

**QUEENSTOWN-LAKES DISTRICT COUNCIL
PROPOSED DISTRICT PLAN HEARING – STREAM 13**

IN THE MATTER

of a hearing on submissions to the Proposed District Plan (Queenstown Mapping) pursuant to clause 8B of the First Schedule to the Resource Management Act 1991

Michael Swan
Submitter (#494)

Larchmont Developments Limited
Submitter (#527) and Further Submitter (#1281)

**EVIDENCE OF CAREY VIVIAN
(PLANNER)
9 June 2017**

1. Introduction

1.1 My name is Carey Vivian. I hold the qualification of Bachelor of Resource and Environmental Planning (Hons) from Massey University. I have been a full member of the New Zealand Planning Institute since 2000. I am a director of Vivian and Espie Limited, a resource management, urban design and landscape planning consultancy based in Queenstown. I have been practicing as a resource management planner for twenty-two years, having held previous positions with Davie Lovell-Smith in Christchurch; and the Queenstown Lakes District Council (QLDC or the Council), Civic Corporation Limited, Clark Fortune McDonald and Associates and Woodlot Properties Limited in Queenstown.

1.2 I have read the Code of Conduct for Expert Witnesses contained within the Environment Court Practice Note 2014 and agree to comply with it. This evidence is within my area of expertise, except where I state that I am relying on information I have been given by another person. I confirm that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed herein.

1.3 I have read the evidence of Ms. Devlin, Mr. Glasner, Ms. Banks and Mr. Davis for the Council, and Mr. Espie, Mr. Bartlett, Mr. Nicolson and Mr. McCartney for the submitters. I comment on this material through my evidence.

1.4 I use the following abbreviations in my evidence:

PDP – The Queenstown-Lakes Proposed District Plan.

ODP – The Queenstown-Lakes Operative District Plan.

LDRZ – The Low Density Residential Zone under the PDP.

Swan – Michael Swan's submission #494 which relates to Pt Sec 1 SO 2407 and Lots 1-2 DP 307630.

LDL – Larchmont Developments Limited submission #527 which relates to the Swan land and Lot 2 DP 398656.

UGB – The proposed Urban Growth Boundary under the PDP.

QLDC – Queenstown-Lakes District Council.

SHA – Special Housing Area under the Housing Accord and Special Housing Areas Act 2013.

ROW – Right of Way.

ONL – Outstanding Natural Landscape.

ONF – Outstanding Natural Feature.

WCG – Wilding Control Group.

RMA – Resource Management Act

NPS – National Policy Statement.

DOC – Department of Conservation.

GSL – Gertrude's Saddlery Limited.

OORPS - Operative Otago Regional Policy Statement dated 1 October 1998.

PORPS - Proposed Otago Regional Policy Statement as amended by Council decisions.

LTP – Long Term Plan

1.5 I use the following terminology in my evidence:

Operative LDRZ - The operative LDRZ of Arthurs Point including 1.6ha of the Swan land under the Operative District Plan.

Proposed LDRZ - The proposed LDRZ of Arthurs Point including 1.6ha of the Swan land under the Proposed District Plan.

Requested LDRZ - The LDRZ requested by LDL (excluding the two small steep areas as is shown on Mr. Espies Appendices 1 and 2) including all of the LDRZ requested by Swan.

Subject Site - All of the Swan and LDL land.

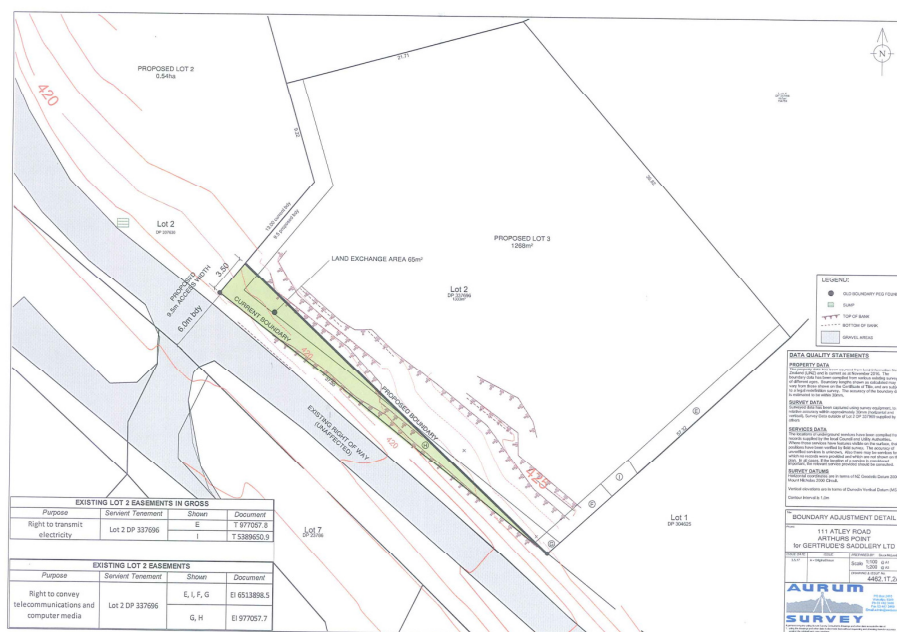
1.6 The remainder of my evidence is structured as follows:

2. Submissions
3. Specific Changes to the PDP
4. Assessment
5. Mandatory Assessment Criteria
6. Section 32AA evaluation
7. The Section 42A report and recommendation
8. Part II of the RMA.
9. Conclusion

2. Submissions

2.1 This evidence is a joint brief on behalf of Swan and LDL. I note that the Swan land has been sold to GSL which has taken over the interest in the Swan submission. However, for the purpose of this evidence, I will continue to refer to the land as the “Swan land” and the submission as the “Swan submission”. Combined Swan and LDL own 7.3665 hectares of land at the southern end of the newest part of Arthurs Point.

- 2.2 Under the PDP, approximately 1.6 hectares of the Swan land is proposed LDRZ with balance 5 hectares of the balance land within the RZ. This zoning reflects the existing ODP zoning. The LDL land is wholly zoned RZ under the PDP.
- 2.3 The Swan submission seeks that part of their land (generally described as that part of the site to the north of the ROW to LDL land) that is zoned RZ under the PDP is re-zoned to LDRZ. The Swan submission was supported by LDL in further submission. The LDL original submission seeks to extend the Swan submission further, by requesting that all of the Swan land and their own land is zoned is LDRZ under the PDP. Both original submissions also seek amendment to the landscape classification and UGB.
- 2.4 The Swan land has three existing residential dwellings and a number of accessory buildings located on it. The LDL land has a residential dwelling, an accessory building and a partially constructed residential dwelling on it approved by Environment Court decision C20/2001.
- 2.5 One of the constraints to development of the Swan land is the legal width of the access to the site from Atley Road. For this reason, the Swan submission did not seek LDRZ zoning on the southern side of the ROW to LDL's land as they felt developable area was constrained by access. However, that constraint has now been resolved by GSL who has entered into a sale and purchase agreement with the owner of Lot 2 337696 (McDougall and Denny) to purchase a slice of land that effectively eliminates the "pinch point" in the access road. I confirm that I have recently prepared a boundary adjustment subdivision consent application but at the time of writing this evidence have yet to lodge it with Council. The proposed boundary adjustment is shown below for the Hearings Panel information:



- 2.6 Resolving this access constraint, in my opinion, opens up the possibility of extending the LDRZ further to the south of the ROW as sought by the LDL submission.

3. The specific changes to the PDP

- 3.1 The only change to the PDP sought by the submission is to the District Plan Maps. The changes sought include the exclusion of land subject to the requested LDRZ from the ONL landscape classification, the zoning of the subject land from proposed RZ to LDRZ, and the extension of UGB to include the requested LDRZ.
- 3.2 The spatial extent of the requested LDRZ, as recommended by Mr. Espie, is attached to his evidence as **Appendix 1**.

4. Assessment

- 4.1 The principal resource management issues in relation to the Swan and LDL submissions are:
- The supply of residential land for housing;
 - Landscape and visual amenity effects, in particular the location of the zone boundaries in respect of the ONF of the Shotover River;
 - Servicing;
 - Traffic effects;
 - Geotechnical effects;
 - Wilding tree control;
 - Recreational / commuter trail opportunities.

Issue 1 - The supply of Residential Land for Housing

- 4.2 With respect to the supply of residential land for housing the subject site is, in my opinion, a strategically placed parcel of land that can readily provide desperately needed housing for the community.
- 4.3 The Commission will be well aware of the need to provide for housing in the Wakatipu Basin. The need for housing is exemplified by the fact that the district has Housing Accord status and is a *High Growth Area* under the NPS for Urban Development Capacity. Residential sections sell out in a matter of hours (or days)

of coming onto the market, with many of the big developments (Shotover Country and Hanley Downs) have hundreds of people on the waiting list.

