taking into account both the development consented under SH160140, as well as the surrounding context with Lake Hayes Estate (LDSRZ) established to the northeast and Shotover Country (Shotover Country Special Zone which is akin to LDSRZ – MDRZ) to the west.

- 19.18** I have also turned my mind to whether or not a BRA, similar to those promoted by the Hearings Panel in Report 17-4 would provide adequate protection of the ONL at this location. I have reviewed the development controls that were imposed by SH160140 upon those lots that adjoin the ONL in order to mitigate the potential effects of development upon the adjacent ONL. These controls include restriction of the building heights, bespoke setback requirements, fencing controls as well as cladding and colour restrictions. The LDSRZ chapter does not incorporate these matters and consequently to maintain this approach and to mitigate the potential landscape effects, site specific provisions (or a carefully developed Structure Plan) would need to be incorporated into the LDSRZ chapter. However, as outlined above, Council has generally opposed the inclusion of numerous site-specific rules within the PDP to improve its administration and to reduce its complexity (although I acknowledge that is not a conclusive reason to reject a rezoning, in itself).
- 19.19** In addition, Submitter 850 has not proposed any specific provisions (or advanced a Structure Plan) to be included within the LDSRZ chapter in order to mitigate the potential landscape character and amenity effects on the areas of the land located along the edge of the ONL. On this basis, the proposed re-zoning is recommended to be rejected.
- 19.20** I note the concerns raised by Mr Smith regarding the adverse effects that the rezoning would have on the Shotover Bridge. I draw attention to the points discussed in Paragraph 15.3 above. In this instance the proposal will result in significant increased levels of yield, which have the potential to adversely impact on the Shotover Bridge. It is my opinion that this provides further evidence that the Ladies Mile Area needs to be considered holistically from a planning, infrastructure, landscape and transport perspective.
- 19.21** As outlined above, I consider that the location of the site within or outside the UGB is dependent upon its zoning and as outlined above, the proposed LDSRZ of the site is recommended to be rejected. As a consequence, the notified Rural Zone of the site is supported and therefore the site should remain outside of the UGB.

**19.22** Overall, it is recommended that Submission 850 be rejected and consequently, that Further Submissions FS1071 and FS1340 be accepted.

**20. BRIDESDALE FARM DEVELOPMENTS LIMITED – #655, JANE AND RICHARD BAMFORD - #492, MARTIN MCDONALD AND SONYA ANDERSON - #451**

**Landscape Lines**

**20.1** Submitter 655 has sought that the boundary of the ONL be relocated south of the Bridesdale Farm site on the true left bank of the Kawarau River. To the contrary, submitters 492 and 451 support the location of the PDP ONL line. The boundary of the ONL on this site was determined in the Environment Court's decision of C203/2004<sup>27</sup> and this was reflected in the notified PDP.

**20.2** Since the notification of Stage 1 PDP the Bridesdale Farm resource consent, SH150001 has been approved under HASHAA. The ONL boundary was confirmed by the Commissioner's decision SH150001<sup>28</sup> and was supported by Ms Mellsop (Council's landscape architect) and eventually supported by Mr Baxter (applicant's landscape architect).

**20.3** Ms Mellsop has noted that since this time, the escarpment area within the ONL has been modified by earthworks and replanted in accordance with the condition requirements of SH150001. This landscaping is protected via a consent notice on the titles of 10 to 28 Huxley Place. The requirements of this consent notice are that any plant, which dies, shall be replaced in the next available planting season and shall be maintained in perpetuity. The purpose of the planting is to provide a continuous planting area and to provide a buffer between the built form and the ONL.

**20.4** I agree with Ms Mellsop that the modifications that were approved as part of SH150001 have undermined the legibility of the landscape and to some extent reduced the natural form, particularly the garden

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<sup>27</sup> *Wakatipu Environmental Society Inc v Queenstown Lakes DC* [2004] NZEnvC 450 (C203/2004).  
<sup>28</sup> SH150001 pg 30 Para 147 Interim Decision



allotments (with the potential construction of the approved garden sheds) that are located in the river flats in the ONL. However, I rely on Ms Mellsop's expertise on the matter and her view is that the escarpment and floodplain on Bridesdale Farm site are appropriately included in the ONL and that the PDP ONL be retained as notified in this area. As a result, I support the relief sought in submissions 492 and 451, and oppose the relief sought in submission 655.

### Rezoning

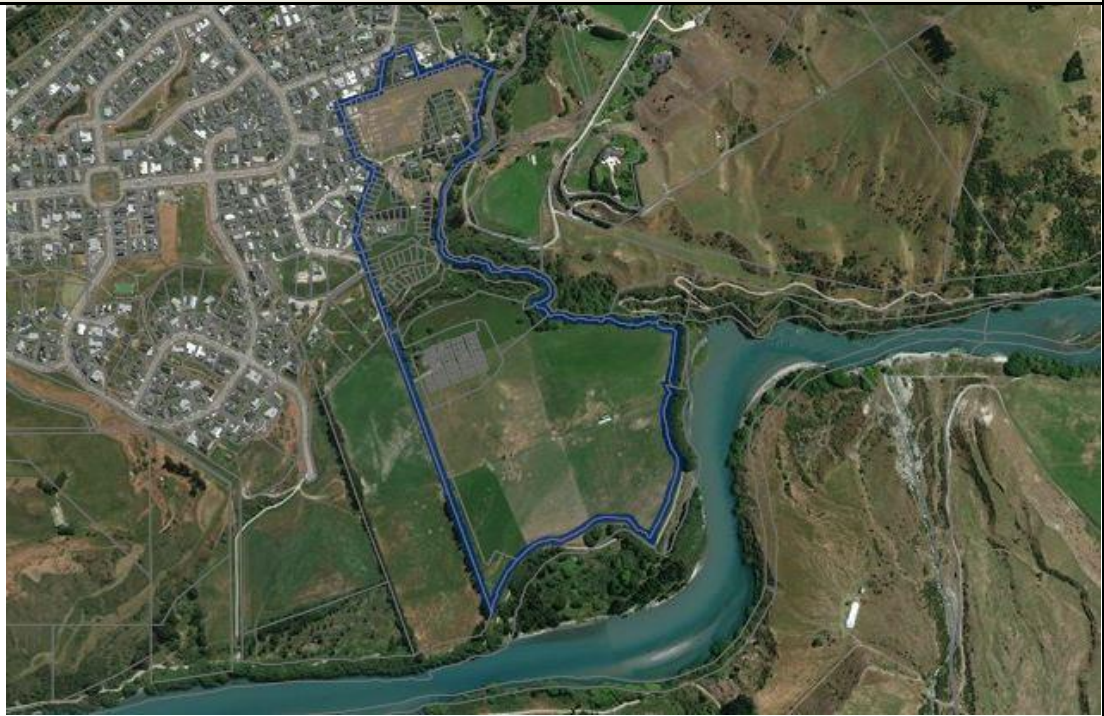
Overall Recommendation	
Recommendation	Accept in part

Property and submission information	
Further Submitters	<p><b>Submission 655.1</b></p> <p>FS1064.1 – Martin MacDonald – oppose</p> <p>FS1071.2 – LHECA – oppose</p> <p>FS1340.129 – Queenstown Airport Corporation – oppose</p> <p><b>Submission 655.4</b></p>
Land area/request referred to as	Bridesdale Farm, Lake Hayes
Stage 1 PDP zone and any mapping annotation	<p>Mix of Rural (partly replaced by Informal Recreation Zone), Rural Lifestyle and Low Density Residential ONL</p> <p>Transpower Pylons</p> <p>Transmission Corridor</p> <p>Adjoins Designated Area</p> <p>Listed Heritage Feature 121</p>
Stage 1 Zone requested and any mapping annotation requested	<p>Medium Density Residential</p> <p>Remove UBG or alternatively reposition to include site</p>
Stage 2 PDP Zone and any mapping annotations	Informal Recreation – Open Space Zone (replaces only part of the Stage 1 Rural zone)
Supporting technical information or reports provided with submission	None

<b>Legal Description</b>	From submission (note that four of the five legal descriptions given no longer exist and SH150001 has been given effect to and subdivided): Lot 3 DP 392823 Lot 4 DP 447906 Lot 1 26719 Lot 1 21087 (still exists) Lot 3 DP 337268
<b>Area</b>	244660m <sup>2</sup> (approximate, based on QLDC GIS records for properties owned by the submitter)
<b>QLDC Property ID</b>	59650
<b>QLDC Hazard Register</b>	Liquefaction Risk: Possibly Susceptible (Hazards Register Part II Stage 2 Risk Management Study Report Opus 2002) – Northern portion of site  Liquefaction Risk: Susceptible (Hazards Register Part II Stage 2 Risk Management Study Report Opus 2002) –southern portion of site

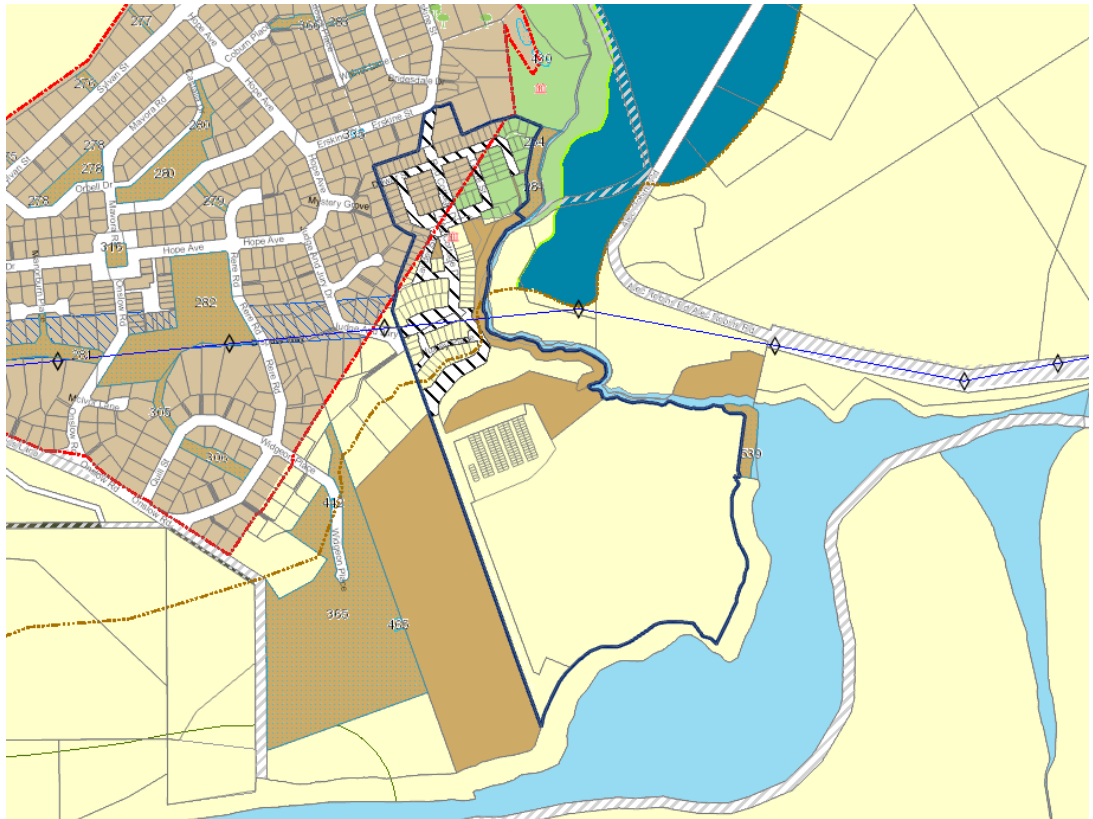
<b>Summary of Council assessments and recommendations</b>	
<b>Landscape</b>	Accept in part
<b>Traffic</b>	Oppose
<b>Water, stormwater</b> <b>wastewater,</b>	Not oppose
<b>Ecology</b>	Part of southern portion of the site predicted to be a pre-human wetland

**Aerial Photograph of the site**



**Figure 21: Extent of the proposed re-zoning shown over an aerial photo**

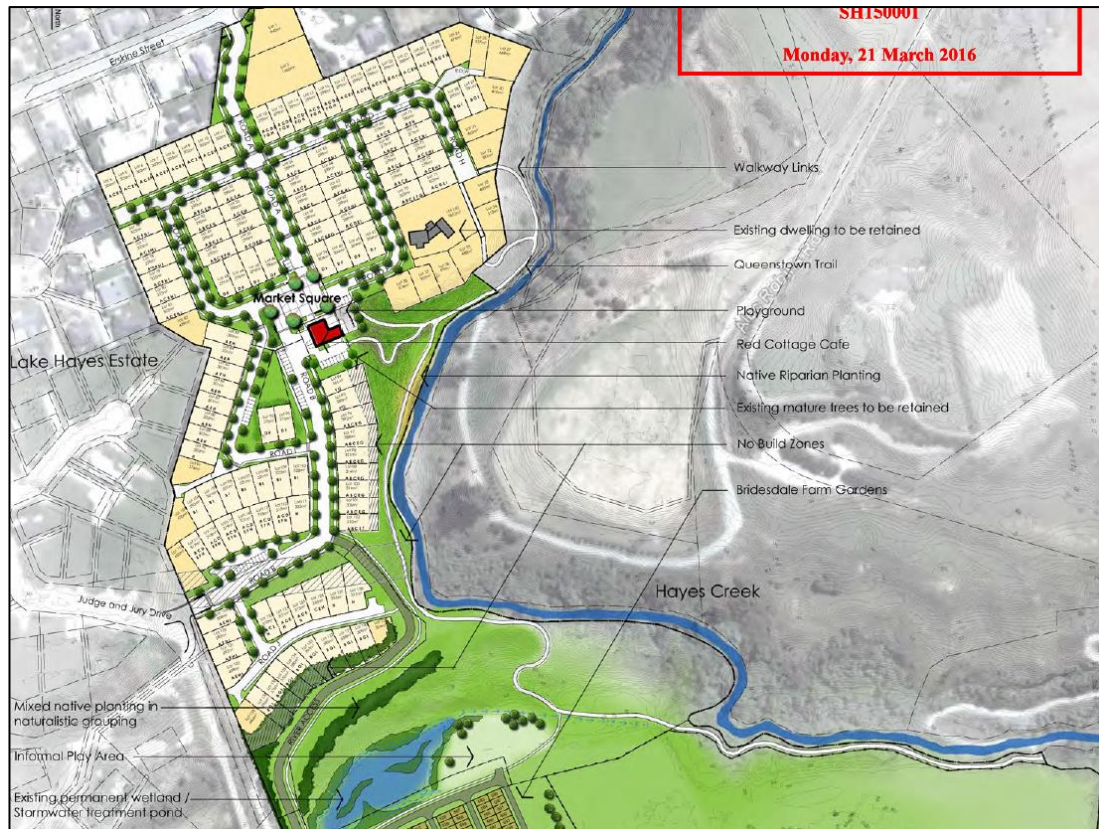
**Stages 1 and 2 Combined**



**Figure 22: Extent of the proposed re-zoning shown over Map 30 (Stages 1 and 2 maps combined)**

- 20.5** Submission 655 pertains to a number of sites as detailed above which have been zoned a combination of LDSRZ, RLZ and Rural Zone in the Stage 1 PDP Map 30, with a portion also being zoned Open Space in the Stage 2 PDP Map 30. The submitter seeks that the entirety of the site be rezoned MDRZ. In addition, the submitter also seeks that the UGB is either removed or repositioned to include all of the site and that the ONL line is relocated to the south of the site along the true left bank of the Kawarau River. The Bridesdale Farm development approved via the HASHAA occurred after this submission was made.
- 20.6** The location of the ONL line has been addressed above in paragraphs 20.1 to 20.4 and the submission is recommended to be rejected in this regard. This will not be addressed further.
- 20.7** Since the close of the Stage 1 PDP submission period the development of the subject land above the Kawarau River escarpment has been consented under the HASHAA to create 136 residential allotments and one commercial allotment and for residential buildings to be erected on 146 of the allotments (SH150001). The approved site plan is provided in Figure 23 below and the approved density is considered to be akin to MDRZ. Proposed sections range in size from 290m<sup>2</sup> to 1852m<sup>2</sup>, with the majority of the sections being approximately 300m<sup>2</sup>.