- 4.4 Swan had various discussions with the QLDC about applying for a SHA over the subject site. Mr. Paetz, the then manager of planning in 2014, advised that he thought the site *“has good potential”* to be considered a SHA, however Swan decided not to progress a SHA due to the uncertainty with the access and the cost of doing so.
- 4.5 The QLDC’s Housing Accord, under the Housing Accord and Special Housing Areas Act 2013, under Implementation Policy (dated 24 November 2016), assists the Council in deciding to recommend the establishment of SHAs to the Minister and in considering applications for resource consents for qualifying development within SHAs. In my view, some of the criteria listed in that policy are helpful in the consideration of this requested zoning. The relevant criteria include location, strategic direction, infrastructure, community feedback, and timely development.
- 4.6 With respect to *location* the requested LDRZ adjoins an existing LDRZ and is topographically contained by the Shotover River gorge. The site affords good access to sunlight. Both Mr. Espie and Dr. Read are in agreeance that some level of LDRZ is appropriate on the land.
- 4.7 With respect to *strategic direction* the requested LDRZ represents, in my opinion, development that will occur in a logical manner as an extension to an existing residential zone. The requested LDRZ will result in a compact and integrated urban form (in terms of roads, services, recreation). The requested zone is will not adversely affect the ONF values of the Shotover River (relying on Mr. Espie’s evidence). The requested LDRZ can be fully serviced with Council’s infrastructure without placing an undue burden on the Council (relying on Mr. McCartney’s evidence).
- 4.8 With respect to *infrastructure*, the SHA policy requires that the Council must be satisfied that adequate infrastructure exists or *“can and will be provided and funded by the landowner or developer at no cost to, and without unforeseen or adverse financial or environmental costs on the Council or any other relevant infrastructure providers.”* To achieve this the policy requires assessment against the following criteria (i.e. Attachment B):

“The relevant infrastructure includes:

- *Stormwater*
- *Wastewater*
- *Water*
- *Transport (including impact on state highways, impact on local roads, public transport, provision of public transport facilities, under passes, trails and tracks etc)*

- Parks and Reserves
- Social and Community Infrastructure
- Education
- Network utilities (electricity, gas and telecommunications)

For Council-related services of water supply, wastewater, transport, stormwater and reserves the Council is satisfied:

- 1) That infrastructure exists and has additional capacity to accommodate the likely cumulative demand from a qualifying development/s in the special housing area or infrastructure is planned or programmed in the Council's Long Term Plan and Development Contributions Policy, and/or
- 2) That infrastructure would be provided and funded by the private sector ahead of the Long Term Plan programmed time at no additional cost to Council, and/or
- 3) Where not planned or programmed in the Council's Long Term Plan and Development Contributions Policy, infrastructure would be fully provided and funded by the private sector at no cost to Council and can connect to existing infrastructure that has additional capacity to accommodate the likely cumulative demand from a qualifying development/s in the special housing area, and
- 4) For stormwater, mitigation will meet the conditions of any relevant consent held by the Council or such other relevant engineering standards that are applicable, and
- 5) That infrastructure will be designed and constructed in accordance with the relevant requirements of the Council's Infrastructure Development Code, and any other specific design, specifications and plans for infrastructure works arising from any consent or infrastructure agreement between the Council and any other party.

For other (non-Council) infrastructure of state highways, public transport, government facilities such as education, or network utilities (electricity, gas and telecommunications) the Council is satisfied that infrastructure exists or is planned by the relevant service provider with additional capacity to accommodate the likely cumulative demand generated from a qualifying development/s in the special housing area."

4.9 The only infrastructure of concern to Mr. Glasner is wastewater disposal, in particular the size of the wastewater pipe across the Edith Cavell bridge. Mr. McCartney has addressed infrastructure issues in his evidence (discussed in more detail below). In terms of the Council's policy Mr. McCartney's evidence confirms that the required infrastructure to service the requested LDRZ is planned or programmed in the Council's LTP and/or could be bought forward as a result of subdivision of the requested LDRZ. This appears consistent with the Council's SHA policy.

4.10 Ms. Banks raises concern with transportation infrastructure for the LDL submission (but not the Swan submission). Mr. Bartlett has addressed this issue in his evidence.

4.11 With respect to *community feedback* I note that both the Swan and LDL submissions were publicly notified for further submissions and did not draw any opposition from the wider community. This is the only opportunity for community feedback on a submission under the First Schedule to the RMA.

4.12 With respect to *timely development* I am advised by GSL that it is their intention to develop this land and not landbank it.

- 4.13 With respect to *affordability* I understand that directors of GSL are very sympathetic to the affordability issue of the Wakatipu basin and helping people is one of their core values. I further have been advised by the directors that they have already had discussions with people who are finding it difficult to secure a house/land in Queenstown and are looking at options within the property to help them out.
- 4.14 This demonstrates, in my view, in using the same criteria applicable to SHA's, that this land is appropriately zoned for residential development.

Issue 2 - Landscape and Visual Amenity

- 4.15 With respect to landscape and visual effects Mr. Espie concludes that the operative boundaries of the Arthurs Point LDRZ have been drawn in a way that does not accurately correspond with landform or other landscape features. Mr. Espie considers that zone boundaries should be drawn carefully and appropriately so as to, where possible, accord with the landscape lines and other natural patterns. Mr. Espie considers this will give more visual logic to the pattern of built form that ultimately emerges. I agree with these conclusions.
- 4.16 Mr. Espie concludes with respect to landscape character, that the requested LDRZ will result in a no more the negligible effect. Mr. Espie considers a logical and appropriate pattern of land uses and elements will be evident in which the Shotover Gorge is preserved, the suburban area has a logical and appropriate boundary that relates to landform, and the broader mountainous ONL has its important qualities preserved. I agree with these conclusions.
- 4.17 Mr. Espie also considers the effect the requested LDRZ will have on views and visual amenity experienced from outside the subject site. I summarise Mr. Espie's findings below:

From within the proposed LDRZ to the north of the subject site.	Negligible effect.
From the higher parts of "old" Arthurs Point (in the McChestney Road area).	Moderate effect.
From the Wattie's Track Area	Substantial effect.
From Gorge Road users.	Negligible effect.
From the Shotover River corridor.	Negligible effect.

- 4.18 The scale of effect is a hierarchy of adjectives as detailed in his evidence. With respect to the "Moderate Effect" from the higher parts of the old Arthurs Point area I note that Mr. Espie concludes that views will lose

some naturalness and tranquility, however the overall composition of these views will continue to be dominated by open and natural mountain slopes and by more distant peaks and skylines. I agree with this conclusion.

4.19 With respect to substantial effect from the Wattie's Track area Mr. Espie concludes that a prominent part of the current views would become considerably less than natural than under the proposed and operative LDRZ situation, however the river gorge would retain wild and natural scenic qualities. I agree with his conclusion.

4.20 I consider an important visual effect that needs to be balance against the moderate and substantial effects identified by Mr. Espie is the fact that the existing wilding trees on the subject site could be felled as a permitted activity under the ODP and PDP (provided such felling did not constitute *harvesting* under the PDP) which, in itself, could create substantial visual effects from the old Arthurs Point residential and Wattie's Track areas.

Issue 3 – Servicing

4.21 Mr. McCartney has presented evidence as a civil engineer in respect to servicing issues.

4.22 With respect to water Mr. McCartney confirms that a suitable water supply is available to the requested LDRZ. Mr. McCartney confirms that this has been agreed in principle by Mr. Glasner.

4.23 With respect to wastewater disposal Mr. McCartney concludes that development of the requested LDRZ could be done in such a way as to not be a burden on existing ratepayers. Mr. McCartney's considers that any new pump required would be fully funded by the developer yet built to the high standards required by Council. Mr. McCartney also considers the rates generated by the additional residential units would more than offset the cost of maintaining the wastewater pump station.

4.24 Mr. McCartney considers that any growth in Arthurs Point east of the Edith Cavell bridge will increase the likelihood of an upgrade being required for the wastewater main over the bridge. Mr. McCartney notes that future development of the site is a response to growth and not the driver of growth and as such is not solely responsible for the triggering of upgrades to the constrained wastewater main. In Mr. McCartney's opinion future development of the site will provide Council with a significant amount of development contributions that could easily be used to fund any upgrades.

4.25 Mr. McCartney also considers that the inclusion of either a communal wastewater pump station or individual on-site wastewater pump stations would provide the ability to control the timing of wastewater flows into the

Council network and further reduce the effect that development of the site would have on the existing reticulation.

- 4.26** With respect to stormwater Mr. McCartney notes that it is currently being managed nearby by Low Impact Design principles. Mr. McCartney concludes that subject to recommendations and appropriate evolution of lot layout concepts, that he would expect this approach would be able to be implemented on the subject land in order to adequately manage stormwater runoff.
- 4.27** I rely on Mr. McCartney's evidence. In my view Mr. McCartney's evidence demonstrates that there is no servicing impediment to the approval of the requested LDRZ.

Issue 4 - Traffic Effects

- 4.28** Mr. Bartlett has presented evidence as a civil engineer specialising in transportation issues.
- 4.29** With respect to the Edith Cavell bridge, Mr. Bartlett finds that based on the Queenstown Traffic Model the traffic flows at bridge are predicted to increase by approximately 20% to 2025 and 50% by 2045. Mr. Bartlett states that these traffic flows are based on an expected growth within zoned development enable by the ODP.
- 4.30** Mr. Bartlett concludes that to maintain the efficient operation of the Edith Cavell bridge capacity improvements will be required particularly in the pm peak period. Mr. Bartlett states that based on the other bridges in the local area it is likely that traffic signals, as a minimum, will be required in the near future. Mr. Bartlett further adds that it is likely the bridge will need to be upgraded to two lanes by approximately 2035 to accommodate zoned development enabled through the ODP. Mr. Bartlett stresses this is required regardless of any development facilitated by rezoning through the PDP or submissions to extend zones through the PDP.
- 4.31** With respect to the Atley Road intersection, Mr. Bartlett confirms from his observation during peak am and pm times (on 1 June 2017) only minimal queuing and delay were identified suggesting that the existing intersection layout is appropriate and has available capacity to accommodate future traffic growth. Based on the modelling Mr. Bartlett undertook for SH160143 (SHA resource consent number) he predicts that the existing intersection would be sufficient to accommodate traffic flows well in excess of the existing Atley Road portion of Arthurs Point even in 2045 which is well beyond any anticipated design year for development.

- 4.32 With respect to the Mathias Terrace intersection with Atley Road, Mr. Bartlett states as a basic T intersection this is capable of serving significantly greater traffic flow than existing.
- 4.33 With respect to the access to the site, which is from Atley Road, Mr. Bartlett notes that GSL are working with the owners of 85E Atley Road to increase the legal width at the narrowest point to 9.5m to allow the construction of a minimum carriageway width of 5.5 to 5.7m and a single 1.4m wide footpath. Mr. Bartlett considers this will result in a road that will provide for the minimum traffic requirements of a Local Road to serve possible development enabled through the requested LDRZ.
- 4.34 I concur with Mr. Bartlett's findings, especially with respect to increasing delays at Edith Cavell Bridge and agree with his assessment that at some time lights will need to be established, and/or two lanes over the bridge, irrespective of whether the requested LDRZ is approved or not.

Issue 5 – Geotechnical Effects

- 4.35 With respect to geotechnical issues, Mr. Nicolson concludes that no geotechnical issues were identified (during his site walkover inspection) which would prevent the outlined residential development area from being developed under a low density residential zoning classification. Mr. Nicolson recommends that a site-specific geotechnical investigation to confirm the shallow ground conditions for foundation design and if significant excavations are proposed, particularly in close proximity to site boundaries and steep slopes, that a site specific geotechnical investigation and assessment be undertaken which incorporates intrusive ground investigations (test pits/ pilot cuts), be completed as part of the detailed design phase of any future development. Such matters are commonly included as subdivision consent conditions.

Issue 6 - Wilding Tree Control

- 4.36 With respect to wilding tree control Ms. Pringle, the QLDC's district forester, has advised that removing the seed source from the Swan land would assist the WCG in reaching its goals set out in the WCG strategy, which has a main goal of removing mature seed sources. Ms. Pringle stated in an email to me:

“Wilding seed can travel distances of up to 40km are possible in very strong winds (Ledgard 2001, 2009). If left undisturbed these outlier trees can produce seed within ten years and masses of consequent wildings within 15 years.

Wilding species in the Wakatipu aggressively establish in areas of venerable tussock land. Most wilding spread occurs next to the parent seed source, but spread also occurs in the direction of the prevailing wind.

The WCG and landowners have been working on Mt Dewar and surrounding properties to remove

mature seed sources, so removal of any wilding species in the area would benefit the program.”

- 4.37 I note that under the proposed LDRZ provisions Forestry is a prohibited activity (Proposed Rule 7.4.1.4). Forestry is defined in the PDP as:

“Means the use of land primarily for the purpose of planting, tending, managing and harvesting of trees for timber or wood production in excess of 0.5ha in area.”

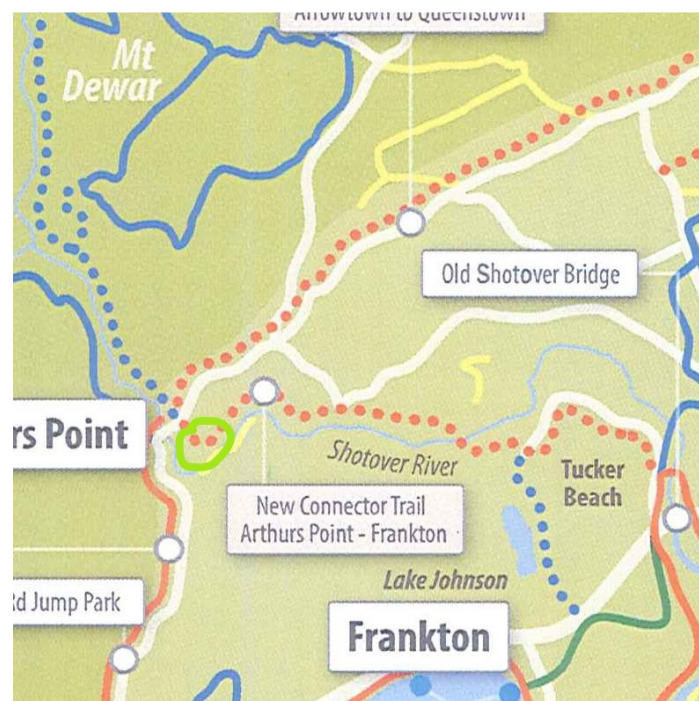
- 4.38 Forestry in the Rural Landscape classification is a discretionary activity in the proposed RZ, and a non-complying activity elsewhere (i.e. the ONL).
- 4.39 In my assessment it would be a permitted activity to fell some or all of the trees, provided no more than 0.5 hectares could be harvested for timber or wood production, under the proposed LDRZ and RZ provisions. I am unsure if there is any commercial value in the trees on the site.

Issue 7 - Open Space / Recreational Opportunities

- 4.40 With respect to open space, there is ample opportunity on the site to develop future reserves at the time of subdivision. The site adjoins land owned by the DOC on the west, south and eastern sides providing good access opportunities down to the river.
- 4.41 The QTT Strategy also provides for another opportunity within the site. This strategy is a ten-year strategy is for the expansion and ongoing maintenance of the Queenstown trails network – a world-class series of tracks and trails for walking, hiking and biking in and around the Wakatipu Basin. Relevant to this submission, the Strategy has a five-year plan to *“implement trail upgrades Gorge Road to Arthurs Point”* and develop a *“Main Commuter Trail”* from Arthurs Point to Frankton (primarily to access the High School via Tucker Beach/Hansen Rd) within the next four to six years. The proposed commuter trail passes through, or in close proximity to, the Swan land as shown below:



Page 32 of the Queenstown Trail Trust 10 Year Strategy



Page 32 of the Queenstown Trail Trust 10 Year Strategy
Zoomed in on Swan land (green circle).

4.42 The future development of the Swan land therefore presents both an opportunity to partly develop this commuter trail, as well as providing a resource base to justify creating the trail. In my opinion, the ultimate would be a footbridge across the Shotover River gorge (similar to the Edgar Bridge across the Arrow River) which would provide a direct link from the existing Arthurs Point residential activities direct to Gorge Road into Queenstown. This would then likely reduce pedestrians using the Edith Cavell Bridge and the

associated safety effects of such. Inclusion of community recreational facilities/linkages such as this are supported by Objectives 3.2.4.7, 3.2.6.3, 3.2.6.4 and 27.2.2 of the PDP.

5. Mandatory Assessment Criteria

5.1 In preparing this evidence I am mindful of the amended mandatory legal criteria the Hearings Panel must consider as set out in *Colonial Vineyard v Marlborough District Council* [2014] NZEnvC 55. This includes:

- (a) Accords with section 75(1) and assists the Council to carry out its functions (s 31) so as to achieve the purpose of the Act (s 72).
- (b) Gives effect to National Policy Statements that are relevant (section 73(3)(a));
- (c) Gives effect to the Otago Regional Policy Statement (section 75(3)(c));
- (d) Has had regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register (section 74(2)(b));
- (e) Takes into account any relevant planning document recognised by an iwi authority;
- (f) Does not have regard to trade competition (section 74(3)).

5.2 I discuss each of these criteria below.

(a) Whether the proposal accords with section 75(1) and assists the Council to carry out its functions to achieve the purpose of the RMA.

5.3 Section 75(1) of the RMA states a District Plan must state the objectives for the district; state the policies to implement the objectives; and state the rules (if any) to implement the policies. The submission seeks LDRZ which contains objectives, policies and rules which assist Council's to carry out its functions (Section 31) in achieving the purpose of the RMA. This criterion is therefore satisfied in the consideration of these submissions.

(b) Whether the proposal gives effect to any relevant National Policy Statements (NPSs).

5.4 At the time of writing this evidence the following NPSs were in place:

- Urban Development Capacity
- Freshwater Management
- Renewable Electricity Generation
- Electricity Transmission
- New Zealand Coastal Policy Statement

5.5 I understand that work has been undertaken on a proposed NPS for Indigenous Biodiversity but this is not yet complete.

5.6 The only NPS that is, in my opinion, relevant to the consideration of the Swan and LDL submissions is Urban Development Capacity. The purpose of the NPS is recognizing the national significance of (a) urban environments and the need to enable such environments to develop and change; and (b) providing sufficient development capacity to meet the needs of people and communities and future generations in urban environments. In high-growth urban areas, such as QLDC, all the NPS Objectives and policies apply. Of particular relevance to the Swan and LDL submission is the Group A objectives which state:

- OA1: *Effective and efficient urban environments that enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing.*
- OA2: *Urban environments that have sufficient opportunities for the development of housing and business land to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.*
- OA3: *Urban environments that, over time, develop and change in response to the changing needs of people and communities and future generations.*

5.7 While it is acknowledged that development capacity needs to be calculated over the entire district, the requested LDRZ does, in my opinion, contribute to the District's development capacity in a positive way. In particular, it is located within the urban area of Arthurs Point and can be fully serviced, providing an opportunity for housing that meets the needs of people and future generations. The LDRZ provisions provide for a range of dwelling types. In my opinion, the requested LDRZ positively contributes to the District's development capacity consistent with the NPS.

(c) Whether the proposal gives effect to any relevant Regional Policy Statements and Plans.