**Figure 23: Bridesdale Masterplan approved under SH150001**

**20.8** The development of this area is now well underway and many of the residential units are now occupied. The consented development area adjoins Lake Hayes Estate (LDSRZ) to the north and northwest. It is also accessed through Lake Hayes Estate.

### **Landscape**

**20.9** Ms Mellsop has considered the rezoning request and states that given the development that has occurred via the SHA process, she does not oppose the rezoning of the Rural Zone and RLZ parts of the site outside of the ONL to an urban residential zoning. She notes that for most of the site, such a rezoning is unlikely to have any additional adverse landscape or visual effects. However, the exception is where the existing residential lots and open space adjoins the margins of Hayes Creek or the ONL. In this regard, Ms Mellsop considers that additional development on this land has the potential to significantly detract from the natural character of the creek margins and from the natural character of the adjacent ONL.

## **Traffic**

- 20.10** Mr Smith opposes any zoning that would allow for an increase in development over and above the density approved as part of the Bridesdale SHA. Mr Smith has noted that the requested zoning would increase the yield of the area by approximately 44 lots, and would likely result in up to 13 additional movements over the Shotover Bridge in the peak periods of this area. Mr Smith considers the additional traffic is unlikely to be noticeable on the transport network when considered in isolation.

## **Water, wastewater, stormwater**

- 20.11** Mr Crowther has noted that because the re-zoning is within an existing scheme boundary and serviced area, he considers the rezoning to be an efficient use of existing infrastructure. As a result, Mr Crowther does not oppose the rezoning of the site.

## **Ecology**

- 20.12** Mr Davis has identified that part of the site is predicted to be a pre-human wetland, which is indicated in Figure 5 of his evidence. He does not raise any specific concerns from an ecological perspective.

## **Analysis**

- 20.13** The Bridesdale development approved via the HASHAA occurred after this submission was made. SH150001 approved site specific land use consents for each of the 136 Bridesdale allotments including the 2 existing residential units, which considered a number of issues including the impacts on Hayes Creek, neighbouring properties, the ONL, the transmission corridor, the listed heritage item and its curtilage, urban design and geotechnical issues. As a result, each allotment has its own site-specific design conditions. The majority of these allotments fall within the Bridesdale Farm Home Designs, where allotments were allocated 'specific designed houses' for each section, with varying setbacks and car parking requirements. In some



instances, residential units were approved with only 1 onsite car parking space to ensure the adverse effects of the accesses on the street scene were minimised (i.e the whole street was not taken up with driveways).

- 20.14** Nineteen 'design your own' allotments were approved (excluding the allotments with existing residential units). These all had their own specific conditions relating to coverage, setbacks (with setbacks maximized adjacent to Hayes Creek and the ONL), heights and onsite car parking.
- 20.15** The conditions in general approved 1m side setbacks, a minimum of 4m setbacks from the existing residential dwellings in Lake Hayes Estate, site coverage that ranges from 40% to 60%, and the 'Design Your Own Homes' had specific height limits to minimize the adverse effects on Hayes Creek, neighboring properties and the ONL.
- 20.16** Taking all of the above into consideration, and the zone purpose of both the LDSRZ and MDRZ, it is my opinion that the HASHAA proposed density is similar to the MDRZ. The zone purpose of the MDRZ states "*The main forms of residential development anticipated are terrace housing, semi detached housing and detached townhouses on small sites of 250m<sup>2</sup> or greater<sup>29</sup>.*" The zone purpose of the LDSRZ states "*Houses will typically be one to two storeys in height, detached and set on sites between 450 and 1,000 square metres....*". While the residential units in the Bridesdale development are detached housing, the internal boundary setbacks and the approved density of development of the majority of the site is more akin to the MDRZ. The density of the approved development far exceeds that anticipated in either the RLZ or Rural Zone.
- 20.17** Approximately 90 residential units are either under development or have been completed, as a result it is unlikely that any further development will be undertaken on the majority of the site in the foreseeable future. However, the submission would allow increased levels of development on Lots 1, 3, 27, 150, 138 and in particular Lot 406. Increased densities over and above the Bridesdale subdivision is

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approximately 44 residential units.<sup>30</sup> This increase in yield could result in considerable social and economic benefits through the provision of housing and the short-term employment benefits via the construction and building processes.

- 20.18** I agree with Ms Mellsop that taking into account the development consented by SH150001, and what this means for the existing environment and the receiving environment, the subject land located outside of the ONL is suitable to be rezoned to MDRZ without resulting in additional adverse effects on the landscape character or visual amenity of the area. However, as with other areas assessed above, development along the margins have the potential to result insignificant effects, which need to be addressed. In this instance, Ms Mellsop notes that additional development of the land along the margins of Hayes Creek and the ONL would have the potential to “significantly detract from the natural character of the creek margins of or the adjacent ONL”.
- 20.19** I agree with Ms Mellsop that the rezoning of the area of the submitter’s land outside of the ONL will not result in any significant landscape effects and therefore support this relief with the exception of three areas that are addressed below. The remainder of the site, which is located within the ONL, I recommend to be maintained as Rural Zone (with the exception of those part of the site that are located in the Informal Recreation Zone that is being considered in Hearing Stream 15) as this provides the most appropriate framework for the assessment of development within the ONL.
- 20.20** The first area is in relation to the land adjacent to the ONL. The ONL line runs through the southern portion of Lots 129 – 138 DP 505513 (which range in size between 302 – 646m<sup>2</sup>). Therefore, it is considered development on these sites needs to be carefully managed. SH150001 imposes a number of controls on development of these sites in order to mitigate potential adverse effects on the adjoining ONL. These include rear setback distances, design controls for Lots 129 and 138 and a restriction on the installation of fencing along the rear (southern) boundary adjoining the ONL in order to mitigate the potential adverse effects on the ONL.

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<sup>30</sup> Approximated from QLDC GIS and submission

**20.21** SH150001 also imposed a requirement<sup>31</sup> that a consent notice be imposed upon Lots 129 – 138 in relation to implementation of the native revegetation planting on the ONL Terrace Face. A further consent notice condition<sup>32</sup> was also required to be imposed on the titles of Lots 133 to 138 to ensure that no habitable buildings/structures are located within the no building zones identified on the Bridesdale Farm Master Plan (see Figure 24 below). These consent notice requirements would apply regardless of the zoning and although home owners could apply to vary or remove these notices as a discretionary activity it may not be necessary to replicate these requirements within the PDP if appropriate provisions were included to protect the integrity of the ONL at this location.



**Figure 24: Masterplan approved under SH150001 detailing the planning controls for Lots 129 – 138 (including no build zones (hatched))**

**20.22** One option would be to rezone the entirety of Lots 129 – 138 MDRZ and to apply a Building Restriction Area to those areas of the lots, which are within the ONL or rezone the entirety of Lots 129 – 138 MDRZ and incorporate a number of site specific provisions into the PDP. However, these options are considered problematic as it would need to include consideration of landscape related matters in which the MDRZ is not currently set up to do. It is not considered that the building

<sup>31</sup> Subdivision condition 27(f) of SH150001  
<sup>32</sup> Subdivision condition 27(j) of SH150001

line restriction alone would provide adequate protection of the ONL in this location.

**20.23** The most preferred option is for Lots 129 – 138 to remain zoned Rural Zone so that the potential effects of any development on the adjoining ONL can be assessed by Council. It is noted that the established lot sizes would create an anomaly with the Rural Zone, however resource consent has already been granted for the development of all of these lots under SH150001 under this zone and therefore the zoning should not provide a significant impediment to the ongoing use and enjoyment of the lots. As a consequence, the proposed rezoning of Lots 129 – 138 is recommended to be rejected and for these lots to remain within the Rural Zone.

**20.24** The other area of the site for which the zoning needs to be carefully considered is those areas along the margins of Hayes Creek. It is noted that SH150001 imposed a number of site specific development controls on the development of Lots 27, 30 – 38 and 94 – 102 DP 505513). These include bespoke height limits (ranging from 5.5m to 7.5m), rear setback distances (ranging from 1m to 15m) and a restriction on installation of fencing along the rear boundary, due to their location adjoining Hayes Creek in order to mitigate potential adverse effects on the natural conservation and amenity values of the creek.

**20.25** SH150001 also imposes a requirement for consent notice conditions to be registered on the Certificates of Title for Lots 94 – 102 in relation to the native revegetation planting along the bank above the esplanade reserve<sup>33</sup>. These consent notice requirements would continue to apply regardless of the zoning and assuming they cannot be removed or varied in future it may not be necessary for them to be replicated within the PDP. For example, the no build zones for Lots 94 to 102 are shown in [Figure 25](#) below. Although these would need to be complemented with site-specific rules to protect the amenity of Hayes Creek. In addition, due to the sizes of Lots 27 and 34 a change to MDRZ could also permit an additional residential unit on the site, as the lots are greater than 500m<sup>2</sup>.

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33 Subdivision condition 27(f) of SH150001



**Figure 25: Masterplan approved under SH150001 detailing the planning controls for Lots 94 – 102 (including no build zones (hatched))**

**20.26** The same approach as recommended above for Lots 129 – 138 is not anticipated to work as well for these lots given that they are not adjacent to an ONL or ONF, the protections contained in Chapter 6 and Chapter 3 would not apply. Consequently, either a BRA and/or the drafting of site specific provisions (or a Structure Plan) to control the effects of development on these sites would be needed to resolve the potential effects on Hayes Creek. It is also my opinion that an amended policy or policies would need to be developed.

**20.27** Submitter 655 has not proposed any specific provisions (or advanced a Structure Plan) to be included within the MDRZ chapter in order to mitigate the potential effects of future development adjacent to Hayes Creek.



- 20.28** On this basis, it is recommended that the zoning of Lots 27, 30 – 38 and 94 – 102 DP 505513 remains Rural Zone and RLZ as notified and that Submission 655 is rejected in this regard.
- 20.29** Thirdly, I consider that the LDSRZ is the most appropriate zoning for Lots 1 and 3 DP 505513. These lots are located at the entrance of Red Cottage Drive and are surrounded by LDSRZ sites. SH150001 only approved the development of one dwelling on Lot 1, with Lot 3 retaining the existing dwelling onsite. As a result, it is my opinion the density of these lots is more akin to the neighbouring LDSRZ sites and should remain as this zoning.
- 20.30** In undertaking the above assessments, I also considered whether or not a split zoning may be appropriate for the sites that border Hayes Creek and the ONL. However, I do not consider that this is appropriate due to the small size of the lots, for reasons set out in paragraphs 7.3 to 7.6 above.

## **UGB**

- 20.31** The submission to delete the UGB is unclear as to whether it seeks deletion of the UGB in general, or the UGB at this location. Irrespective, I oppose this submission point as it is contrary to Decisions Objectives 3.2.2 and 3.2.2.1 which promote the management of urban growth in a strategic and integrated manner. The merits of the UGB have also been debated extensively throughout the hearing streams for Chapters 3 and 4 and I support the approach in the Council's decisions on this matter.
- 20.32** I consider that the location of the site within or outside the UGB should be dependent upon its zoning. As outlined above, the rezoning of a portion of the site MDRZ is supported, however the land within the ONL (Lots 129 - 138 DP 505513) is recommended to remain zoned Rural Zone as notified. Consequently, I recommend that the UGB be extended around that area of the land which is to be rezoned MDRZ only. I note that Policy 4.2.2.2 seeks to ensure that any transition to rural areas is contained within the relevant UGB, however in this



instance, the transition is to be provided by the roads, which separate these lots from the remainder of the SH150001 development area.

### **Building Restriction Area (BRA)**

- 20.33** It is my recommendation that a BRA should apply to the northern boundaries of Lots 4 to 25 and 27 DP 505513, and the western boundary of Lots 76 to 82, 84 to 91, 103 and 118. These are all allotments that adjoin the existing residential area of Lake Hayes Estate. This will ensure the amenities of the neighbouring sites are maintained at all times and the rezoning of the properties will be consistent with the conditions of SH150001. A breach of the BRA will result in a resource consent with non-complying activity status pursuant to Rule 8.5.16 of the PDP. This was an issue that was debated and considered extensively throughout SH150001, with the Bridesdale resource consent scheme being amended to ensure setbacks from these properties were maximised. This accords with Objectives 8.2.2 and 8.2.3 and their associated policies.
- 20.34** I have also drawn my mind to the costs associated with imposing a BRA on these properties, including impeding the further development of the sites, such as the building of a small storage shed. It is my opinion that this will protect the amenities of the adjoining neighbours, whilst providing for a more appropriate zoning across Bridesdale Farm.
- 20.35** I consider that Rule 8.5.6 (Height Recession Plane) will further protect the amenities of these neighbouring properties. It is noted that as the majority of dwellings have already been constructed this will only provide protection to the undeveloped sites and redevelopment in the future. Noting that the lapse period of the land use consents is five years from the day the survey plan for the subdivision of SH150001 receives consent.
- 20.36** It is noted that Lots 119 to 122 DP 505513 adjoin the road reserve and a site that is zoned Rural (considered further in Section 21 of this report). I do not think it is necessary to include a BRA along this boundary due to the setbacks that are required in the Rural Zone.

## Fencing

- 20.37** Fencing was debated extensively throughout the SH150001 application and hearing processes. The boundary treatment of these sites was considered to be very important to maintaining the streetscene and character of the area due to the reduced internal and road boundary setbacks and increased levels of build form.
- 20.38** Specific conditions were included on the SH150001 land use consents (as opposed to consent notice conditions that would attach to the Computer Freehold Register and apply irrespective of whether the consent is being relied upon or not). The implications of zoning some of the sites MDRZ would mean the fencing conditions are no longer applicable (if SH150001 is not being relied upon) and it would be a permitted activity to erect a 1.8m high fence on boundaries.
- 20.39** I consider that it is important that a fencing standard be included as part of the MDRZ chapter. It is my opinion that this is a consequential change from the recommendation to change the zoning. I recommend the following standard be added in Part 8.5 and an overlay be applied to the proposed MDRZ portion of Bridesdale Farm (set out again in **Appendix 1**):

	<u>Additional standard for activities located in the Bridesdale Farm overlay</u>	<u>Non compliance status</u>
<u>8.5.19</u>	<p><u>The construction or external alteration of any fencing</u></p> <p><u>8.5.19.1: Fencing adjacent to any road boundary shall be a maximum height of 1.2m; and</u></p> <p><u>8.5.19.2: Fences between internal boundaries shall be restricted to 1.8m in height except for the first 3 metres from the road boundary, where the maximum height shall be 1.2 metres;</u></p>	<p><u>RD</u></p> <p><u>Discretion is restricted to:</u></p> <p><u>a.streetscape charcter and amenity; and</u></p> <p><u>b.external appearance, location and visual dominance of the fencing when viewed from the street(s) and neighbouring properties.</u></p>

## **Transmission Corridor and Pylons**

**20.40** Lots 117 to 119 and 123 to 128 DP 505513 all have consent notice conditions on their titles relating to setbacks from electricity transmission infrastructure. It is my opinion that these combined with Decision Rule 8.5.13 (Setbacks from electricity transmission infrastructure) ensure that adequate protection is provided to the national grid (noting the Utilities Chapter adopts slightly different language).

## **Height Restrictions**

**20.41** I have also turned my mind to whether or not individual height restrictions are required on the lots, similar to those approved in SH150001. The key sites that are impacted by height restrictions are those adjacent to the Hayes Creek and the ONL. It is my view that these should remain zoned either RLZ or Rural Zone, and are protected from further development via this underlying zoning.

**20.42** The other sites that have site specific height limits are known as 'Design Your Own Homes'. The lots that are located in the area of land that I am recommending to be rezoned MDRZ include Lots 82, 91, 103, and 118. Construction of dwellings has already commenced on Lots 82 and 103, and as such is unlikely to see any redevelopment in the near future. Lot 103 has a height limit of only 4m. This was to protect the amenities of the neighbours to the east. It is my opinion that the height recession Decision Rule 8.5.6, combined with the 4m BRA will protect adjoining neighbours and limit the heights of dwellings. It is also considered that the residential development approved in SH150001 provides more flexibility than what can be developed under the Decision version of the MDRZ rules. As a result, land owners are more than likely to give effect to the development approved under the resource consent.

## **Conclusion**

**20.43** Overall, it is recommended that Submission 655 be accepted in part. The zoning of the area of the land which is not located within the ONL (line as indicated in the notified PDP) and is not included within Lots 1,

3, 27, 30 – 38, 94 – 102 and 129 - 138 DP 505513 is recommended to be rezoned MDRZ and the UGB line should be extended to encompass all areas of the LDRZ and MDRZ. The remainder of the zoning of the land is recommended to remain as notified.

**20.44** It is also recommended that a 4m BRA apply to northern boundaries of Lots 4 to 25 and 27 DP 505513, and the western boundary of Lots 76 to 82, 84 to 91, 103 and 118 to maintain the amenity and privacy of the adjoining existing residential dwellings, and to be consistent with the approved development in SH150001. As well as an area specific fencing rule to ensure the streetscene and character is maintained with the recommended change of zoning to MDR.

**20.45** On this basis, Further Submissions (FS1064 and FS1071) are recommended to be partially upheld. Regarding the further submission by Queenstown Airport Corporation (FS1340), the site is not within the Queenstown Airport outer control boundary and although I recommend the further submission is partially accepted, it is not for the reasons provided.

**21. JANE & RICHARD BAMFORD (492)**

<b>Overall Recommendation</b>	
<b>Recommendation</b>	Accept in Part (492.1) Reject in Part (492.4) Accept (492.3)

<b>Property and submission information</b>	
<b>Further Submitters</b>	<b>Submission 492.1</b> FS1261.4 – Bridesdale Farm Developments Limited – oppose <b>Submission 492.4</b> <b>Submission 492.3</b>
<b>Land area/request referred to as</b>	Lots 12 to 17 DP 445230 End of Judge and Jury Drive, Lake Hayes Estate Bridesdale Farm, Lake Hayes
<b>Stage 1 PDP zone and any mapping annotation</b>	<u>Lots 12 to 17 DP 445230</u> Low Density Residential

	<p>Rural ONL UGB Transpower Pylons Transmission Corridor Building Restriction Area <u>Bridesdale Farm</u> Mix of Rural General, Rural Lifestyle and Low Density Residential Informal Recreation ONL UGB Transpower Pylons Transmission Corridor Adjoins Designated Areas 284 &amp; 539</p>
<b>Stage 1 Zone requested and any mapping annotation requested</b>	<p>Rural zoning and extent of ONL to be retained as notified Alternative relief sought rural living or low density urban zoning to be consistent with the Bridesdale Farm outcome.</p>
<b>Stage 2 PDP Zone and any mapping annotations</b>	<p>Part on the floodplain notified as Informal Recreation – Open Space Zone (replaces only part of the Stage 1 Rural zone)</p>
<b>Supporting technical information or reports provided with submission</b>	<p>None</p>
<b>Legal Description</b>	<p>Lots 12 to 17 DP 445230 (and surrounding area)</p>
<b>Area</b>	<p>31,719m<sup>2</sup> (QLDC GIS)</p>
<b>QLDC Property ID</b>	<p>27984, 27985, 27986, 27987, 27988, 27989</p>
<b>QLDC Hazard Register</b>	<p>Liquefaction Risk: Possibly Susceptible (Hazards Register Part II Stage 2 Risk Management Study Report Opus 2002) – Northern portion of site Liquefaction Risk: Susceptible (Hazards Register Part II Stage 2 Risk Management Study Report Opus 2002) –southern portion of site</p>

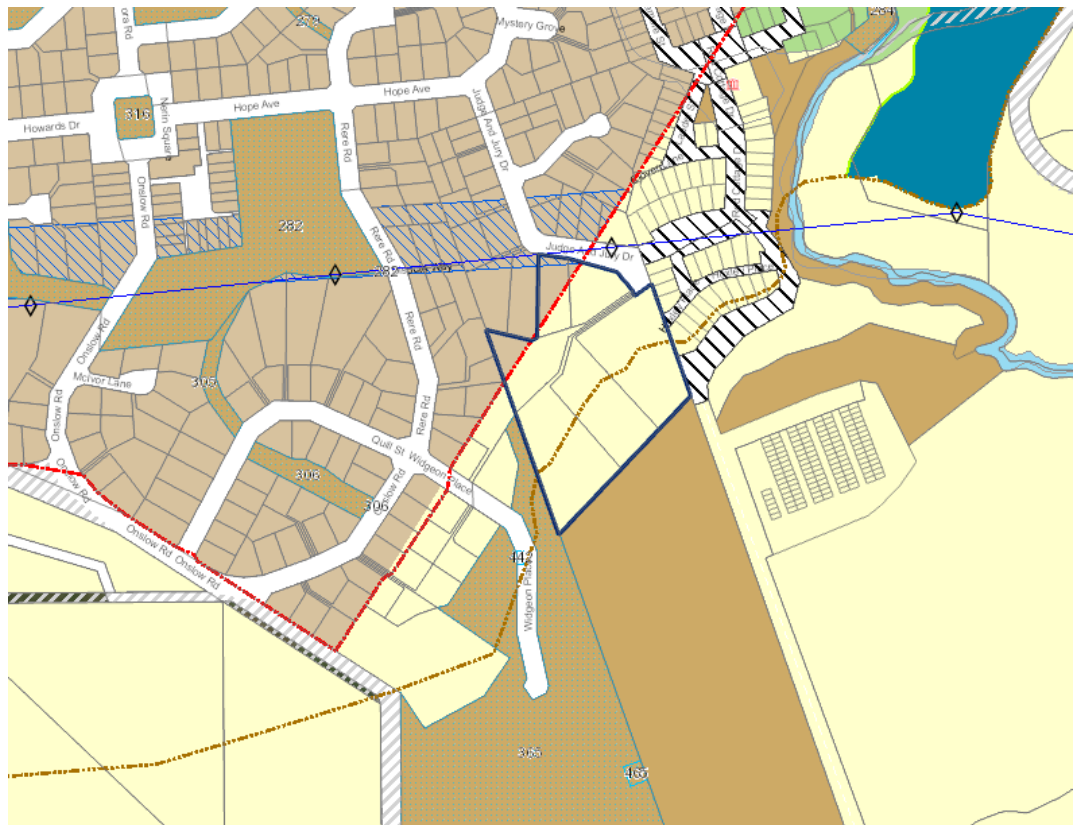
<b>Summary of Council assessments and recommendations</b>	
<b>Landscape</b>	Accept in part
<b>Transport</b>	Oppose MDRZ, LDSRZ and LLR (A and B) Not oppose RLZ or RRZ

**Aerial Photograph of the site**



**Figure 26: Extent of the proposed re-zoning shown over an aerial photo**

**Stages 1 and 2 Combined**



**Figure 27: Extent of the proposed re-zoning shown over Map 30 (Stage 1 and Stage 2 zonings shown)**



- 21.1** Submitter 492 owns Lot 17 DP 445230 (44A Judge and Jury Drive, Lake Hayes Estate) which was notified as being within the Rural Zone and being located outside of the UGB and split by the ONL line.
- 21.2** The submitter states that they support the UGB location as shown on Map 30 as it relates to their land and the adjoining properties. They also strongly support the Rural Zone, UGB and an ONL location shown on Map 30 over their land and the adjoining property. However, this was on the basis that the Bridesdale development (SH150001) was refused. As a result, it is my recommendation that submission point 492.4 be partly rejected for the reasons outlined in Section 20.
- 21.3** As outlined above, in Section 20 SH150001 has been granted. Submitter 492 specified alternative relief if consent for the Bridesdale development was granted given that the development would *'significantly affect the amenity experienced from and values of our property and neighbours properties'*. The alternative relief sought is *'an alternative rural living or low density urban zoning to be consistent with the eventual outcome of Bridesdale Farm.'* across the submitter's property as well as their neighbours properties.
- 21.4** As noted in the assessment of the Bridesdale Farm Developments Limited primary submission (655), the development approved via SH150001 is considered to be more akin to MDRZ. Consequently, it is considered that Submission 492 provides the scope to consider the RLZ, RRZ, LLRZ, LDSRZ and MDRZ.
- 21.5** Bridesdale Farm Limited lodged a further submission (FS1261) against this submission seeking that the zoning be approved as requested in their primary submission (655).
- 21.6** Submitter 492's land is immediately adjoining the approved Bridesdale Farm development to the west. To the immediate north, northwest and southwest of the submitter's site, the lots are all zoned Rural Zone or are split zoned Rural Zone / LDSRZ with the UGB line following the edge of the LDSRZ zoning. The land further to the north and west is Lake Hayes Estate and is zoned LDSRZ. The land to the south is the

river terrace, the commencement of which is indicated by the ONL, which runs through the submitter's property. As such, the subject site and those adjoining it to the north and west, represent a graduation in the density of development between the LDSRZ Lake Hayes Estate towards the ONL to the south.

## **Landscape**

- 21.7** Ms Mellsop has interpreted the relief sought by Submitter 492 as applying to the six residential lots that are wholly or partially zoned Rural Zone in the notified PDP (Lots 12 – 17 DP 445230). I concur with Ms Mellsop as these lots are the remaining sites surrounding the submitter's site which were all notified as being Rural Zone or split zoned Rural Zone / LDSRZ and are all accessed via Judge and Jury Drive and therefore relate to the development being constructed under SH150001 as this adjoins Judge and Jury Drive. A broader interpretation of the scope of this submission is that this could also include those Rural Zone properties further to the southwest accessed via Onslow Road or Wigeon Place, however I consider that this is pushing the reference to 'neighbouring properties' too far and not reasonably within the changes anticipated by the submission.
- 21.8** Ms Mellsop does not consider that an urban residential zoning of the area of the land within the ONL would be appropriate from a landscape perspective as it would have a significant adverse cumulative effect on the natural character.
- 21.9** In considering the proposed change to the zoning of the land from Rural Zone to a more intensive zoning, Ms Mellsop states:
- “Given the sensitivity of the sites, immediately adjacent to and visible from the ONL, and the topography of the escarpment / terrace sequence, I do not consider it likely that urban development to these potential densities would be appropriate from a landscape perspective.”*
- 21.10** Further, Ms Mellsop considers that development to LDSRZ or MDRZ densities *“would not avoid significant adverse effects on the integrity of the landform and the aesthetic values of the landscape”*. However, she considers that it may be possible for a well-designed integrated

development which avoided the steep slopes and mitigated adverse effects on the adjacent ONL to be absorbed, however the LDSRZ or MDRZ zoning would not ensure this outcome.

- 21.11** Ms Mellsop does consider it possible that RRZ, RLZ or LLRZ scale development would be absorbed in this location, however this would represent a spot zoning.

### **Traffic**

- 21.12** Mr Smith has not raised any opposition to rezoning of the properties to RRZ or RLZ, as this would only result in the addition of one or two allotments. Mr Smith has noted that the additional demands on the Shotover Bridge generated from the LDSRZ, LLR and RRZ can be accommodated within the current capacity of the network, however this will negatively impact on the long-term performance of the network when considered cumulatively with other developments within the Wakatipu Basin. Consequently, Mr Smith opposes the rezoning of the sites to LLR, MDR or LDSR zones.

### **Analysis**

- 21.13** In relation to a change of zoning of the land within the ONL, I agree with Ms Mellsop's assessment that the zoning of this area of the land to any zone other than Rural Zone would have the potential to result in significant adverse effects upon the natural character of the ONL. I also note that the location of an urban zoning within the ONL would be contrary to Policies 3.2.5.1, 3.2.5.2, 6.3.12 and 6.3.16. Consequently, my recommendation is for the land which is located within the ONL (a portion of Lots 15 – 17 DP 445230) remain Rural Zone.
- 21.14** Determining the appropriate zone for the remainder of the land is complex taking into account the potential effects upon the adjoining ONL as detailed by Ms Mellsop, while taking into account the consented and existing development on the neighbouring land to the east (Bridesdale) and north (Lake Hayes Estate).

- 21.15** RM070991 was approved on the 28 April 2009 and it is the primary subdivision that created the subject lots. There a number of consent notices on the title including a recession height plane, conditions pertaining to the transmission lines, protection of planting in the ONL, maximum heights and site coverages, exterior building colours, car parking and a restriction of only one residential unit per site.
- 21.16** Similarly to my recommendation above regarding the retention of the Rural Zone across the southern portions of Lots 15 – 17 DP 445230, I note that the split zoning of a site has the potential to result in adverse effects to the ONL, without site specific design controls. Furthermore, I consider that the Rural Zone will provide Council with the best ability to control the potential effects of any future development on these sites upon the adjoining ONL given that the establishment of building platforms or the construction of buildings outside of building platforms are discretionary activities and therefore the landscape related provisions would be addressed.
- 21.17** The remaining Rural Zone land considered to be addressed by Submission 492 is those areas of Lots 12 – 14 DP 445230 which are split zoned Rural Zone / LDSRZ. As mentioned above, I generally do not support split zoning of sites given the small size of the allotments. These three lots all contain an area of LDSRZ and all adjoin LDSRZ (Lake Hayes Estate) immediately to the northwest. Furthermore, Lot 13 is also located opposite Bridesdale Farm to the northeast.
- 21.18** The increased yield from rezoning Lots 12 to 14 DP 445230 is approximately 17, noting that consent would be required to vary the consent notices. I note Mr Smith's concern regarding the adverse cumulative effects on the Shotover Bridge, however Mr Smith has concluded that the rezoning of the sites to LDSRZ can be accommodated within current capacity of the network.
- 21.19** It is noted that the National Grid in this location is protected via a BRA under the PDP pursuant to Rule 7.4.4.
- 21.20** As a result of these factors, I recommend that the zoning of Lots 12 – 14 DP 445230 is changed so that their entire land area is within the

LDSRZ. As a consequential amendment, I also recommend that the UGB line be extended so to encompass the entirety of Lots 12 – 14.