5.8 The relevant Regional Policy Statements are the OORPS and the PORPS. I note the PORPS is subject to appeals and is due to be heard by the Environment Court this year.

(i) OORPS

5.9 The OORPS provides an overview of the resource management issues of the Otago Region and the ways of achieving integrated management of its natural and physical resources. The relevant chapters of the OORPS to the consideration of the submissions are:

- Chapter 4 Mana Whenua Perspective
- Chapter 5 Land

- Chapter 6 Water
 - Chapter 7 Air
 - Chapter 11 Natural hazards
- 5.10** I discuss each of the relevant objectives and policies from these chapters in relation to Swan and LDL submissions below. I have attached a list of the relevant objectives and policies to my evidence as **Attachment CV1** to assist the panel.
- 5.11** The relevant Chapter 4 Mana whenua objectives and policies are Objective 4, and policies 4.4.3 Wai and 4.5.5 Kaitiakitanga. The requested LDRZ is unlikely to adversely affect any waterbodies. The requested LDRZ does not affect the concept of guardianship of the land.
- 5.12** The relevant Chapter 5 Land objectives include Objective 5.4.2 and 5.4.3.
- 5.13** With respect to Objective 5.4.2 the application of the LDRZ provisions avoids, remedies or mitigates any degradation to natural and physical resources resulting from activities using the land resource. With respect to Objective 5.4.3 the requested LDRZ is adjacent to an ONF, but in its context, is an appropriate use of land (being an urban area).
- 5.14** The relevant Chapter 5 Land policies include policies 5.5.4 and 5.5.6.
- 5.15** With respect to Policy 5.5.4 the requested LDRZ, in my opinion, promotes diversification by enabling residential use of land adjacent to and within an existing urban environment. The requested LDRZ is therefore consistent with this policy.
- 5.16** With respect to 5.5.6 the ONF/ONL values will fall outside the requested LDRZ and will continue to be maintained. Overall, I consider the requested LDRZ is consistent with these policies.
- 5.17** The relevant Chapter 6 Water objectives and policies include Objective 6.4.2 and Policy 6.5.1. As noted in Mr. McCartney's evidence there is no issue with obtaining a reticulated water supply to service the development. I therefore conclude that the requested LDRZ can therefore be serviced with water without impacting on Otago's water resources consistent with this objective and policy.
- 5.18** The relevant Chapter 9 Built Environment objectives include 9.4.1, 9.4.2 and 9.4.3 and policies 9.5.2, 9.5.4 and 9.5.5. The requested LDRZ meets the reasonably foreseeable needs of the residents, the proposed LDRZ provisions provide for a high standard of amenity and enhances landscape quality (especially through the control of source wilding trees). There are no identified heritage values on the land. The land can be developed without significant impact on infrastructure. Overall the requested LDRZ is, in my opinion, consistent with these objectives and policies.

5.19 The relevant Chapter 11 Natural Hazards objectives and policies are Objectives 11.4.1 and 11.4.2 and Policies 11.5.2 and 11.5.3. Geotechnical issues (including natural hazards) have been addressed in the evidence of Mr. Nicolson who has concluded that there are no geotechnical issues which would prevent the requested LDRZ from being developed.

5.20 In summary, the proposed plan change is consistent with, and gives effect to, the relevant provisions of the OORPS.

(ii) Proposed Otago Regional Policy Statement (PORPS)

5.21 The PORPS has advanced to the stage of the issue of a decision (which is now subject to appeals to the Environment Court). I have attached a list of the most relevant objectives and policies from PORPS (decisions version) to my evidence as **Attachment CV2**. The relevant section of the PORPS to the consideration of Swan and LDL submissions are:

- Chapter 2 Kai Tahu Values and Interests
- Chapter 3 Otago has high quality natural resources and ecosystems
- Chapter 4 Communities in Otago are resilient, safe and healthy
- Chapter 5 People are able to use and enjoy Otago's natural and built environment

5.22 The relevant Chapter 2 objectives and policies are 2.1 to 2.2 (Kai Tahu values and interests). The PORPS requires that Kai Tahu values and interests are recognised and kaitiakitaka is expressed. The requested LDRZ, in my opinion, does not affect this from occurring at the time of development.

5.23 The relevant Chapter 3 objectives and policies are Objective 3.1 and Policy 3.1.1 Fresh Water, 3.1.3 Water and 3.1.10 Natural Features, Landscapes and Seascapes and Objective 3.2 Identifying highly values natural features, landscape and seascapes, Policies 3.2.5 and 3.2.6.

5.24 The requested LDRZ is, in my opinion, consistent with these objectives and policies to the extent the requested LDRZ can be fully integrated into the existing reticulation thereby minimising effects on the receiving environment.

5.25 With respect to Policy 3.1.10, Objective 2 and Policies 3.2.5 and 3.2.6 the values of natural features and landscapes are recognised and provided for. In Mr. Espie's opinion the requested zoning does not affect the ONF of the Shotover River.

- 5.26 Overall, I consider the requested LDRZ in this location is consistent with Objective 3.1 and 3.2 and associated relevant policies.
- 5.27 The relevant Chapter 4 objectives and policies include Objective 4.1 and Policies 4.1.1 to 4.1.6 in respect of natural hazards; Objective 4.3 and Policy 4.3.1 in respect of infrastructure; and Objective 4.4 in respect of energy supply. These issues have all been addressed in Mr. McCartney's evidence.
- 5.28 The requested LDRZ is, in my opinion, consistent with, and gives effect to, the relevant objectives and policies of the PORPS.

(iii) Regional Plan: Air and Water

- 5.29 The Regional Plans: Air and Water will be of relevance if the LDRZ is approved. It is likely that consents will be required for storm water disposal.

(iv) Proposed District Plan - Strategic Directions

- 5.30 I have undertaken an assessment of the requested LDRZ in accordance with Section 32AA of the RMA, and attach this assessment at **Appendix CV3** to my evidence. The following provides an additional analysis of the requested LDRZ against the relevant Strategic Directions Goals, Objectives and Policies of the PDP, as notified.
- 5.31 Goal 3.2.1 is to develop a prosperous, resilient and equitable economy. Enabling low density residential development within the subject site, in my opinion, supports this goal. In particular Policy 3.2.1.4 seeks the potential for rural areas to diversify their land use beyond farming, provided a sensitive approach is taken to rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests. The subject site is proposed to be zoned RZ under the PDP, yet has little productive value or rural amenity associated with it. Enabling the requested LDRZ recognises the appropriate diversification away from farming for this particular site without adversely affecting the ONF values of the Shotover River, consistent with this goal.
- 5.32 Goal 3.2.2 is the strategic and integrated management of urban growth. Objective 3.2.2.1 is of particular relevance to the requested LDRZ. This objective aims to ensure that urban development occurs in a logical manner by: promoting a compact, well designed and integrated urban form; managing the cost of Council infrastructure; and protecting the district rural landscapes from sporadic and sprawling development. The requested LDRZ, in my view, achieves this objective. It is a logical extension to the existing LDRZ, it is

physically contained by topography, it can be fully serviced with Council reticulation and will not adversely affect the ONF of the Shotover River.

- 5.33** Goal 3.2.3 seeks a quality built environment taking into account the character of individual communities. Objective 3.2.3.1 seeks to achieve a built environment that ensures our urban areas are desirable and safe places to live, work and play. The associated policies seek to achieve this objective by ensuring development responds to the character of the site, the street, the open space and surrounding area, whilst acknowledging the necessity for increased densities and some change in character in certain areas. The proposed LDRZ provisions will ensure development responds to the character of the site. The associated policies also seek that larger scale development is comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design. Again, the proposed LDRZ provisions enable that to occur.
- 5.34** Goal 3.2.5 seeks to protect our distinctive landscapes from inappropriate development. In achieving this goal, Objective 3.2.5.3 directs new subdivision, use or development to occur in those areas which have potential to absorb change. The subject site is one of those areas that can absorb change as acknowledged by Dr. Read and Mr. Espie. The requested LDRZ is, in my opinion, consistent with this goal.
- 5.35** Goal 3.2.6 seeks to enable a safe and healthy community that is strong, diverse and inclusive for all people. Objective 3.2.6.2 seeks to achieve this goal by ensuring a mix of housing opportunities. The proposed LDRZ provisions ensure this objective will be achieved for the requested LDRZ.
- 5.36** Chapter 4 relates to urban development. Objective 4.2.1 is that urban development is coordinated with infrastructure and services and is undertaken in a manner that protects the environment, rural amenity and outstanding natural landscapes. The requested LDRZ achieves this objective and its associated policies. It is a logical extension to the existing LDRZ and this is supported from both a landscape and servicing perspective.
- 5.37** Objective 4.2.2 states that Urban Growth Boundaries are established as a tool to manage growth. The requested LDRZ achieves this objective and associated policies by providing a logical extension to the LDRZ and the urban growth boundary. Mr. Espie and Mr. McCartney have confirmed in evidence that urban development of the subject site is appropriate in terms of landscape effects and infrastructure servicing. Site specific constraints have been recognised and provided for by amending the proposed zone boundaries so that those areas of greater sensitivity are excluded from the requested LDRZ.

5.38 Chapter 6 relates to Landscapes. Objective 6.3.1 and associated policies are achieved. Both Dr. Read and Mr. Espie confirm that the subject site (or at least part of the subject site) has the ability to absorb development. The most sensitive parts of the subject site, as assessed by Mr. Espie, have been excluded from the requested LDRZ.

5.39 I address each of the relevant objectives and policies of the Strategic Directions Section of the PDP (as well as other relevant sections of the PDP) in the **Attachment CV3** to my evidence. In my opinion, the requested LDRZ better achieves the strategic objectives and policies than the RZ provisions. The Strategic Directions Section recognizes the importance of enabling diversification and development within areas where it can be absorbed. The subject site is a logical extension to the existing LDRZ.

(d) Whether the proposal has had regard to any relevant management plans or strategies under other acts.

5.40 In my opinion there are no other management plans or strategies prepared under other acts relevant to the consideration of the Swan and LDL submissions.

(e) Takes into account any relevant planning document recognised by an iwi authority.

(i) Kai Tahu ki Otago Iwi Management Plan

5.41 The Kai Tahu ki Otago Resource Management Plan was prepared in 2005 and is the principal planning document for Kāi Tahu ki Otago. It was developed over a 2-year period through extensive consultation with the four Papatipu Rūnaka of Otago as well as consultation with, and input from, the Otago whānau and rōpū groups and Southland and South Canterbury Rūnaka.

5.42 At Section 2.5.6 the Plan states that '*Kāi Tahu ki Otago values have been incorporated, to varying extents, in the following Regional and District Plans and Policy Statements*'. Key issues identified in the Plan relate to wai maori, wahi tapu, mahika kai and biodiversity, cultural landscapes, air and atmosphere, coastal environment.

5.43 The Upper Clutha is located within the Clutha-Mata-au Catchment, and this is described at Section 10.1 as:

"The Clutha/Mata-au Catchment centres on the Clutha/Mata-au River and includes all sub-catchments within this main Catchment.

10.2.2 Wai Maori Issues in the Clutha/Mata-au Catchment:

...

Land Use:

- *Lack of reticulated community sewerage schemes.*

- Existing sewage schemes are not effectively treating the waste and do not have the capacity to cope with the expanding population.
- Land use intensification, for example dairying in the Poumahaka Catchment.
- Increase in the lifestyle farm units is increasing the demand for water.
- Sedimentation of waterways from urban development.

...

10.2.3 Wai Maori Policies in the Clutha/Mata-au Catchment:

...

Land use:

9. To encourage the adoption of sound environmental practices, adopted where land use intensification occurs.

10. To promote sustainable land use in the Clutha/Mata-au Catchment.

11. To encourage all consents related to subdivision and lifestyle blocks are applied for at the same time including, land use consents, water consents, and discharge consents.

12. To require reticulated community sewerage schemes that have the capacity to accommodate future population growth

...

10.3 WÄHI TAPU

10.3.1 Wähi Tapu in the Clutha/Mata-au Catchments

There are a range of wähi tapu of particular significance within the Clutha/Mata-au Catchments. Urupä are the best modern day example of wähi tapu, but physical resources such as mountaintops, springs and vegetation remnants are other examples. Urupä and some significant sites of conflict are located all along the Clutha/Mata-au River.

...

10.3.3 Wähi Tapu Policies in the Clutha/Mata-au Catchment

1. To require that wähi tapu sites are protected from further loss or destruction.
2. To require accidental discovery protocols for any earth disturbance activities."

5.44 With respect to 10.2 development under the requested LDRZ provisions is likely to be in accordance with sound environmental management and promote sustainable land use practices.

5.45 With respect to 10.3 there is no known wahi tapu associated with the site. The Accidental Discovery Protocol can be imposed by consent conditions on any future resource consents if deemed necessary.

(f) Does not have regard to trade competition.

5.46 There are no trade competition issues relevant to the consideration of this submission.

6. Section 32AA evaluation.

6.1 Section 32AA of the RMA aims to ensure that any changes to plan provisions during the hearing process are subject to a similarly high level of analytical rigour and transparency as the original evaluation. A further evaluation under section 32AA must include all the matters in section 32, but only in relation to the changes that have been made to the proposal since the evaluation report for which it was completed.

6.2 The Council’s Section 32 evaluation applicable to the Swan and LDL land is applicable to the entire RZ. Of relevance, the Council’s Section 32 analysis identified the following resource management issue:

Issue 2: The management of Farming Activities

Existing and anticipated farming activities (Reverse Sensitivity)

A range of activities are expected to occur in the rural areas that create odour, noise and dust, traffic generation and heavy vehicle traffic. Provided these effects do not constitute a genuine nuisance or health risk, they shall be accepted as anticipated components of rural activities.

It is acknowledged the Rural Zone is considered by many a desirable place to live and to also undertake commercial activities. It is important to recognise the importance of farming and established activities to the District and protect the viability of farming.

6.3 A further evaluation is for the changes sought is attached to my evidence as **Attachment CV3**. This further evaluation examines the extent to which the proposed objectives and policies of the plan are, or are not, the most appropriate way to achieve the purpose of the RMA.

6.4 I conclude from this evaluation that the requested LDRZ is the most appropriate zoning for the subject site.

7. The Section 42A Report and Recommendation

7.1 The section 42A report was received on 25 May 2017. Ms. Devlin addresses the Swan and LDL submissions at Section 48 and 49 (pages 149 to 157) of her report. Ms. Devlin’s overall recommendation is to reject the submission for the following reason:

“The rezoning request would result in adverse amenity effects on the adjacent LDR zone and cannot be accommodated by existing infrastructure capacity.”

7.2 Ms. Devlin relies on the assessment and recommendations of Dr. Read (landscape), Mr. Davis (Ecology), Mr. Glasner (infrastructure) and Ms. Banks (traffic). These assessments and recommendations are summarised below:

	Swan	LDL
Landscape	Not opposed (in part)	Not opposed (in part)
Ecology	Not opposed	Not opposed
Infrastructure	Opposed	Opposed
Traffic	Not opposed	Opposed

7.3 With respect to landscape, Ms. Devlin notes at paragraph 48.5 in respect of the **Swan** submission that a slightly smaller area than requested could absorb development without significant effects on the Shotover River ONL. Ms. Devlin further notes that Dr. Read considers “that if part of the site is rezoned LDR the ONL

could also be moved to exclude that land, and therefore does not the rezoning request (in part) from a landscape perspective.” [I assume the word “oppose” is missing between the words “not” and “the”]. With respect to the LDL submission, Ms. Devlin simply notes at paragraph 49.5, that Dr. Read does not oppose all of the rezoning request and exclusion from the ONL from a landscape perspective because part of the site could absorb development without significant effects on the adjacent Shotover River ONL.

- 7.4** At paragraph 49.7 of her report Ms. Devlin relies on Dr. Read’s evidence that any development would be restricted to the northern part of the ridge to avoid adverse effects on the ONL to the south and east. Unfortunately, Dr. Read does not include a map in her report detailing exactly what areas she considers is appropriate for LDRZ zoning as she has done for other submissions.
- 7.5** Ms. Devlin further notes that development on the ridge, in her opinion, would be out of character with the adjoining LDRZ due to differences in topography, and would result in adverse effects in regards to overlooking, dominance and visual amenity. With respect, I do not agree, as many of the higher landforms on the subject properties already contain residential activity (therefore the effects she describes already exist) and the wider Arthurs Point LDRZ currently overlooks the subject site. Nearly of Queenstown’s urban areas of undulating terrain which can cause overlooking from other urban activities to some extent. I also note that none of these issues were raised in any further submissions in opposition to the zoning requests.
- 7.6** Ms. Devlin also states that development could potentially breach the skyline if the trees were removed and result in adverse visual effects. I accept that from some vantage points the removal of the trees may result in some future urban development breaking the skyline when viewed from outside the LDRZ. Built form breaking the skyline occurs within and adjacent to many urban areas of the district. It is unavoidable in urban areas. In my opinion, there is also some benefit to the removal of the trees in terms of eliminating a wilding tree source which needs to be balanced against visual effects.
- 7.7** Ms. Devlin also notes that the underlying topography forms a natural barrier between the LDRZ and the RZ that she considers should be retained. In my opinion, it is the Shotover River gorge which creates the natural barrier for urban development, consistent with the wider LDRZ (which similarly borders the Shotover River gorge), not the hillocky land referred to in Ms. Devlin’s report.
- 7.8** With respect to infrastructure, Ms. Devlin notes at paragraphs 48.3 and 49.3 that Mr. Glasner considers the increase in load from the rezoning request may require an upgrade of the existing wastewater infrastructure and the need to build an additional facility will have an ongoing maintenance burden. On this basis Mr. Glasner opposes the rezoning from an infrastructure perspective *“unless detailed modelling can be provided that shows an upgrade of existing infrastructure is not required.”*

- 7.9 I have already addressed these concerns with respect to Mr. McCartney's evidence previously. Mr. McCartney has identified that there is a solution to Mr. Glasner's concerns, and I understand Mr. Glasner has agreed in principle to those solutions.
- 7.10 With respect to traffic, Ms. Devlin notes at paragraphs 48.4 with respect to the Swan submission that Ms. Banks does not oppose the requested LDRZ from a transport perspective, based on the low volume of traffic it could potentially generate. However, in relation to the LDL submission, Ms. Devlin notes at paragraphs 49.4 that Ms. Banks opposes the requested LDRZ from a transport perspective, because *"the knock-on effect of traffic generated from the development enabled will adversely affect the Atley Road/Mathias Terrace and Arthur's Point/Atley Road intersections, and also because the increase in traffic on the Edith Cavell one-way bridge over the Shotover River will contribute to existing delays"*. I firstly note that these findings appear to be inconsistent, given a large portion of the land subject to the LDL's requested LDRZ is the same as what requested LDRZ subject to the Swan submission. At the very least Ms. Banks opposition should only be recorded against the requested LDRZ in excess of what is requested by the Swan submission.
- 7.11 Mr. Bartlett has prepared evidence addressing the concerns raised by Ms. Banks. It is Mr. Bartlett's expert opinion that the Edith Cavell Bridge will likely require traffic signals in the near future regardless of development as result of the requested LDRZ.