**21.21** In conclusion, I recommend that the relief sought by Submitter 492 be accepted in part only. It is recommended that Lots 12 – 14 DP 445230 be rezoned so that they are entirely located within the LDSRZ and that the UGB be extended to encompass these sites. The relief sought for the remainder of the land which is subject of Submission 492 is however recommended to be rejected. Consequently, the further submission by Bridesdale Farm Development Limited (FS1261) is recommended to be upheld in part.

**22. MARTIN MCDONALD AND SONYA ANDERSON (451)**

<b>Overall Recommendation</b>	
<b>Recommendation</b>	Accept in part (451.2) Accept in Part (451.6)

<b>Property and submission information</b>	
<b>Further Submitters</b>	<b>Submission 451.2</b> FS1261.9 – Bridesdale Farm Developments Limited – oppose <b>Submission 451.4</b> <b>Submission 451.6</b>
<b>Land area/request referred to as</b>	51 Walnut Lane, Lake Hayes 45A-C Erskine Street, Lake Hayes Bridesdale Farm, Lake Hayes
<b>Stage 1 PDP zone and any mapping annotation</b>	<u>51 Walnut Lane, Lake Hayes</u> Low Density Residential (small portion) Rural Lifestyle UGB Statutory Listed Building 121 Designated Area 430 <u>45A-C Erskine Street, Lake Hayes</u> LDR UGB Protected trees 204 <u>Bridesdale Farm</u>

	<p>Mix of Rural General, Rural Lifestyle and Low Density Residential</p> <p>ONL</p> <p>UGB</p> <p>Transpower Pylons</p> <p>Transmission Corridor</p> <p>Adjoins Designated Areas 284 &amp; 539</p>
<b>Stage 1 Zone requested and any mapping annotation requested</b>	<p><u>51 Walnut Lane, Lake Hayes</u></p> <p>Rural Lifestyle retained</p> <p><u>45A-C Erskine Street, Lake Hayes</u></p> <p>Reposition UGB and reconsider LDR zoning given covenants</p> <p><u>Bridesdale Farm</u></p> <p>Retain zoning and ONL as notified</p>
<b>Stage 2 PDP Zone and any mapping annotations</b>	<p><u>51 Walnut Lane, Lake Hayes</u></p> <p>Adjoins Informal Recreation Zone</p> <p><u>Bridesdale Farm</u></p> <p>Informal Recreation – Open Space Zone (replaces only a part of the Stage 1 Rural zone)</p>
<b>Supporting technical information or reports provided with submission</b>	None
<b>Legal Description</b>	<p>51 Walnut Lane, Lake Hayes</p> <p>Lot 2 DP 457573</p> <p>45A-C Erskine Street, Lake Hayes</p> <p>Lots 1-3 DP 471202</p> <p>Bridesdale Farm</p> <p>Various properties</p>
<b>Area</b>	<p>51 Walnut Lane, Lake Hayes</p> <p>19719m<sup>2</sup> (QLDC GIS)</p> <p>45A-C Erskine Street, Lake Hayes</p> <p>12390m<sup>2</sup> (QLDC GIS)</p> <p>Bridesdale Farm</p> <p>244660m<sup>2</sup> (approximate, based on QLDC GIS records for properties owned by the submitter)</p>
<b>QLDC Property ID</b>	28134 (submitter's property), 28918, 28919, 28920, 59650 (45A-C Erskine Street)
<b>QLDC Hazard Register</b>	Liquefaction Risk: Possibly Susceptible (Hazards Register Part II Stage 2 Risk Management Study Report Opus 2002)



	Liquefaction Risk: Susceptible (Hazards Register Part II Stage 2 Risk Management Study Report Opus 2002) – Bridesdale Farm only
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Summary of Council assessments and recommendations	
Landscape	Oppose
Traffic	Not oppose

**Aerial Photograph of the site**



Figure 28: Extent of the proposed re-zoning shown over an aerial photo

**Stages 1 and 2 Combined**

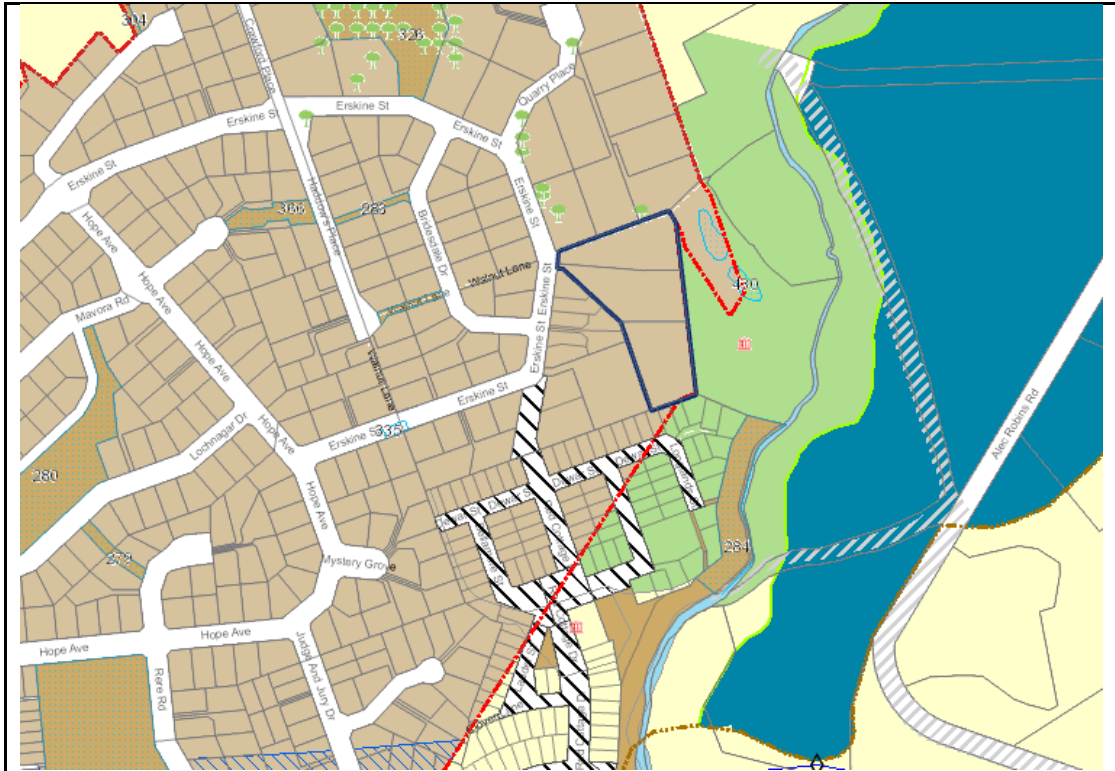


Figure 29: Extent of the proposed re-zoning shown over an aerial photo

- 22.1** Submission 451 is made by the owners of 51 Walnut Lane which is to be zoned RLZ in the PDP. The submitter supports the zoning of their site as well as the location of their property outside of the UGB.
- 22.2** The submitter also supports the proposed zoning on Map 30 over the Bridesdale Farm property, including the position of the UGB and the ONL. Bridesdale Farm Developments Limited (FS1261) lodged a further submission in opposition to Submission 451 on the basis that it does not reflect the zoning that they seek for the Bridesdale land in their primary submission. It is recommended that this submission point be partly rejected for the reasons discussed at Section 20 of this report.
- 22.3** However, they have also raised concerns over the notified LDSRZ and location of the UGB over 45A – C Erskine Street given that there are covenants registered on the titles for these properties, which restrict further development of the lots such that LDSRZ development would not be able to be realised.
- 22.4** 45A – C Erskine Street are all 4,000m<sup>2</sup> and over. There is a private covenant registered on the titles for these properties (reference

9182756.5) which covenants not to further subdivide except in the case of a boundary adjustment that does not result in any additional allotments being created.

## **Landscape**

**22.5** Ms Mellsop considers that from a landscape perspective the LDSRZ zoning of 45A – C Erskine Street is appropriate as the land is contiguous with other LDSRZ land on the eastern edge of Lake Hayes Estate. Furthermore, Ms Mellsop considers that the development of these lots in accordance with the LDSRZ provisions would not have any adverse effects on landscape character or visual amenity, other than effects on the visual and rural amenities of the submitter's property.

## **Transport**

**22.6** Mr Smith has not raised any concerns from a transport perspective as the proposal will result in a decreased residential density to that promoted in the PDP.

## **Analysis**

**22.7** The covenants that restrict the development of 45A – C Erskine Street are private covenants which sit outside of the RMA. These can, by agreement between the parties, be modified or removed at any time without Council involvement. Consequently, these are not in my view a pertinent factor in the consideration of the application of an appropriate zoning of the subject land.

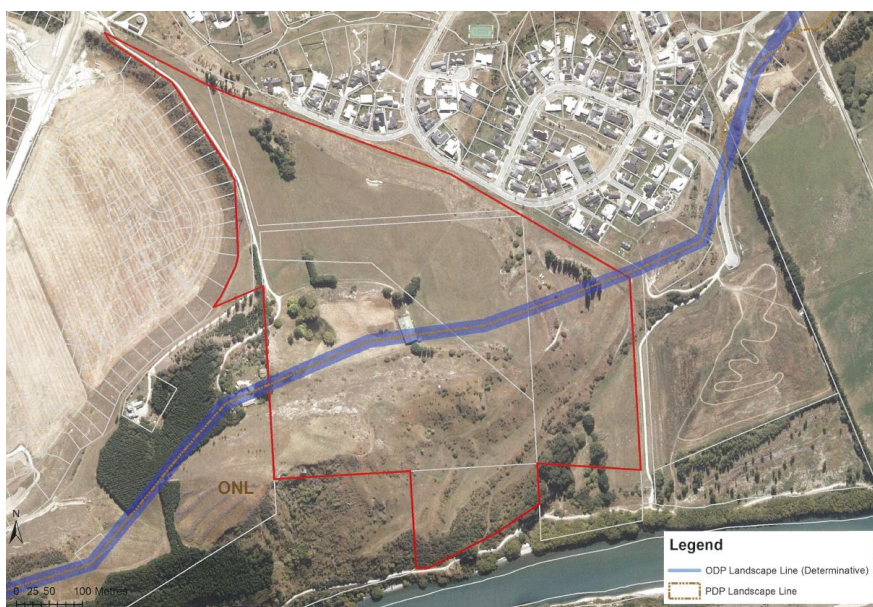
**22.8** In terms of the appropriate zoning of the land, I concur with Ms Mellsop's evidence in that the LDSRZ zoning of 45A – C Erskine Street is suitable given that it directly adjoins other LDSRZ land to the north, northeast and west. These properties also obtain access via Lake Hayes Estate roading network and consequently people living or visiting the properties would drive through the LDSRZ area to gain access to the properties and therefore the LDSRZ development of the properties would not be unexpected.

**22.9** Consequently, I recommend that Submission 451 be accepted in part and that further submission FS1261 lodged by Bridesdale Farm Development Limited be accepted insofar as it relates to 45A – C Erskine Street and parts of Bridesdale Farm.

**23. SCOTT CRAWFORD (842)**

**Landscape lines**

**23.1** Submitter 842 has sought that the boundary of the ONL at Lake Hayes Estate be relocated to the true left bank of the Kawarau River particularly in relation to Lot 403 DP 379403. The ONL boundary was determined within C203/2004. I agree with Ms Mellsop that there have been no developments that have significantly affected the natural character and legibility of the river valley landscape with the exception of the subject allotment, including the development approved as part of SH160140 (Queenstown Country Club resource consent). The ODP ONL and PDP ONL are indicated on Figure 30 Below:



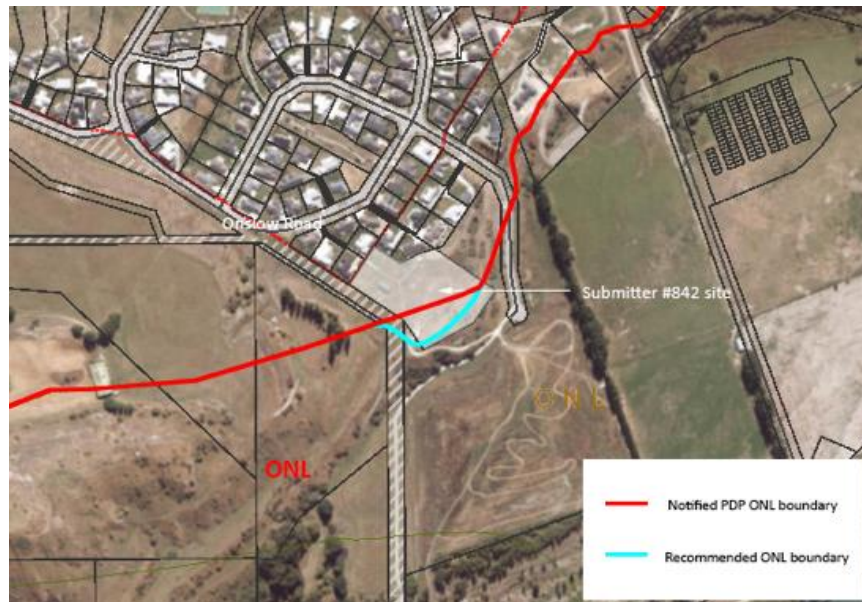
**Figure 30: ODP and PDP ONL line (Source: SH160140 hearing documentation)**

**23.2** Lot 403 DP 379403 is located at the eastern end of Onslow Road and the development of the site was approved as part of SH160140, which is the Queenstown Country Club resource consent approved under the HASHAA 2013. SH160140 approved a 21 lot residential development



on Lot 403 DP 379403, with Lots 12 to 17 falling partly within the ONL, but subject to a building restriction. These allotments are also subject to design controls and setbacks to protect the integrity of the ONL and the amenity of adjacent sites. Residential development can only take place to the north of the small bund or crest on the southern end of the allotments, which helps screen the development from the south.

**23.3** I agree with Ms Mellsop that the ONL boundary is more appropriately located at the crest of the bund (which is also within the building restriction area approved as part of SH160140). Therefore, I recommend that the relief sought by this submitter be partly accepted and recommend that the ONL be aligned with the crest of the bund as shown in Figure 31 below.