8. Part II of the RMA.

Section 7

- 8.1 The following other matters to which particular regard must be given are relevant to the consideration of **LDL** and **Swan's** submission:
- (b) the efficient use and development of natural and physical resources;
 - (c) The maintenance and enhancement of amenity values;
 - (f) the maintenance and enhancement of the quality of the environment.
- 8.2 The approval of the requested LDRZ will, in my opinion, lead to efficient use and development of natural and physical resources given their strategic location adjoining an established LDRZ. The operative LDRZ provisions will ensure the amenity values of the site, and surrounding environment, are maintained and enhanced. However, the requested LDRZ is likely to adversely affect amenity values when viewed from

some established residential areas and Wattie's Track. The approval of the requested LDRZ would also assist in maintaining and enhancing the quality of this environment by ensuring development does not adversely affect the ONF of the Shotover River.

Section 6

8.3 The following matters of national importance shall be recognised and provide for are relevant to the consideration of Swan and LDL submissions:

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

8.4 The requested LDRZ is located adjacent to the ONF of the Shotover River. Mr. Espie is of the opinion that the requested LDRZ has capacity to absorb change without adversely affecting the ONF of the Shotover River. The requested LDRZ is therefore not an inappropriate use or development in relation to 6(b).

Section 5

8.5 In my opinion the requested LDRZ achieves sustainable management of natural and physical resources. In particular the requested LDRZ manages the use, development and protection of this land resource in a way that enables people and communities to provide for their social, economic and cultural well-being through the supply of much needed residentially zoned land.

9. Conclusion.

9.1 I conclude there are seven issues relevant to the consideration of the Swan and LDL submissions.

9.2 The first, and in my opinion most important, issue is the need for urgent supply of residential land for housing in the Wakatipu basin. In my opinion, the requested LDRZ is a strategically placed parcel of land, adjoining an existing LDRZ, in a location that can be fully serviced with Council infrastructure. There is a desperate need to zone areas such as this in the district for residential development is evidenced by the fact that the Wakatipu basin has Housing accord status and is a High Growth Area under the NPS for Urban Development Capacity. The requested LDRZ will go some way towards addressing the capacity issues of the NPS.

9.3 The second issue is landscape and visual amenity effects, in particular protection of the ONF of the Shotover River from inappropriate subdivision, use and development. In this regard, I rely on the evidence of Mr. Espie who concludes that with respect to landscape character the requested LDRZ will have a no more the

negligible effect. However, Mr. Espie does find that in terms of views the requested LDRZ will have a moderate effect from the higher parts of old Arthurs Point and substantial effect from the Wattie's Track area. In my opinion, these effects have to be balanced against the issues detailed in the first issue and the fact that no person submitted in opposition to the zoning requests.

- 9.4** The third issue is servicing. In respect of these issues I rely on the expert evidence of Mr. McCartney who demonstrates that there is no impediment to the approval of the requested LDRZ.
- 9.5** The fourth issue is traffic effects. In respect of these issues I rely on the expert evidence of Mr. Bartlett who opines that the requested LDRZ will contribute to the existing delays experienced at the Edith Cavell bridge, but even without the requested LDRZ, those delays will likely require to be addressed at some point in the near future in any case. To that extent, I understand this to mean that the requested LDRZ will not be a significant contributor to the delays as they already exist.
- 9.6** The fifth issue is geotechnical. In this regard, I rely on the expert evidence of Mr. Nicolson who concludes there are no geotechnical issues that would prevent development within the requested LDRZ.
- 9.7** The sixth issue is the positive effect of removing wilding pines from the subject site and the positive contribution that would make to the WCG strategy. As demonstrated by the old photograph attached to Mr. Espies evidence as **Appendix 3** it is possible that all of the wilding tree spread into Mount Dewar started with a small stand of trees location on the Swan land (the dark patch in the photo).
- 9.8** The final issue is open space and recreation. The requested LDRZ presents an opportunity in my opinion to integrate a commuter trail as envisioned by the QTT Strategy and possibly plan for the provision of a footbridge across the Shotover River removing the need for pedestrians and cyclists having to use the Edith Cavell bridge.
- 9.9** With respect to section 32AA of the RMA I conclude that the requested LDRZ is the most appropriate zoning for the subject site.
- 9.10** Overall, I consider the requested LDRZ achieves the purpose and principles of the RMA.

Attachment CV1 – Relevant RPS Objectives and Policies

4. Mana Whenua

4.4.3 *Wai (Water)* To recognise the principle of wairua and mauri in the management of Otago's water bodies.

4.4.5 *Kaitiakitanga (Guardianship)* To incorporate the concept and spirit of kaitiakitanga in the management of Otago's natural and physical resources in a way consistent with the values of Kai Tahu.

5.4 Land – Objectives

5.4.1 To promote the sustainable management of Otago's land resources in order: (a) To maintain and enhance the primary productive capacity and life-supporting capacity of land resources; and (b) To meet the present and reasonably foreseeable needs of Otago's people and communities.

5.4.2 To avoid, remedy or mitigate degradation of Otago's natural and physical resources resulting from activities utilising the land resource.

5.4.3 To protect Otago's outstanding natural features and landscapes from inappropriate subdivision, use and development.

5.5 Land - Policies

5.5.4 To promote the diversification and use of Otago's land resource to achieve sustainable landuse and management systems for future generations.

5.5.6 To recognise and provide for the protection of Otago's outstanding natural features and landscapes which:

(a) Are unique to or characteristic of the region; or

(b) Are representative of a particular landform or land cover occurring in the Otago region or of the collective characteristics which give Otago its particular character; or

(c) Represent areas of cultural or historic significance in Otago; or

(d) Contain visually or scientifically significant geological features; or

(e) Have characteristics of cultural, historical and spiritual value that are regionally significant for Tangata Whenua and have been identified in accordance with Tikanga Maori.

6.4 Water - Objectives

6.4.2 To maintain and enhance the quality of Otago's water resources in order to meet the present and reasonably foreseeable needs of Otago's communities.

6.5 Water - Policies

6.5.1 To recognise and provide for the relationship Kai Tahu have with the water resource in Otago through:

(a) Working toward eliminating human waste and other pollutants from entering all water bodies; and

(b) Consulting with Kai Tahu over any application that would result in the mixing of waters from different water bodies and the setting of water flows and levels.

9. 4 Built Environment – Objectives

9.4.1 To promote the sustainable management of Otago's built environment in order to:

(a) Meet the present and reasonably foreseeable needs of Otago's people and communities; and

(b) Provide for amenity values, and

(c) Conserve and enhance environmental and landscape quality; and

(d) Recognise and protect heritage values.

9.4.2 To promote the sustainable management of Otago's infrastructure to meet the present and reasonably foreseeable needs of Otago's communities.

9.4.3 To avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources.

9.5 Built Environment - Policies

9.5.2 To promote and encourage efficiency in the development and use of Otago's infrastructure through:

(a) Encouraging development that maximises the use of existing infrastructure while recognising the need for more appropriate technology; and

(b) Promoting co-ordination amongst network utility operators in the provision and maintenance of infrastructure; and

(c) Encouraging a reduction in the use of nonrenewable resources while promoting the use of renewable resources in the construction, development and use of infrastructure; and

(d) Avoiding or mitigating the adverse effects of subdivision, use and development of land on the safety and efficiency of regional infrastructure.

9.5.4 To minimise the adverse effects of urban development and settlement, including structures, on Otago's environment through avoiding, remedying or mitigating:

- (a) Discharges of contaminants to Otago's air, water or land; and
- (b) The creation of noise, vibration and dust; and
- (c) Visual intrusion and a reduction in landscape qualities; and
- (d) Significant irreversible effects on:
 - (i) Otago community values; or
 - (ii) Kai Tahu cultural and spiritual values; or
 - (iii) The natural character of water bodies and the coastal environment; or
 - (iv) Habitats of indigenous fauna; or
 - (v) Heritage values; or
 - (vi) Amenity values; or
 - (vii) Intrinsic values of ecosystems;

9.5.5 To maintain and, where practicable, enhance the quality of life for people and communities within Otago's built environment through:

- (a) Promoting the identification and provision of a level of amenity which is acceptable to the community; and
- (b) Avoiding, remedying or mitigating the adverse effects on community health and safety resulting from the use, development and protection of Otago's natural and physical resources; and
- (c) Avoiding, remedying or mitigating the adverse effects of subdivision, landuse and development on landscape values.

10.4 Biota – Objectives

10.4.1 To maintain and enhance the life-supporting capacity and diversity of Otago's biota.

10.4.2 To protect Otago's natural ecosystems and primary production from significant biological and natural threats.

10.4.3 To maintain and enhance the natural character of areas with significant indigenous vegetation and significant habitats of indigenous fauna.

10.5 Biota - Policies

10.5.3 To reduce and where practicable eliminate the adverse effects of plant and animal pests on Otago's communities and natural and physical resources through:

- (a) Developing strategies to effectively manage Otago's plant and animal pests; and
- (b) Educating about the responsibilities of all parties in the management of Otago's plant and animal pests; and
- (c) Adopting the most practicable method of pest control while safeguarding the environment.