**Figure 31: PDP ONL and Recommended ONL**

### Rezoning

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Further Submitters	<b>Submission 842.1</b> FS1340.161 – QAC – oppose <b>Submission 842.2</b>

<b>Land area/request referred to as</b>	Lot 403 DP 379403 Onslow Street, Lake Hayes
<b>Stage 1 PDP zone and any mapping annotation</b>	Rural ONL UGB Adjoins Designated Area
<b>Stage 1 Zone requested and any mapping annotation requested</b>	Medium Density Residential Remove UGB or reposition to include site Reposition ONL to south of site
<b>Stage 2 PDP Zone and any mapping annotations</b>	Land not notified adjoins Informal Recreation Zone
<b>Summary of scope of relief available</b>	Medium Density Residential Remove UGB or reposition to include site Reposition ONL to south of site
<b>Supporting technical information or reports provided with submission</b>	None
<b>Legal Description</b>	Lot 403 DP 379403
<b>Area</b>	11713m <sup>2</sup> (QLDC GIS)
<b>QLDC Property ID</b>	23632
<b>QLDC Hazard Register</b>	Liquefaction Risk: Possibly Susceptible (Hazards Register Part II Stage 2 Risk Management Study Report Opus 2002) – western half  Liquefaction Risk: Susceptible (Hazards Register Part II Stage 2 Risk Management Study Report Opus 2002) – eastern half

<b>Summary of Council assessments and recommendations</b>	
<b>Landscape</b>	Accept in part
<b>Traffic</b>	Oppose
<b>Water, stormwater, wastewater,</b>	Not oppose

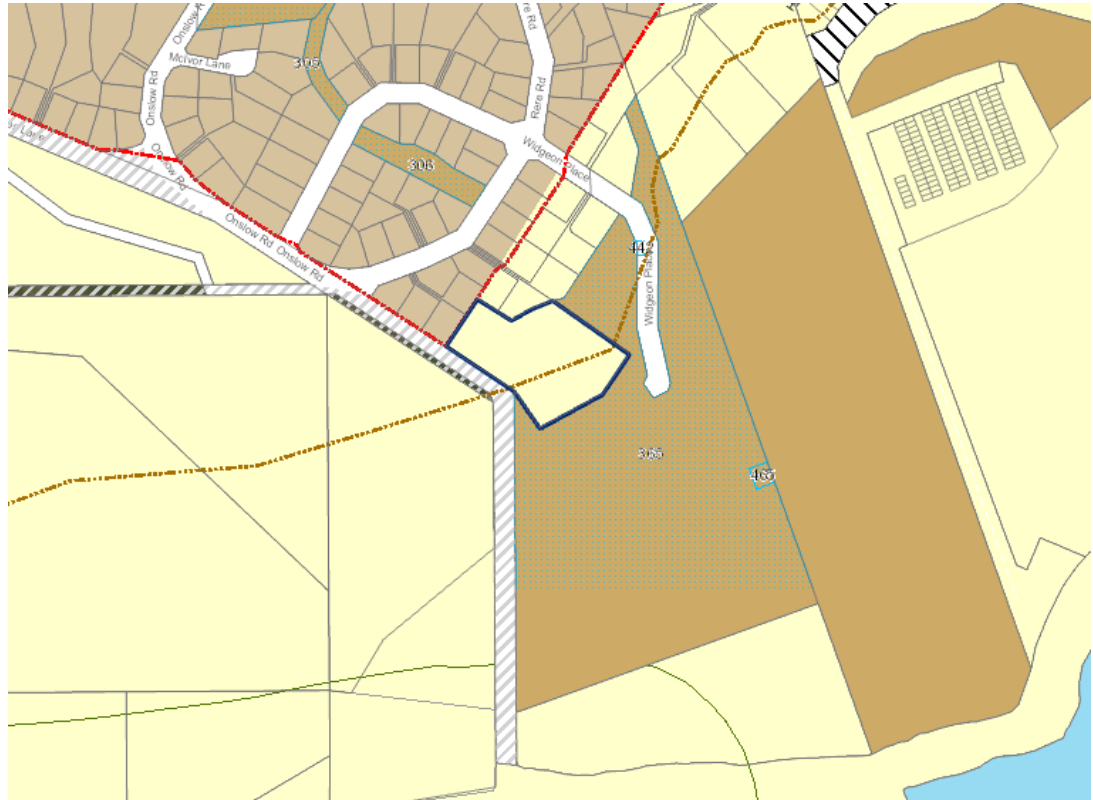


**Aerial Photograph of the site**



**Figure 32: Extent of the proposed re-zoning shown over an aerial photo**

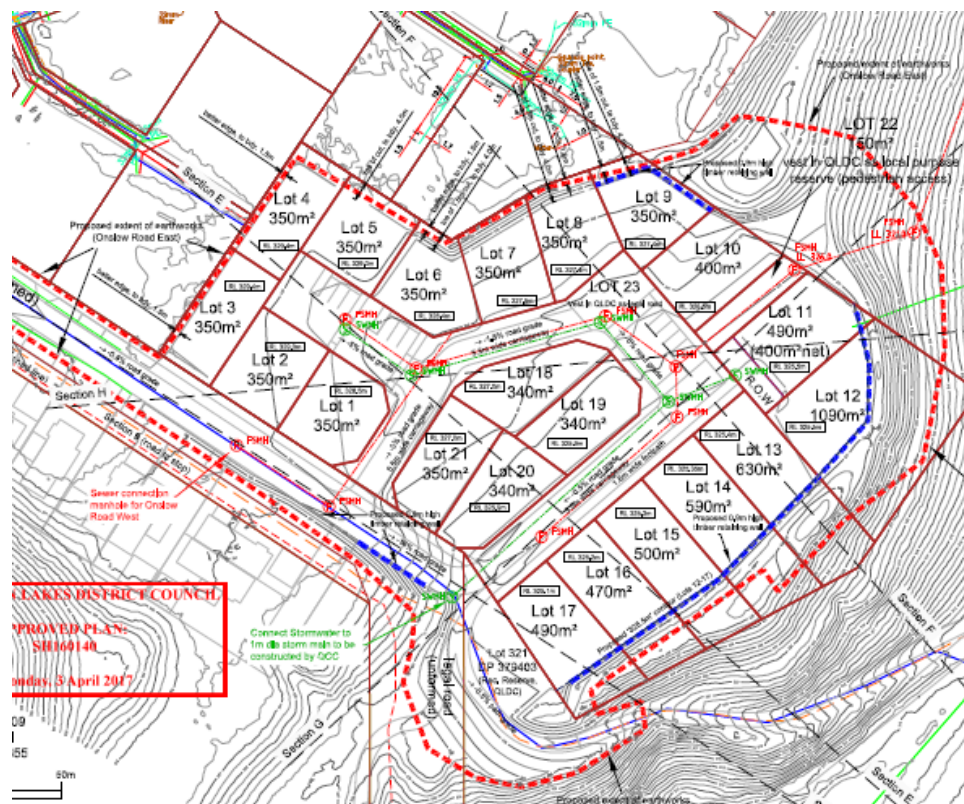
**Stages 1 and 2 Combined**



**Figure 33: Extent of the proposed re-zoning shown over an aerial photo**

**23.4** Scott Crawford (submitter 842) seeks that Lot 403 DP 379403 be rezoned from Rural Zone to MDRZ, as shown in Figures 32 and 33. The submission requests that the UGB that adjoins the site to the east and northeast be removed or adjusted to include the site. The submission states that the natural topographical features, servicing and infrastructure constraints provide an appropriate and logical urban growth boundary at this location.

**23.5** Since the close of the Stage 1 PDP submission period the development of the subject site has been consented under the HASHAA, as part of the Queenstown Country Club qualifying development discussed in paragraphs 9.7 to 9.11 above. A 21 allotment residential subdivision was approved on the site that ranged from 340m<sup>2</sup> to 1090m<sup>2</sup>. The approved site plan is provided in Figure 34 below. The approved residential density is considered to be akin to be LDSRZ.



**Figure 34: SH160140 approved 21 allotment subdivision**

**23.6** The site adjoins Lake Hayes Estate to the north and east, which is Zoned LDSRZ.

## **Landscape**

- 23.7** Ms Mellsop considers that from a landscape perspective the LDSRZ zoning of the site would be appropriate if the building restriction area and other controls such as maximum height and fencing restrictions were imposed that protect the integrity of the ONL were retained. Ms Mellsop does not oppose the relocation of the UGB to include the new area of LDSRZ.

## **Traffic**

- 23.8** Mr Smith has noted that the MDRZ of the site will result in 10 additional lots over and above the development that was approved within SH160140. Mr Smith considers that when considered in isolation from any increases in traffic corresponding to other rezoning requests that the increase in traffic movements from this rezoning request is unlikely to be noticeable on the road network. On this basis he believes that this additional demand can be accommodated within the current capacity of the network. However, Mr Smith opposes the rezoning based on adverse cumulative traffic effects of development in the Wakatipu Basin.

## **Water, wastewater, stormwater**

- 23.9** Ms Jarvis does not oppose the rezoning of the site to the MDRZ. Council GIS records show that the property is within the existing Council water and wastewater scheme boundaries and is serviced by the Shotover Country Scheme for water supply and connects to the Lake Hayes Estate wastewater reticulation. Ms Jarvis notes that capacity for the site has also been confirmed as part of the Queenstown Country Club qualifying development consent.

## **Analysis**

- 23.10** In assessing the submission, I am mindful of the consenting history of the site, and the principles regarding the consented environment that have been supported by the Panel's recommendations. In particular,

the Panel have noted that the zoning of a site is not determined by existing resource consents but they have to be taken into account.

**23.11** As outlined above, submitter 842 seeks rezoning to MDRZ. Consequently, I believe the scope of the relief sought would allow an alternative lower density to be considered, such as the LDSRZ. I agree with Ms Mellsop that the proposed MDRZ of the site would result in spot zoning as the land to the east and north is zoned LDSRZ, while the land to the east and south is Rural Zone.

**23.12** I also consider the development that is approved under SH160140 is similar to land use densities that are promoted in the LDSRZ. Rule 7.4.7 states "*Residential units, where the density of development exceeds one residential unit per 450m<sup>2</sup> net area but does not exceed one residential unit per 300m<sup>2</sup> net area...*". Compliance with this rule requires Restricted Discretionary Activity resource consent. Overall, the approved densities for this site in SH160140 are 1 residential unit per 400m<sup>2</sup>.

**23.13** SH160140 decision considers the key issues of landscape and visual effects and the impact of the development on the ONL. The decision granted consent to the residential development of this area subject to the imposition of a number of conditions of subdivision and land use consent including:

- (a) consent notice conditions preventing Visitor Accommodation, planting and fencing; and
- (b) land use conditions controlling building materials, no build areas (including fencing) within lots adjacent to the ONL (Lots 9 to 17), maximum height limits for Lots 9 to 17 of 6m and fencing height.

**23.14** There are also obvious discrepancies with the current and consented land use and a policy framework supporting future productive rural use. As a result, I agree with Ms Mellsop that it may be appropriate to consider LDSRZ on the site, however this would require the imposition of a series of site-specific controls to ensure that the integrity of the ONL to the south and east of the site is maintained. The drafting of

site specific District Plan provisions in order to ensure the same or better set of resource management outcomes for the site would be achieved as is provided for by SH160140. I note that Council has generally opposed the inclusion of a multiplicity of site-specific rules within the PDP to improve its administration and to reduce complexity. The submitter has not advanced any such provisions which would support the proposed zoning and without these, the proposed zoning is recommended to be rejected.

- 23.15** I also note that it may be more appropriate to consider the zoning of the site when the Ladies Mile area is reviewed holistically. I consider the zoning of the neighbouring sites to the east should also be reviewed at this point in time.

#### **UGB**

- 23.16** Consistent with the approach to the UGB detailed above in relation to submission 239.2 (paras 18.27 to 18.31), although the consented development on the site presents a challenge in terms of retaining the site outside the UGB it is my view that at this point in time the UGB should not be extended to include the site.
- 23.17** As a consequence, the notified Rural Zone of the site is supported and in the absence of the conditions for urban development of this area outlined above being met, my view is that the site should remain outside of the UGB.
- 23.18** It is acknowledged however that as things stand the existing and consented environment will result in an urban residential development outside of the UGB. While not ideal, it is also anticipated that this may be an interim situation until such time as further assessment is undertaken of the Ladies Mile landscape unit, including a review of the overall transportation network.
- 23.19** For the reasons stated above, I recommend that Submissions 842 be rejected.
- 23.20** Regarding the further submissions by Queenstown Airport Corporation (FS1340), the site is not within the Queenstown Airport outer control



boundary. I also note that there is no evidence provided alongside QAC's submission. I recommend the further submission is accepted but not for the reasons provided.

## **LCU 25 SHOTOVER COUNTRY MARGINS**

### **24. Shotover Country Limited (528)**

- 24.1** Shotover Country seeks that a parcel of land bounded by the Shotover country special Zone and Old School Road be rezoned from Rural to Shotover Country Special Zone and Low Density Residential or an alternate zoning with an equivalent outcome.

<b>Overall Recommendation</b>	
<b>Recommendation</b>	Reject

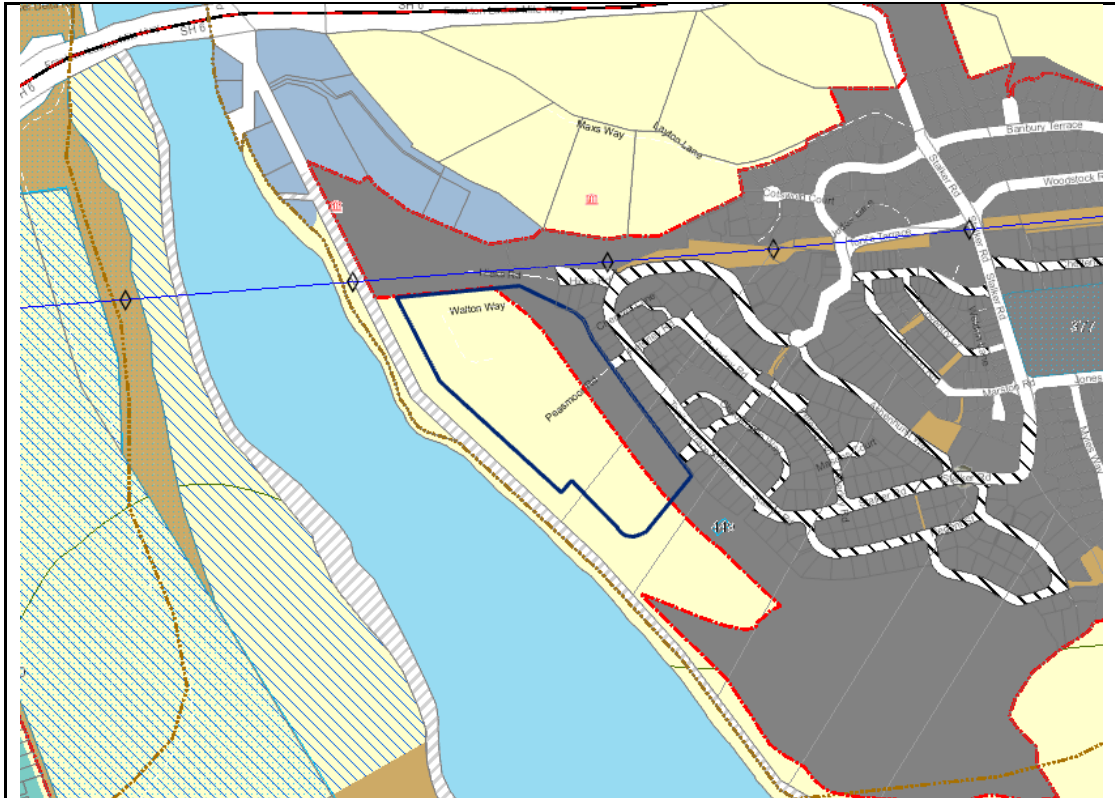
<b>Property and submission information</b>	
<b>Further Submitters</b>	<b>Submission 528.8</b> <b>Submission 528.9</b> FS1340.121 – QAC – oppose <b>Submission 528.11</b>
<b>Land area/request referred to as</b>	Land bounded by Shotover Country Special Zone and Old School Road
<b>Stage 1 PDP zone and any mapping annotation</b>	Rural Submission also on (ODP) Shotover Country Special Zone ONL UGB Adjoins Transpower Pylons Adjoins Transmission Corridor
<b>Stage 1 Zone requested and any mapping annotation requested</b>	Relocate UGB to align with ONL Rezone to Shotover Country Special Zone or LDR
<b>Supporting technical information or reports provided with submission</b>	SH160139
<b>Legal Description</b>	Part of Lot 1 DP 510123 (approximated from submission QLDC GIS)
<b>Area</b>	7,800m <sup>2</sup> (Overall lot is 40.5Ha (approximated from submission QLDC GIS & SHA information))



<b>QLDC Property ID</b>	64150
<b>QLDC Hazard Register</b>	Flood due to Rainfall (Queenstown-Lakes District Floodplain Report (November 1999)) Liquefaction Risk: Susceptible (Hazards Register Part II Stage 2 Risk Management Study Report Opus 2002) – southern portion

<b>Summary of Council assessments and recommendations</b>	
<b>Landscape</b>	Accept in part
<b>Traffic</b>	Not oppose RLZ, RRZ & LLRZ Oppose LDSRZ
<b>Water, stormwater</b> <b>wastewater,</b>	Not Oppose
<b>Ecology</b>	Native and threatened bird species have been observed within the Shotover River





**Figure 35: Extent of the proposed re-zoning shown over an aerial photo**

**24.2** Shotover Country (submitter 528) seeks that a parcel of land bounded by the SCSZ and Old School Road be rezoned from Rural to Shotover Country Special Zone, LDSRZ or an alternate zoning with an equivalent outcome. The submission requests that the UGB surrounding SCSZ be moved so, at its western end, it runs along Old School road to align with the ONL line. The submission states that the notified Rural zoning is an inefficient use of resources as the site is adjacent to heavily developed areas if residential land.