11.4 Natural Hazards – Objectives

11.4.1 To recognise and understand the significant natural hazards that threaten Otago's communities and features.

11.4.2 To avoid or mitigate the adverse effects of natural hazards within Otago to acceptable levels.

11.5 – Natural Hazards – Policies

11.5.2 To take action necessary to avoid or mitigate the unacceptable adverse effect of natural hazards and the responses to natural hazards on:

- (a) Human life; and
- (b) Infrastructure and property; and
- (c) Otago's natural environment; and (d) Otago's heritage sites.

11.5.3 To restrict development on sites or areas recognised as being prone to significant hazards, unless adequate mitigation can be provided.

13.4 Wastes & Hazardous Substances – Objectives

13.4.1 To protect Otago's communities, environment and natural resources from the adverse effects of the waste stream.

13.4.2 To encourage a reduction in the amount, range and type of waste generated in Otago.

13.4.4 To minimise the risks to people and the wider environment arising from existing contaminated sites, and the storage, use, transportation and disposal of hazardous substances.

13.5.1 To recognise and provide for the relationship Kai Tahu have with natural and physical resources when managing Otago's waste stream through: (a) Providing for the management and disposal of Otago's waste stream in a manner that takes into account Kai Tahu cultural values; and (b) Working towards eliminating human wastes and other pollutants from entering Otago's waterways

13.5.7 To address the adverse effects of past waste disposal practices through:

- (a) Identifying sites of old landfills, hazardous substance dumps or contamination within Otago; and
- (b) Determining any adverse effects arising from those sites and requiring the remedying or mitigation of any adverse effects..

Attachment CV2 – Relevant RPSDV

Objectives and Policies

Objective 2.1 *The principles of Te Tiriti o Waitangi are taken into account in resource management processes and*

Policy 2.1.2 *Treaty principles Ensure that local authorities exercise their functions and powers, by:*

- a) *Recognising Kāi Tahu's status as a Treaty partner; and*
- b) *Involving Kāi Tahu in resource management processes implementation;*
- c) *Taking into account Kāi Tahu values in resource management decision-making processes and implementation;*
- d) *Recognising and providing for the relationship of Kāi Tahu's culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka;*
- e) *Ensuring Kāi Tahu have the ability to: i. Identify their relationship with their ancestral lands, water, sites, wāhi tapu, and other taoka; ii. Determine how best to express that relationship;*
- f) *Having particular regard to the exercise of kaitiakitaka; g) Ensuring that district and regional plans:*
 - i. *Give effect to the Ngāi Tahu Claims Settlement Act 1998;*
 - ii. *Recognise and provide for statutory acknowledgement areas in Schedule 2;*
 - iii. *Provide for other areas in Otago that are recognised as significant to Kāi Tahu;*
- h) *Taking into account iwi management plans.*

Objective 2.2 *Kāi Tahu values, interests and customary resources are recognised and provided for*

Policy 2.2.1 *Kāi Tahu wellbeing Manage the natural environment to support Kāi Tahu wellbeing by all of the following:*

- a) *Ensuring the sustainable management of resources supports their customary uses and cultural values in Schedules 1A and B;*
- b) *Safeguarding the life-supporting capacity of natural resources.*

Objective 3.1 *The values of Otago's natural resources are recognised, maintained and enhanced decisions*

Policy 3.1.1 *Fresh water Manage fresh water to achieve all of the following:*

- a) *Maintain or enhance ecosystem health in all Otago aquifers, and rivers, lakes, wetlands, and their margins;*
- b) *Maintain or enhance the range and extent of habitats provided by fresh water, including the habitat of trout and salmon;*
- c) *Recognise and provide for the migratory patterns of freshwater species, unless detrimental to indigenous biological diversity;*
- d) *Avoid aquifer compaction and seawater intrusion in aquifers;*
- e) *Maintain good water quality, including in the coastal marine area, or enhance it where it has been degraded;*
- f) *Maintain or enhance coastal values;*
- g) *Maintain or enhance the natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers;*
- h) *Maintain or enhance the quality and reliability of existing drinking and stock water supplies;*
- i) *Recognise and provide for important recreation values;*
- j) *Maintain or enhance the amenity and landscape values of rivers, lakes, and wetlands;*
- k) *Control the adverse effects of pest species, prevent their introduction and reduce their spread;*
- l) *Avoid, remedy or mitigate the adverse effects of natural hazards, including flooding and erosion;*
- m) *Avoid, remedy, or mitigate adverse effects on existing infrastructure that is reliant on fresh water.*

Policy 3.1.3 *Water allocation and use Ensure the efficient allocation and use of water by undertaking all of the following:*

- a) *Requiring that the volume of water allocated does not exceed what is necessary for its efficient use;*
- b) *Encouraging the development or upgrade of infrastructure that increases use efficiency.*

Policy 3.1.10 *Natural features, landscapes, and seascapes Recognise the values of natural features, landscapes and seascapes are derived from the biophysical, sensory and associative attributes in Schedule 3.*

Objective 3.2 *Otago's significant and highly-valued natural resources are identified, and protected or enhanced*

Policy 3.2.5 *Identifying highly valued natural features, landscapes and seascapes Identify natural features, landscapes and seascapes, which are highly valued for their contribution to the amenity or quality of the environment but which are not outstanding, using the attributes in Schedule 3.*

Policy 3.2.6 *Managing highly valued natural features, landscapes and seascapes* Protect or enhance highly valued natural features, landscapes and seascapes by all of the following:

- a) Avoiding significant adverse effects on those values which contribute to the high value of the natural feature, landscape or seascape;
- b) Avoiding, remedying or mitigating other adverse effects;
- c) Recognising and providing for positive contributions of existing introduced species to those values;
- d) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread;
- e) Encouraging enhancement of those values which contribute to the high value of the natural feature, landscape or seascape.

Objective 4.1 *Risk that natural hazards pose to Otago's communities are minimized*

Policy 4.1.1 *Identifying natural hazards* Identify natural hazards that may adversely affect Otago's communities, including hazards of low likelihood and high consequence by considering all of the following:

- a) Hazard type and characteristics;
- b) Multiple and cascading hazards;
- c) Cumulative effects, including from multiple hazards with different risks;
- d) Effects of climate change;
- e) Using the best available information for calculating likelihood;
- f) Exacerbating factors.

Policy 4.1.2 *Natural hazard likelihood* Using the best available information, assess the likelihood of natural hazard events occurring, over no less than 100 years. :

Policy 4.1.3 *Natural hazard consequence* Assess the consequences of natural hazard events, by considering all of the following:

- a) The nature of activities in the area;
- b) Individual and community vulnerability;
- c) Impacts on individual and community health and safety; d) Impacts on social, cultural and economic wellbeing;
- e) Impacts on infrastructure and property, including access and services; f) Risk reduction and hazard mitigation measures;
- g) Lifeline utilities, essential and emergency services, and their co-dependence; h) Implications for civil defence agencies and emergency services;
- i) Cumulative effects;
- j) Factors that may exacerbate a hazard event.

Policy 4.1.4 *Assessing activities for natural hazard risk* Assess activities for natural hazard risk to people and communities, by considering all of the following:

- a) The natural hazard risk identified, including residual risk;
- b) Any measures to avoid, remedy or mitigate those risks, including relocation and recovery methods;
- c) The long term viability and affordability of those measures;
- d) Flow on effects of the risk to other activities, individuals and communities;
- e) The availability of, and ability to provide, lifeline utilities, and essential and emergency services, during and after a natural hazard event.

Policy 4.1.5 *Natural hazard risk* Manage natural hazard risk to people and communities, with particular regard to all of the following:

- a) The risk posed, considering the likelihood and consequences of natural hazard events;
- b) The implications of residual risk, including the risk remaining after implementing or undertaking risk reduction and hazard mitigation measures;
- c) The community's tolerance of that risk, now and in the future, including the community's ability and willingness to prepare for and adapt to that risk, and respond to an event;
- d) The changing nature of tolerance to risk;
- e) Sensitivity of activities to risk.

Policy 4.1.6 *Avoiding increased natural hazard risk* Manage natural hazard risk to people and communities by both:

- a) Avoiding activities that significantly increase risk including displacement of risk off-site; and
- b) Avoiding activities that increase risk in areas potentially affected by coastal hazards over at least the next 100 years.

Objective 4.3 *Infrastructure is managed and developed in a sustainable way*

Policy 4.3.1 *Managing infrastructure activities* Manage infrastructure activities, to achieve all of the following:

- a) Maintaining or enhancing the health and safety of the community;
- b) Avoiding, remedying or mitigating adverse effects of those activities on existing land uses, including cumulative adverse effects on natural and physical resources;
- c) Supporting economic, social and community activities;
- d) Improving efficiency of use of natural resources;
- e) Protecting infrastructure corridors for infrastructure needs, now and for the future;
- f) Increasing the ability of communities to respond and adapt to emergencies, and disruptive or natural hazard events;

g) Protecting the functional and operational requirements of lifeline utilities and essential or emergency services.