**24.3** The Queenstown Airport Company (QAC) have further submitted in opposition to the submission on the basis that it is counter to the land use management regime established under PC35 and has the potential to have significant adverse reverse sensitivity effects on the Queenstown Airport.

### **Landscape**

**24.4** In forming her view, Ms Mellsope takes into account the granting of consent for low density residential development of this area under the HASHAA (SH160139) in May 2017 and the earthworks, servicing and

roading for the development are currently underway. She concludes that the inclusion of this land, with the landscape buffer activity area 5c, in the SCSZ "would adequately protect and enhance the interface between the suburban area and the margins of the Shotover River".

- 24.5** She does not support rezoning to LDSR on the basis that it would not provide the separation from Shotover Country provided by the 6m wide Terrace Buffer Area set out in the Shotover Country Zone Structure Plan (area 5C) which is an important part of protecting the natural character of the Shotover River ONL.

### **Traffic**

- 24.6** Mr Smith has not raised concerns with the proposed LLRZ, RRZ and RLZ, as this will result in a reduction of yields to that approved in SH160139. The approved SH160139 allows for 101 lots. Mr Smith has noted that it is only the LDSRZ that allows for a higher level of development than the SHA. Mr Smith notes that although this is a small increase of 5 additional lots, he opposes a change in zoning to LDSRZ on the basis of cumulative transportation effects.

### **Water, wastewater, stormwater**

- 24.7** Ms Jarvis does not oppose the rezoning to LDSR, SCSZ, LLR, RR or RLF because the infrastructure capacity was assessed at the time of the SH160139 application and found to be sufficient, subject to planning upgrades.

### **Ecology**

- 24.8** Mr Davis has noted that there are threatened bird species nearby, however these are located within the Shotover River. Mr Davis does not raise any specific concerns from an ecological perspective.

### **Analysis**

- 24.9** In assessing the submission, I am mindful of the consenting history of the site, and the principles regarding the consented environment that

have been supported by the Panel's recommendations. In particular, the Panel have noted that the zoning of a site is not determined by existing resource consents but they have to be taken into account.

- 24.10** As outlined above, submitter 528 seeks rezoning to SCSZ, LDSRZ (now LDSR), or an alternate zoning with an equivalent outcome. Consequently, the scope of this relief is anticipated to include the RRZ, RLZ, LLR, SCSZ or LDSRZ (now LDSR),
- 24.11** SH160139 approved subdivision consent to create 101 residential allotments, roads, reserves and a balance allotment, landscaping, earthworks, land use consent to construct dwellings on those allotments and land use consent to undertake earthworks for flood protection.
- 24.12** The decision considers the key issues of flood hazard effects, liquefaction, landscape and visual effects, three waters infrastructure issues, earthworks management, urban design matters, traffic effects and positive effects. The decision granted consent subject to the imposition of substantial number of complex conditions of subdivision and land use consent including consent notice conditions preventing Visitor Accommodation, controlling buildings and planting under the high voltage transmission lines, controls solid fencing within a building setback for lots adjoining a right of way, controls on the height and permeability of northern and western facing fences of certain lots.
- 24.13** It is also noted that the servicing of the site has been confirmed through SH160139.
- 24.14** Taking this into account, the implementation of this consent, and the evidence of Ms Mellsop that the inclusion of this land, with the landscape buffer activity area 5c, in the SCSZ "*would adequately protect and enhance the interface between the suburban area and the margins of the Shotover River*" (which I support), I acknowledge that the Rural Zone of the site is at odds with the existing and consented environment. There are also obvious discrepancies with the current and consented land use and a policy framework supporting future productive rural use.

- 24.15** However, as mentioned above in paragraphs 4.1 to 4.4, this SCSZ has been excluded from this stage of the PDP review and is currently intended to sit within Volume B of the District Plan until the fourth and final stage of the review. It is in some respects an effects based chapter that does not sit well with the activity based plan format of other residential chapters of the PDP. The ODP SCSZ also has a very different approach to Visitor Accommodation related activities and parking than the approach notified by Council as part of its Stage 2 provisions. Nor has evidence been provided with the submission that would enable the ODP SCSZ to come into the PDP, via this submission, and justify all the relevant RMA tests including relating to the zone provisions, themselves.
- 24.16** In addition, zoning the land SCSZ would require the drafting of a large number of site specific District Plan provisions in order to ensure the same or better set of resource management outcomes for the site would be achieved as is provided for by SH160139. The submitter has not advanced any such provisions that would support the proposed zoning, including a method to secure the terrace buffer area which Ms Mellsop recommends as a necessary adjunct to urbanisation of this area. Without these, and all the necessary evaluation of the SCSZ, the proposed zoning is recommended to be rejected.
- 24.17** For reasons set out earlier, there is no evidence provided by the submitter that would enable a recommendation to bring the SCSZ into the PDP, by way of this rezoning submission.
- 24.18** In conclusion, it is my assessment that the zoning and zone provisions of this should be determined as part of a review of the whole of the Shotover Country zone and structure plan. The SHA consent has determined the suitability of the area for urban development and I support this outcome over lower density and less efficient uses for the land. For the reasons stated previously I do not support zoning to provide a pocket area of lifestyle development in this location when a consent for this area already provides for an outcome consistent with the LDSRZ or SCSZ.

## **UGB**

- 24.19** Consistent with the approach to the UGB detailed above in relation to submission 239.2 (paras 18.27 to 18.31), although the existing and consented development on the site presents a challenge in terms of retaining the site outside the UGB it is my view that the entire Shotover Country area needs to be considered holistically concurrently with determining changes to the UGB.
- 24.20** I consider that the location of the site within or outside the UGB is dependent upon its zoning and as outlined above, the proposed LDSRZ and SCSZ of the site is recommended to be rejected. As a consequence, the notified Rural Zone of the site is supported and in the absence of the conditions for rezoning the site for urban development of this area outlined above being met, my view is that the site should remain outside of the UGB.
- 24.21** However, it is acknowledged that as things stand the existing and consented environment will result in an urban residential development outside of the UGB. While not ideal, it is also anticipated that this may be an interim situation until such time as further assessment is undertaken of the Ladies Mile landscape unit.
- 24.22** For the reasons stated above, I recommend that Submissions 528.9 be rejected.
- 24.23** Regarding the further submissions by Queenstown Airport Corporation (1340), the site is not within the Queenstown Airport outer control boundary. I also note that there is no evidence provided alongside QAC's submission. I recommend the further submission is accepted but not for the reasons provided.



**Anita Vanstone**

**30 May 2018**



## APPENDIX 1

### Recommended New Rule 8.5.19

**Key:**

Recommended provision to be added to the Medium Density Residential chapter shown in red underlined text for additions and ~~strike-through text~~ for deletions. Appendix 1 to section 42A report, dated 28 May 2018.

	<u>Additional standard for activities located in the Bridesdale Farm Overlay</u>	<u>Non compliance status</u>
<u>8.5.19</u>	<p><u>The construction or external alteration of any fencing</u></p> <p><u>8.5.19.1: Fencing adjacent to any road boundary shall be a maximum height of 1.2m; and</u></p> <p><u>8.5.19.2: Fences between internal boundaries shall be restricted to 1.8m in height except for the first 3 metres from the road boundary, where the maximum height shall be 1.2 metres;</u></p>	<p><u>RD</u></p> <p><u>Discretion is restricted to:</u></p> <p><u>a. streetscape character and amenity; and</u></p> <p><u>b. external appearance, location and visual dominance of the fencing when viewed from the street(s) and neighbouring properties.</u></p>

## **APPENDIX 2**

### **Recommendation on Submissions**

Appendix 2 to the Section 42A Report - Ladies Mile

Original Point No	Further Submission No	Submitter	Map	Submitter Position	Submission Summary	Planner Recommendation
134.2		Keri Lemaire-Sicre	Map 30 - Lake Hayes	Other	Submitter owns and runs the Queenstown Pet Boarding Facility at Frankton-Ladies Mile and generally opposes changes to the Proposed District Plan which would impact on providing a healthy environment for boarding pets, and potential reverse sensitivity effects of further domestication of the rural area. Standards of the proposed district plan do not give confidence that the effects of development on the pet lodge will be adequately addressed.	Reject
239.2		Don Moffat	Map 30 - Lake Hayes	Other	Planning Map 30 be amended to show a portion of the submitters site at 420 Frankton Road-Ladies Mile (Adjoining Shotover Country, legally described as Lot 500 DP470412 and comprising 23.6578 ha), re-zoned from Rural General to Rural Lifestyle as per the area shown boarded yellow on the Plan included as Attachment [B] of the submission.	Reject
239.2	FS1071.99	Lake Hayes Estate Community Association	Map 30 - Lake Hayes	Oppose	That the entire submission is disallowed and the existing zoning remains in place	Accept
239.2	FS1259.26	Bill and Jan Walker Family Trust	Map 30 - Lake Hayes	Support	That the submission be allowed insofar as it seeks amendments to chapter 22 and Planning Map 30 of the Proposed Plan.	Reject
239.2	FS1267.25	DV Bill and Jan Walker Family Trust	Map 30 - Lake Hayes	Support	Supports. Seeks that the submission be allowed insofar as it seeks amendments to chapter 22 and Planning Map 30 of the Proposed Plan.	Reject
239.2	FS1340.69	Queenstown Airport Corporation	Map 30 - Lake Hayes	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport. The proposed rezoning is a significant departure from the nature, scale and intensity of ASAN development currently anticipated at this site and may potentially result in adverse effects on QAC over the longer term. The proposed rezoning request should not be accepted.	Accept but not for reasons specified in submission
239.4		Don Moffat		Other	Planning Map 30 be amended to show a portion of the submitters site at 420 Frankton Road-Ladies Mile (Adjoining Shotover Country, legally described as Lot 500 DP470412 and comprising 23.6578 ha), re-zoned from Rural General to Rural Lifestyle as per the area shown boarded yellow on the Plan included as Attachment [B] of the submission.	Reject
277.3		Alexander Reid	Map 30 - Lake Hayes	Other	Expand boundaries for urban growth boundaries. Parts of the northern side of Ladies Mile should be re-zoned to a mixture of rural residential and rural lifestyle	Reject
404.1		Sanderson Group Ltd	Map 30 - Lake Hayes	Oppose	Rezone Lot 500 DP 470412 from Rural to an Urban Zone that enables the construction of a Retirement Village as a Controlled or Restricted Discretionary Activity, with control/ discretion limited to positive effects; demand for housing supply; site layout; effects on local infrastructure; onsite serviceability; effects on landscape and visual amenity values; landscape treatment; site access arrangements; traffic and parking effects; and construction effects. And/ or any other relief to give effect to the intent of the submission. Also see point 404.6	Reject
404.1	FS1004.1	Elizabeth & Murray Hanan	Map 30 - Lake Hayes	Support	This submission should be allowed.	Reject
404.1	FS1357.1	Janet Lamont	Map 30 - Lake Hayes	Oppose	Either 1. decline the zoning request,2. allow an extended period of time for a public process and more information to be provided. 3.or if the council approves the rezoing it should be strictly for a retirement village on not large scale subdivision.	Accept in Part
404.1	FS1259.30	Bill and Jan Walker Family Trust	Map 30 - Lake Hayes	Support	Support in part. Ensure sufficient information is provided to assess the merits of the proposed rezoning.	Reject
404.1	FS1267.29	DV Bill and Jan Walker Family Trust	Map 30 - Lake Hayes	Support	Supports in part. Believes that the concept of a zone to enable a retirement home on this site, adjacent to the submitter's land, is not opposed in principle. Seeks that ensure sufficient information is provided to assess the merits of the proposed rezoning.	Reject
404.1	FS1340.100	Queenstown Airport Corporation	Map 30 - Lake Hayes	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport. The proposed rezoning is a significant departure from the nature, scale and intensity of ASAN development currently anticipated at this site and may potentially result in adverse effects on QAC over the longer term. The proposed rezoning request should not be accepted.	Accept but not for reasons specified in submission
404.2		Sanderson Group Ltd	Map 30 - Lake Hayes	Other	Position - Delete or Amend Urban Growth Boundary Delete or amend the Urban Growth Boundary to include Lot 500 DP 470412 within the urban growth boundary	Reject
404.2	FS1259.31	Bill and Jan Walker Family Trust	Map 30 - Lake Hayes	Support	Support in part. Ensure sufficient information is provided to assess the merits of the proposed rezoning.	Reject
404.2	FS1267.30	DV Bill and Jan Walker Family Trust	Map 30 - Lake Hayes	Support	Supports in part. Believes that the concept of a zone to enable a retirement home on this site, adjacent to the submitter's land, is not opposed in principle. Seeks that ensure sufficient information is provided to assess the merits of the proposed rezoning.	Reject

Appendix 2 to the Section 42A Report - Ladies Mile

Original Point No	Further Submission No	Submitter	Map	Submitter Position	Submission Summary	Planner Recommendation
404.3		Sanderson Group Ltd	Map 30 - Lake Hayes	Other	Any other relief to give effect to the intent of the submission (i.e. to enable a Retirement Village on Lot 500 DP 470412)	Reject
404.3	FS1357.2	Janet Lamont	Map 30 - Lake Hayes	Oppose	Either 1. decline the zoning request, 2. allow an extended period of time for a public process and more information to be provided. 3. or if the council approves the rezoning it should be strictly for a retirement village on not large scale subdivision.	Accept in part
404.3	FS1259.32	Bill and Jan Walker Family Trust	Map 30 - Lake Hayes	Support	Support in part. Ensure sufficient information is provided to assess the merits of the proposed rezoning.	Reject
404.3	FS1267.31	DV Bill and Jan Walker Family Trust	Map 30 - Lake Hayes	Support	Supports in part. Believes that the concept of a zone to enable a retirement home on this site, adjacent to the submitter's land, is not opposed in principle. Seeks that ensure sufficient information is provided to assess the merits of the proposed rezoning.	Reject
451.6		Martin McDonald and Sonya Anderson		Not Stated	Strongly supports the area of land proposed to be retained as Rural Zone as shown on Planning Map 30 (including all associated objectives, policies and rules) over the Bridesdale Farm property. Retain as proposed on Planning Map 30 over Bridesdale Farm property.	Accept in Part
492.1		Jane & Richard Bamford	Map 30 - Lake Hayes	Not Stated	Supports the UGB as shown on Planning Map 30 (with all associated objectives, policies and rules) as it relates to the submitters property (at Lot 17 DP 445230, located on the end of Judge and Jury Drive, Lake Hayes Estate, Queenstown) and the adjoining properties. Strongly support the area of land proposed to be retained as Rural Zone and an ONL classification as shown on Planning Map 30 (including all associated objectives, policies and rules) over our land and adjoining properties. If Bridesdale Farms Special Housing Area resource consent SH15001 is declined by the Commission, requests to retain Rural zoning over submitters property and adjoining properties as proposed. Retain the Low Density Residential, Rural Lifestyle, Rural General, Urban Growth Boundary and Outstanding Natural Landscape classification (including all associated objectives, policies and rules) as proposed on Planning Map 30 over our property and adjoining properties.	Accept in Part
492.1	FS1261.4	Bridesdale Farm Developments Limited	Map 30 - Lake Hayes	Oppose	Disallow the relief requested in paragraph 6(i) of the submission. The Urban Growth Boundary, Outstanding Natural Landscape boundary, and zoning of the land subject to this Submission should be as requested in Bridesdale Farm Developments Limited Primary Submission #655	Accept in Part
492.4		Jane & Richard Bamford		Not Stated	Supports the area of land proposed to be retained as Rural Zone as it relates to the submitters property (at Lot 17 DP 445230, located on the end of Judge and Jury Drive, Lake Hayes Estate, Queenstown) and the adjoining properties. If Bridesdale Farms Special Housing Area resource consent SH15001 is declined by the Commission, requests to retain Rural zoning over submitters property and adjoining properties as proposed. Retain the Low Density Residential, Rural Lifestyle, Rural General, Urban Growth Boundary and Outstanding Natural Landscape classification (including all associated objectives, policies and rules) as proposed on Planning Map 30 over our property and adjoining properties.	Accept in Part
528.8		Shotover Country Limited	Map 30 - Lake Hayes	Oppose	Amend Planning Map 30 as follows: Re-locate the Urban Growth Boundary as drawn so it aligns with the edge of the ONL boundary running along the inside edge of Old School Road.	Reject
532.30		Bill & Jan Walker Family Trust c/- Duncan Fea (Trustee) and (Maree Baker Galloway/Warwick Goldsmith)		Not Stated	Insert Table 7 above into the Rural Lifestyle Chapter (subzone Northern Frankton-Ladies Mile Highway) with the following provision: Table 7 Rural Lifestyle (Northern Frankton Ladies Mile Highway sub zone) Non-compliance status 22.5.39.1 Any application for consent shall be accompanied by a landscaping plan which shows the species, number, and location of all plantings to be established, and shall include details of the proposed timeframes for all such plantings and a maintenance programme. The landscape plan shall ensure that: The border of the 100m setback building restriction areas shall be planted to create a visual screen between SH 6 and any residential unit. Any existing trees within the 100m building restriction area shall be removed to enhance views from SH6 D C	Reject
532.30	FS1071.88	Lake Hayes Estate Community Association		Oppose	That the entire submission is disallowed and the existing zoning remains in place	Accept
532.30	FS1322.34	Juie Q.T. Limited	22.5 Rules - Standards	Support	Supports. Requests that the decisions requested by the original submitter in original submission 532 be allowed (save for those of a site specific nature in respect of which I do not express a view).	Reject

Appendix 2 to the Section 42A Report - Ladies Mile

Original Point No	Further Submission No	Submitter	Map	Submitter Position	Submission Summary	Planner Recommendation
532.37		Bill & Jan Walker Family Trust c/- Duncan Fea (Trustee) and (Maree Baker Galloway/Warwick Goldsmith)	Map 30 - Lake Hayes	Oppose	Amend Map 30 to rezone the identified land on the attached map (hatched) at Appendix 1 as Rural Lifestyle. The land is generally bounded by Frankton-Ladies Mile to the North and Lake Hayes Estate to the south.	Reject
532.37	FS1071.95	Lake Hayes Estate Community Association	Map 30 - Lake Hayes	Oppose	That the entire submission is disallowed and hte existing zoning remains in place	Accept
532.37	FS1092.19	NZ Transport Agency	Map 30 - Lake Hayes	Oppose	That the submission 532.37 be disallowed.	Accept
532.37	FS1340.122	Queenstown Airport Corporation	Map 30 - Lake Hayes	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport. The proposed rezoning is a significant departure from the nature, scale and intensity of ASAN development currently anticipated at this site and may potentially result in adverse effects on QAC over the longer term. The proposed rezoning request should not be accepted.	Accept but not for reasons specified in submission
532.38		Bill & Jan Walker Family Trust c/- Duncan Fea (Trustee) and (Maree Baker Galloway/Warwick Goldsmith)	Map 30 - Lake Hayes	Oppose	Amend Map 30 to rezone part of the identified land on the attached map (hatched) at Appendix 1 as Rural Lifestyle.	Reject
532.38	FS1071.96	Lake Hayes Estate Community Association	Map 30 - Lake Hayes	Oppose	That the entire submission is disallowed and hte existing zoning remains in place	Accept
532.38	FS1340.123	Queenstown Airport Corporation	Map 30 - Lake Hayes	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport. The proposed rezoning is a significant departure from the nature, scale and intensity of ASAN development currently anticipated at this site and may potentially result in adverse effects on QAC over the longer term. The proposed rezoning request should not be accepted.	Accept but not for reasons specified in submission
535.39		G W Stalker Family Trust, Mike Henry, Mark Tylden, Wayne French, Dave Finlin, Sam Strain	Map 30 - Lake Hayes	Oppose	Amend Map 30 to rezone the Site identified on the map attached to this submission (in green) as Rural Lifestyle. The land is generally located on the northern side of Frankton - Ladies Mile Road.	Reject
535.39	FS1068.39	Keri & Roland Lemaire-Sicre	Map 30 - Lake Hayes	Oppose	Seek that the whole submission be disallowed. The over domestication on this area (Ladies Mile between Lower Shotover Road and Lake Hayes southern end) which is the intent of this submission will have adverse effects by introducing domestic activities which will disturb our boarding pets and compromise the operation of the Pet Lodge; creating huge reverse sensitivity issues. This site was chosen for its rural location (over 40 years ago).	Accept
535.39	FS1071.52	Lake Hayes Estate Community Association	Map 30 - Lake Hayes	Oppose	That the entire submission is disallowed and hte existing zoning remains in place	Accept
535.39	FS1092.20	NZ Transport Agency	Map 30 - Lake Hayes	Oppose	That the submission 535.39 be disallowed.	Accept
535.39	FS1259.23	Bill and Jan Walker Family Trust	Map 30 - Lake Hayes	Support	That the submission be allowed insofar as it seeks amendments to chapters 21, 22, 27 and Planning Map 30 of the Proposed Plan.	Reject
535.39	FS1267.23	DV Bill and Jan Walker Family Trust	Map 30 - Lake Hayes	Support	Supports. Seeks amendments to chapters 21, 22, 27 and Planning Map 30 of the Proposed Plan.	Reject
535.40		G W Stalker Family Trust, Mike Henry, Mark Tylden, Wayne French, Dave Finlin, Sam Strain	22.5 Rules - Standards	Not Stated	Insert Table 7 into the Rural Lifestyle Chapter (Ladies Mile Subzone) as follows Table 7 Rural Lifestyle (Ladies Mile sub zone) Non-compliance status 22.5.39 Building restriction area: No buildings shall be located within 100m of State Highway 6 D NC	Reject
535.41		G W Stalker Family Trust, Mike Henry, Mark Tylden, Wayne French, Dave Finlin, Sam Strain	22.5 Rules - Standards	Not Stated	Insert Table 7 into the Rural Lifestyle Chapter (Ladies Mile Subzone) as follows Table 7 Rural Lifestyle (Ladies Mile sub zone) Non-compliance status 22.5.39.1 Any application for consent shall be accompanied by a landscaping plan which shows the species, number, and location of all plantings to be established, and shall include details of the proposed timeframes for all such plantings and a maintenance programme. The landscape plan shall ensure that: The border of the 100m setback building restriction area shall be planted to create a visual screen between SH 6 and any residential unit. Any existing trees within the 100m building restriction area shall be removed to enhance views from SH6 D NC	Reject
655.1		Bridesdale Farm Developments Limited	Map 30 - Lake Hayes	Oppose	Requests that Lot 3 Deposited Plan 392823, Lot 4 Deposited Plan 447906, Lot 1 Deposited Plan 26719, Lot 1 Deposited Plan 21087 and Lot 3 Deposited Plan 337268 be zoned Medium Density Residential, remove the urban growth boundaries ("UGB") or reposition the urban growth boundary to include the site and relocate the ONL line to the south of the site along the true left bank of the Kawarau River.	Accept in Part

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Original Point No	Further Submission No	Submitter	Map	Submitter Position	Submission Summary	Planner Recommendation
655.1	FS1064.1	Martin MacDonald	Map 30 - Lake Hayes	Oppose	I seek that the whole of the submission be disallowed as per the reasons given in my original submissions reference numbers 451 and 454. I consider Medium Density zoning as inappropriate in this area, and that shifting of the outstanding natural landscape line and urban growth boundary line will result in significant adverse effects on the environment (both east and west of Hayes Creek) which is contrary to the principles of sustainable management.	Accept in Part
655.1	FS1071.2	Lake Hayes Estate Community Association	Map 30 - Lake Hayes	Oppose	That the entire submission is disallowed and hte existing zoning remains in place	Accept in Part
655.1	FS1340.129	Queenstown Airport Corporation	Map 30 - Lake Hayes	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport. The proposed rezoning is a significant departure from the nature, scale and intensity of ASAN development currently anticipated at this site and may potentially result in adverse effects on QAC over the longer term. The proposed rezoning request should not be accepted.	Accept in Part but not for reasons specified in submission
655.4		Bridesdale Farm Developments Limited		Oppose	Requests that Lot 3 Deposited Plan 392823, Lot 4 Deposited Plan 447906, Lot 1 Deposited Plan 26719, Lot 1 Deposited Plan 21087 and Lot 3 Deposited Plan 337268 be zoned Medium Density Residential	Accept in Part
842.2		Scott Crawford	Map 30 - Lake Hayes	Not Stated	Amend the Planning Map to remove Urban Growth Boundaries. Alternatively, reposition the Urban Growth Boundary to include all of the submitters land located at Onslow Road, Lake Hayes Estate (Lot 403 DP379403) shown on Planning Map 30.	Reject
850.1		R & R Jones	Map 30 - Lake Hayes	Oppose	The Operative Rural General Zone be removed from the land bounded by Lake Hayes Estate to the north and Shotover Country to the west, referred to below and shown in the map attached to this submission in favour of Low Density Residential under the Proposed District Plan. • Sections 109, 110, 66 & 129 Blk III Shotover SD. • Lot 2 DP 20797 • Lot 2 DP 475594	Reject
850.1	FS1071.111	Lake Hayes Estate Community Association	Map 30 - Lake Hayes	Oppose	That the entire submission is disallowed and hte existing zoning remains in place	Accept
850.1	FS1340.163	Queenstown Airport Corporation	Map 30 - Lake Hayes	Oppose	QAC opposes the proposed rezoning of this land and submits that it is counter to the land use management regime established under PC35. Rezoning the land would have significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.	Accept in part but only in relation to part of site that falls within the OCB.
850.6		R & R Jones	Map 30 - Lake Hayes	Oppose	The Urban Growth Boundary should be applied to the boundary of the land shown in the map attached to this submission as Attachment [A] and described in below. • Sections 109, 110, 66 & 129 Blk III Shotover SD. • Lot 2 DP 20797 • Lot 2 DP 475594	Reject
850.6	FS1071.116	Lake Hayes Estate Community Association	Map 30 - Lake Hayes	Oppose	That the entire submission is disallowed and the existing zoning remains in place	Accept
353.3		Kristan Stalker	Map 30 - Lake Hayes	Oppose	Amend the landscape lines on the planning map 30 affecting Slope Hill.	Accept in Part
353.3	FS1016.1	Clark Fortune McDonald and Associates	Map 30 - Lake Hayes	Support		Accept in Part
451.4		Martin McDonald and Sonya Anderson		Not Stated	Retain the Outstanding Natural Landscape classification (including all associated objectives, policies and rules) as proposed on Planning Map 30 over Bridesdale Farm property.	Accept
492.3		Jane & Richard Bamford		Not Stated	Supports an ONL classification as it relates to the submitters property (at Lot 17 DP 445230, located on the end of Judge and Jury Drive, Lake Hayes Estate, Queenstown) and the adjoining properties as shown on Planning Map 30. Retain the Outstanding Natural Landscape classification (including all associated objectives, policies and rules) as proposed on Planning Map 30 over our property and adjoining properties.	Accept
501.4		Woodlot Properties Limited	Map 31 - Lower Shotover	Not Stated	opposes the proposed current positioning of the ONL line as it extends across the southeastern side of Ferry Hill, west of Trench Hill Road, as identified on Planning Map 31 – Lower Shotover. Requests that the proposed ONL line be amended to the higher position along the southeastern side of Ferry Hill, specifically as shown on the attached map to submission 501. Seeks that the Urban Growth Boundary (UGB) line be shifted to south to align with the ONL line in order to restrict further development of this area and protect the landscape value of Ferry Hill.	Reject (Out of Scope)



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Original Point No	Further Submission No	Submitter	Map	Submitter Position	Submission Summary	Planner Recommendation
501.4	FS1102.4	Bob and Justine Cranfield	Map 31 - Lower Shotover	Oppose	Oppose whole submission. The ONL line was clarified and confirmed in its present position in the Environment Court Judgement (HIL v QLDC) and should not be rezoned as rural residential or rural lifestyle.	Reject (Out of Scope)
501.4	FS1289.4	Oasis In The Basin Association	Map 31 - Lower Shotover	Oppose	The whole of the submission be allowed.	Reject (Out of Scope)
501.4	FS1189.11	FII Holdings Ltd	Map 31 - Lower Shotover	Oppose	Disallow relief sought. Oppose the ONL boundary in this location as it is not appropriate given the zoning and landscape characteristics.	Reject (Out of Scope)
501.4	FS1195.10	The Jandel Trust	Map 31 - Lower Shotover	Oppose	Disallow relief sought. Oppose the ONL boundary in this location as it is not appropriate given the zoning and landscape characteristics.	Reject (Out of Scope)
501.4	FS1270.84	Hansen Family Partnership	Map 31 - Lower Shotover	Support	Supports in part. Leave is reserved to alter this position, and seek changes to the proposed provisions, after review of further information from the submitter. Seeks conditional support for allowing the submission, subject to the review of further information that will be required to advance the submission.	Reject (Out of Scope)
528.11		Shotover Country Limited	Part Seven - Maps	Not Stated	Amend Planning Map 30 as follows:  Re-locate the Urban Growth Boundary as drawn so it aligns with the edge of the ONL boundary running along the inside edge of Old School Road.	Reject
534.38		Wayne Evans, G W Stalker Family Trust, Mike Henry	Map 30 - Lake Hayes	Oppose	Amend Map 30 to relocate the ONL as identified on the map attached to this submission.	Accept in Part
813.2		Milstead Trust trustees	Map 30 - Lake Hayes	Oppose	The proposed planning maps (Map 30) are amended to reflect the boundary between the Landscape Categories as depicted by the "Correct ONF Line" shown on the plan attached to the submission.	Accept in Part
842.3		Scott Crawford	Map 30 - Lake Hayes	Not Stated	Amend the Planning Map so that the Outstanding Natural Landscape line is relocated to the south of the submitter's site located at Onslow Road, Lake Hayes Estate (Lot 403 DP379403), and shown on Planning Map 30, along the true left bank of the Kawarau River.	Accept in Part
528.9		Shotover Country Limited	Map 31a - Queenstown Airport	Oppose	Amend Planning Map 31a as follows: Re-locate the Urban Growth Boundary as drawn so it aligns with the edge of the ONL boundary running along the inside edge of Old School Road.	Reject
528.9	FS1340.121	Queenstown Airport Corporation	Map 31a - Queenstown Airport	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport. The proposed rezoning is a significant departure from the nature, scale and intensity of ASAN development currently anticipated at this site and may potentially result in adverse effects on QAC over the longer term. The proposed rezoning request should not be accepted.	Accept but not for reasons specified in submission
838.3		D Boyd	Map 30 - Lake Hayes	Not Stated	The urban growth boundary is amended to reflect the suitability of the sites for urban forms of development, as shown on Annexure A of submission.	Reject
838.3	FS1071.11	Lake Hayes Estate Community Association	Map 30 - Lake Hayes	Oppose	That the entire submission is disallowed and the existing zoning remains in place	Accept
842.1		Scott Crawford	Map 30 - Lake Hayes	Not Stated	Amend the zoning of the submitter's site located at Onslow Road, Lake Hayes Estate (Lot 403 DP379403) shown on Planning Map 30 from Rural to Medium Density Residential.	Reject
842.1	FS1340.161	Queenstown Airport Corporation	Map 30 - Lake Hayes	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport. The proposed rezoning is a significant departure from the nature, scale and intensity of ASAN development currently anticipated at this site and may potentially result in adverse effects on QAC over the longer term. The proposed rezoning request should not be accepted.	Accept but not for reasons specified in submission

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Original Point No	Further Submission No	Submitter	Map	Submitter Position	Submission Summary	Planner Recommendation
358.3		Melissa Vining on behalf of Quintin & Cathy McCarthy	Map 30 - Lake Hayes	Support	That Planning Map 30 be upheld (retained) as notified.	Accept in Part as it relates to the zoning of 45A Erskine St and some properties adjacent to the Ladies Mile, in Shotover Country and Lake Hayes Estate, which is discussed in Section 42A report. Areas outside the Ladies Mile are being assessed as part of Chapter 24.
451.2		Martin McDonald and Sonya Anderson	Map 30 - Lake Hayes	Other	Supports the rural lifestyle zoning over submitters property located at 51 Walnut Lane (Lot 2 DP 457573). Requests the Rural Lifestyle Zoning be adopted over this property. Strongly supports the Urban Growth Boundary as shown on Planning Map 30 (with all associated objectives, policies and rules) as it relates to the Bridesdale Farm land. Retain the Low Density Residential, Rural Lifestyle, Rural General, Urban Growth Boundary and Outstanding Natural Landscape classification (including all associated objectives, policies and rules) as proposed on Planning Map 30 over Bridesdale Farm property. Reconsider the Low Density Residential and location of the Urban Growth Boundary over 45A-C Erskine Street in light of the fact that covenants are imposed on those titles in our favour restricting future development.	Accept in Part
451.2	FS1261.9	Bridesdale Farm Developments Limited	Map 30 - Lake Hayes	Oppose	Disallow the submission. The Urban Growth Boundary, Outstanding Natural Landscape boundary, and zoning of the land subject to this Submission should be as requested in Bridesdale Farm Developments Limited Primary Submission #655. The zoning of the McDonald property should be consistent with the zoning determined for the Bridesdale Farm property.	Accept in Part
535.38		G W Stalker Family Trust, Mike Henry, Mark Tylden, Wayne French, Dave Finlin, Sam Strain	Map 30 - Lake Hayes	Oppose	Amend Map 30 to relocate the ONL as identified on the map attached to this submission.	Accept in Part
535.38	FS1068.38	Keri & Roland Lemaire-Sicre	Map 30 - Lake Hayes	Oppose	Seek that the whole submission be disallowed. The over domestication on this area (Ladies Mile between Lower Shotover Road and Lake Hayes southern end) which is the intent of this submission will have adverse effects by introducing domestic activities which will disturb our boarding pets and compromise the operation of the Pet Lodge; creating huge reverse sensitivity issues. This site was chosen for its rural location (over 40 years ago).	Accept in Part
535.38	FS1071.51	Lake Hayes Estate Community Association	Map 30 - Lake Hayes	Oppose	That the entire submission is disallowed and the existing zoning remains in place	Accept in Part
535.38	FS1259.22	Bill and Jan Walker Family Trust	Map 30 - Lake Hayes	Support	That the submission be allowed insofar as it seeks amendments to chapters 21, 22, 27 and Planning Map 30 of the Proposed Plan.	Accept in Part
535.38	FS1267.22	DV Bill and Jan Walker Family Trust	Map 30 - Lake Hayes	Support	Supports. Seeks amendments to chapters 21, 22, 27 and Planning Map 30 of the Proposed Plan.	Accept in Part
838.1		D Boyd	Map 31 - Lower Shotover	Not Stated	Rezone the properties located in Annexure A of submission located at 53 Max's Way from Rural to Large Lot Residential.	Reject
838.2		D Boyd	Map 30 - Lake Hayes	Not Stated	Rezone the properties located in Annexure A of submission located at 53 Max's Way from Rural to Large Lot Residential.	Reject
838.2	FS1071.10	Lake Hayes Estate Community Association	Map 30 - Lake Hayes	Oppose	That the entire submission is disallowed and the existing zoning remains in place	Accept
838.2	FS1340.156	Queenstown Airport Corporation	Map 30 - Lake Hayes	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport. The proposed rezoning is a significant departure from the nature, scale and intensity of ASAN development currently anticipated at this site and may potentially result in adverse effects on QAC over the longer term. The proposed rezoning request should not be accepted.	Accept but not for reasons specified in submission
2499.6		Philip and Mary Blakely and Wallace	1-Chapter 24 - Wakatipu Basin Rural Amenity Zone	Oppose	That the development along the Ladies Mile is rejected.	Struck out Minute of Panel 17 May 2018

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Original Point No	Further Submission No	Submitter	Map	Submitter Position	Submission Summary	Planner Recommendation
2541.1		Graham Burdis	1-Chapter 24 - Wakatipu Basin Rural Amenity Zone > 1.8-24.8 - Schedule 24.8 Landscape Character Units	Oppose	That the Ladies Mile and Arrowtown Precincts are included in Chapter 24 at the density of residential living recommended by the Wakatipu Basin Landuse Study.	Struck out Minute of Panel 17 May 2018
2541.1	FS2727.10	NZ Transport Agency	1-Chapter 24 - Wakatipu Basin Rural Amenity Zone > 1.8-24.8 - Schedule 24.8 Landscape Character Units	Oppose	That the submission 2541.1 requesting the rezoning of land at Ladies Mile be disallowed.	Struck out Minute of Panel 17 May 2018
2541.1	FS2765.20	Glenpanel Developments Limited	1-Chapter 24 - Wakatipu Basin Rural Amenity Zone > 1.8-24.8 - Schedule 24.8 Landscape Character Units	Support	That the relief sought is supported, to the extent that it is consistent with the relief sought by the submitter in their original submission.	Struck out Minute of Panel 17 May 2018
2541.1	FS2766.20	Ladies Mile Consortium	1-Chapter 24 - Wakatipu Basin Rural Amenity Zone > 1.8-24.8 - Schedule 24.8 Landscape Character Units	Support	That the relief sought to include the Ladies Mile Precinct in Chapter 24 and zone Ladies Mile LCU 10 as Residential / Lifestyle or similar is supported, to the extent that it is consistent with the relief sought by the further submitter in their original submission. Specific relief in respect of provisions of the PDP are also supported to the extent this is consistent with the further submitter's original submission.	Struck out Minute of Panel 17 May 2018
2542.1		Michael Stanhope	1-Chapter 24 - Wakatipu Basin Rural Amenity Zone > 1.8-24.8 - Schedule 24.8 Landscape Character Units	Oppose	That the Ladies Mile and Arrowtown Precincts are included in chapter 24 at the density of residential living recommended by the Wakatipu Basin Landuse Study.	Struck out Minute of Panel 17 May 2018
2542.1	FS2765.21	Glenpanel Developments Limited	1-Chapter 24 - Wakatipu Basin Rural Amenity Zone > 1.8-24.8 - Schedule 24.8 Landscape Character Units	Support	That the relief sought is supported, to the extent that it is consistent with the relief sought by the submitter in their original submission.	Struck out Minute of Panel 17 May 2018
2542.1	FS2766.21	Ladies Mile Consortium	1-Chapter 24 - Wakatipu Basin Rural Amenity Zone > 1.8-24.8 - Schedule 24.8 Landscape Character Units	Support	That the relief sought to include the Ladies Mile Precinct in Chapter 24 and zone Ladies Mile LCU 10 as Residential / Lifestyle or similar is supported, to the extent that it is consistent with the relief sought by the further submitter in their original submission. Specific relief in respect of provisions of the PDP are also supported to the extent this is consistent with the further submitter's original submission.	Struck out Minute of Panel 17 May 2018
2253.1		D M Stanhope & G Burdis	7-Planning Maps > 7.15-Stage 2 Map 13d	Oppose	Opposes the unidentified zoning on the land located on the subject site.	Struck out Minute of Panel 17 May 2018
2253.1	FS2765.14	Glenpanel Developments Limited	7-Planning Maps > 7.15-Stage 2 Map 13d	Support	That the relief sought is supported, to the extent that it is consistent with the relief sought by the submitter in their original submission.	Struck out Minute of Panel 17 May 2018
2253.1	FS2766.14	Ladies Mile Consortium	7-Planning Maps > 7.15-Stage 2 Map 13d	Support	That the relief sought to include the Ladies Mile Precinct in Chapter 24 and zone Ladies Mile LCU 10 as Residential / Lifestyle or similar is supported, to the extent that it is consistent with the relief sought by the further submitter in their original submission. Specific relief in respect of provisions of the PDP are also supported to the extent this is consistent with the further submitter's original submission.	Struck out Minute of Panel 17 May 2018
2489.1		Ladies Mile Consortium	7-Planning Maps > 7.33-Stage 2 Map 30	Oppose	Rezoned the land located adjacent to Ladies Mile State Highway 6 from Stage 1 Rural Zone to Wakatipu Basin Lifestyle Precinct 'A', with provisions to manage density of residential activity and the setback from roads.	Struck out Minute of Panel 17 May 2018
2489.1	FS2727.8	NZ Transport Agency	7-Planning Maps > 7.33-Stage 2 Map 30	Oppose	That the submission 2489.1 requesting the rezoning of land adjacent to Ladies Mile be disallowed.	Struck out Minute of Panel 17 May 2018
2489.1	FS2763.3	Michael Paul Henry and Maureen Elizabeth Henry	7-Planning Maps > 7.33-Stage 2 Map 30	Support	That the relief sought in the submission being a rezoning of land referred to in the submission be allowed.	Struck out Minute of Panel 17 May 2018
2489.1	FS2765.44	Glenpanel Developments Limited	7-Planning Maps > 7.33-Stage 2 Map 30	Support	That the relief sought in the submission to amend the stage 1 submission to a Precinct of Rural Residential zoning all similar is supported. This relief should include the further submitter's original submission by amending the stage 1 submission to provide further relief (in the alternative) to rezone Ladies Mile as residential.	Struck out Minute of Panel 17 May 2018

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2548.1		Glenpanel Development Limited	7-Planning Maps > 7.33-Stage 2 Map 30	Oppose	Rezone the land on the Stage 2 Planning Map 30 located adjacent to Lades Mile State Highway 6 from Rural (Stage 1 ) to a mix of Low, Medium and High Density Residential Zoning to provide for urban development. The consequential rules are requested to be located in the Chapter 24 Wakatipu Basin Zone. Consequential amendemts would also be required to the Subdivision and district wide chapters.	Struck out Minute of Panel 17 May 2018
2548.1	FS2727.11	NZ Transport Agency	7-Planning Maps > 7.33-Stage 2 Map 30	Oppose	That the submission 2548.1 requesting the rezoning of land adjacent to Ladies Mile be disallowed.	Struck out Minute of Panel 17 May 2019
2246.1		J & L Bagrie	7-Planning Maps > 7.35-Stage 2 Map 31a	Oppose	Opposes the unidentified zoning on the subject site.	Struck out Minute of Panel 17 May 2020
2246.1	FS2727.6	NZ Transport Agency	7-Planning Maps > 7.35-Stage 2 Map 31a	Oppose	That submission 2246.1 be disallowed.	Struck out Minute of Panel 17 May 2021
2246.1	FS2765.1	Glenpanel Developments Limited	7-Planning Maps > 7.35-Stage 2 Map 31a	Support	That the relief sought is supported, to the extent that it is consistent with the relief sought by the submitter in their original submission.	Struck out Minute of Panel 17 May 2022
2246.1	FS2766.1	Ladies Mile Consortium	7-Planning Maps > 7.35-Stage 2 Map 31a	Support	That the relief sought to include the Ladies Mile Precinct in Chapter 24 and zone Ladies Mile LCU 10 as Residential / Lifestyle or similar is supported, to the extent that it is consistent with the relief sought by the further submitter in their original submission. Specific relief in respect of provisions of the PDP are also supported to the extent this is consistent with the further submitter's original submission.	Struck out Minute of Panel 17 May 2023
2251.1		R & J Kelly	7-Planning Maps > 7.35-Stage 2 Map 31a	Other	Opposes the unidentified zoning shown on the Stage 2 maps on the Ladies Mile and Arrowtown Precincts and that this land is zoned for residential living.	Struck out Minute of Panel 17 May 2024
2251.1	FS2765.8	Glenpanel Developments Limited	7-Planning Maps > 7.35-Stage 2 Map 31a	Support	That the relief sought is supported, to the extent that it is consistent with the relief sought by the submitter in their original submission.	Struck out Minute of Panel 17 May 2025
2251.1	FS2766.8	Ladies Mile Consortium	7-Planning Maps > 7.35-Stage 2 Map 31a	Support	That the relief sought to include the Ladies Mile Precinct in Chapter 24 and zone Ladies Mile LCU 10 as Residential / Lifestyle or similar is supported, to the extent that it is consistent with the relief sought by the further submitter in their original submission. Specific relief in respect of provisions of the PDP are also supported to the extent this is consistent with the further submitter's original submission.	Struck out Minute of Panel 17 May 2026