Objective 4.4 *Energy supplies to Otago's communities are secure and sustainable*

Objective 5.3 *Sufficient land is managed and protected for economic production*

Policy 5.3.1 *Rural activities Manage activities in rural areas, to support the region's economy and communities, by all of the following:*

- a) Enabling primary production and other rural activities that support the rural economy;*
- b) Minimising the loss of significant soils;*
- c) Restricting the establishment of activities in rural areas that may lead to reverse sensitivity effects;*
- d) Minimising the subdivision of productive rural land into smaller lots that may result in rural residential activities;*
- e) Providing for other activities that have a functional need to locate in rural areas, including tourism and recreational activities that are of a nature and scale compatible with rural activities.*

Attachment CV3 – S32AA Evaluation

Chapter 3 – Strategic Direction

The purpose of the strategic directions chapter of the PDP is to set out the over-arching strategic direction for the management of growth, land-use and development in a manner that ensures sustainable management of the District’s special qualities:

- Dramatic alpine landscapes free of inappropriate development
- Clean air and pristine water
- Vibrant and compact town centres
- Compact and connected settlements that encourage public transport, biking and walking
- Diverse, resilient, inclusive and connected communities
- A district providing a variety of lifestyle choices
- An innovative and diversifying economy based around a strong visitor industry
- A unique and distinctive heritage
- Distinctive Ngai Tahu values, rights and interests

This direction is provided through a set of Strategic Goals, Objectives and Policies which provide the direction for the more detailed provisions related to zones and specific topics contained elsewhere in the District Plan. The following Objectives and Policies are relevant to the submissions and are addressed in the following table:

Objective 3.2.2.1 Ensure urban development occurs in a logical manner:			
<ul style="list-style-type: none"> • to promote a compact, well designed and integrated urban form; • to manage the cost of Council infrastructure; and • to protect the District’s rural landscapes from sporadic and sprawling development 			
Policies 3.2.2.1.1 Apply Urban Growth Boundaries (UGBs) around the urban areas in the Wakatipu Basin (including Jack’s Point), Arrowtown and Wanaka.			
3.2.2.1.2 Apply provisions that enable urban development within the UGBs and avoid urban development outside of the UGBs.			
3.2.2.1.3 Manage the form of urban development within the UGBs ensuring:			
<ul style="list-style-type: none"> • Connectivity and integration with existing urban development; • Sustainable provision of Council infrastructure; and • Facilitation of an efficient transport network, with particular regard to integration with public and active transport systems 			
3.2.2.1.4 Encourage a higher density of residential development in locations close to town centres, local shopping zones, activity centres, public transport routes and non-vehicular trails.			
3.2.2.1.5 Ensure UGBs contain sufficient suitably zoned land to provide for future growth and a diversity of housing choice.			
3.2.2.1.6 Ensure that zoning enables effective market competition through distribution of potential housing supply across a large number and range of ownerships, to reduce the incentive for land banking in order to address housing supply and affordability.			
3.2.2.1.7 That further urban development of the District’s			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)

<p>The requested LDRZ:</p> <ul style="list-style-type: none"> ○ occurs in a logical manner; ○ represents compact and integrated urban form; ○ can be serviced by reticulated infrastructure. <p>The LDRZ provisions will ensure subdivision and development is well designed.</p> <p>The location of the requested LDRZ ensures development does not sprawl into rural areas (i.e. it is well contained).</p>	<p>As per <i>Efficiency and Effectiveness</i>.</p> <p>The requested LDRZ:</p> <ul style="list-style-type: none"> ○ has good connection to existing the existing LDRZ; ○ Can be integrated with the existing LDRZ; ○ is serviced with public transport. <p>Ensures UGB of Arthur's Point contains sufficiently suitable zoned land for future growth and a diversity of housing types.</p>	<p>The character of the area, when viewed from old Arthurs Point and Wattie's Track in particular, will change.</p>	<p>Risk of not acting likely to:</p> <ul style="list-style-type: none"> ○ result in decreased development capacity. ○ Uncertainty and potential time delays with the resource consent process.
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<p>3.2.3.1 Achieve a built environment that ensures our urban areas are desirable and safe places to live, work and play.</p>			
<p>Policies 3.2.3.1.1 Ensure development responds to the character of its site, the street, open space and surrounding area, whilst acknowledging the necessity of increased densities and some change in character in certain locations.</p>			
<p>3.2.3.1.2 That larger scale development is comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.</p>			
<p>3.2.3.1.3 Promote energy and water efficiency opportunities, waste reduction and sustainable building and subdivision design.</p>			
<p><i>Efficiency & Effectiveness</i> ^(a)</p>	<p><i>Benefits</i> ^(b)</p>	<p><i>Costs</i> ^(b)</p>	<p><i>Risk Acting/Not Acting</i> ^(c)</p>
<p>The requested LDRZ ensures bottom line standards for residential amenity.</p>	<p>The requested LDRZ provisions ensures that development responds to the character of the site.</p> <p>The size of the requested LDRZ is of a scale that can be comprehensively designed.</p>	<p>The character of the area, when viewed from old Arthurs Point and Wattie's Track in particular, will change.</p>	<p>Uncertainty with respect to the future development of this strategically located piece of land if retained in RZ.</p>

<p>3.2.5.1 Protect the natural character of Outstanding Natural Landscapes and Outstanding Natural Features from subdivision, use and development.</p>			
<p>Policies 3.2.5.1.1 Identify the district's Outstanding Natural Landscapes and Outstanding Natural Features on the District Plan maps, and protect them from the adverse effects of subdivision and development.</p>			
<p><i>Efficiency & Effectiveness</i> ^(a)</p>	<p><i>Benefits</i> ^(b)</p>	<p><i>Costs</i> ^(b)</p>	<p><i>Risk Acting/Not Acting</i> ^(c)</p>
<p>The requested LDRZ is a logical extension to the existing urban area which does not impact on the ONF values of the Shotover River gorge.</p>	<p>The ONF values of the Shotover River gorge are unaffected by the requested LDRZ.</p>	<p>The character of the area, when viewed from old Arthurs Point and Wattie's Track in particular, will change.</p>	<p>Uncertainty with respect to the future development of this strategically located piece of land if retained in RZ.</p> <p>Lost opportunity for urban expansion.</p>

3.2.5.3 Direct new subdivision, use or development to occur in those areas which have potential to absorb change without detracting from landscape and visual amenity values.			
Policies 3.2.5.3.1 Direct urban development to be within Urban Growth Boundaries (UGB's) where these apply, or within the existing rural townships.			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
The requested LDRZ has significant potential to absorb development, being an extension to an existing LDRZ and topographically constrained by the Shotover River gorge.	The requested LDRZ (and corresponding movement of the proposed UGB) will send a clear direction of where residential expansion is appropriate in Arthurs Point.	The character of the area, when viewed from old Arthurs Point and Wattie's Track in particular, will change.	Uncertainty with respect to the future development of this strategically located piece of land if retained in RZ.

3.2.4.4 Avoid exotic vegetation with the potential to spread and naturalise.			
3.2.4.4.1 That the planting of exotic vegetation with the potential to spread and naturalise is banned.			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
The requested LDRZ is highly infested with wilding trees at present. The requested LDRZ would necessitate the removal of these trees for urban development.	Removing this seed source would assist the Wakatipu Control Group help reach goals set out in their strategy (which main goal is to remove mature seed sources).	Removal of the trees may affect visual values from existing residences. Retaining the trees would retain a wilding seed source.	Retaining RZ over the site would likely require retaining some/all of the trees to screen future development.

Chapter 4 – Urban Development

4.2.1 Objective - Urban development is coordinated with infrastructure and services and is undertaken in a manner that protects the environment, rural amenity and outstanding natural landscapes and features.			
Policies			
4.2.1.1 Land within and adjacent to the major urban settlements will provide the focus for urban development, with a lesser extent accommodated within smaller rural townships.			
4.2.1.2 Urban development is integrated with existing public infrastructure, and is designed and located in a manner consistent with the capacity of existing networks.			
4.2.1.3 Encourage a higher density of residential development in locations that have convenient access to public transport routes, cycleways or are in close proximity to community and education facilities.			
4.2.1.4 Development enhances connections to public recreation facilities, reserves, open space and active transport networks.			
4.2.1.5 Urban development is contained within or immediately adjacent to existing settlements.			
4.2.1.6 Avoid sporadic urban development that would adversely affect the natural environment, rural amenity or landscape values; or compromise the viability of a nearby township.			
4.2.1.7 Urban development maintains the productive potential and soil resource of rural land.			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
Development of the requested LDRZ be coordinated with the upgrade of infrastructure and services through the subdivision process.	The requested LDRZ: <ul style="list-style-type: none"> ○ is adjacent to a major urban settlement where there is a focus for urban development; 	The character of the area, when viewed from old Arthurs Point and Wattie's Track in particular, will change.	Uncertainty with respect to the future development of this strategically located piece of land if retained in RZ.

Urban development under the LDRZ provisions ensures protection of the environment. No rural amenity of ONL/ONFs are affected.	<ul style="list-style-type: none"> ○ can integrate with existing public infrastructure; ○ has convenient access to public recreation facilities, reserves, open space and active transport networks. 		
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4.2.2 Objective - Urban Growth Boundaries are established as a tool to manage the growth of major centres within distinct and defensible urban edges.

Policies 4.2.2.1 Urban Growth Boundaries define the limits of urban growth, ensuring that urban development is contained within those identified boundaries, and urban development is avoided outside of those identified boundaries.

4.2.2.2 Urban Growth Boundaries are of a scale and form which is consistent with the anticipated demand for urban development over the planning period, and the appropriateness of the land to accommodate growth.

4.2.2.3 Within Urban Growth Boundaries, land is allocated into various zones which are reflective of the appropriate land use.

4.2.2.4 Not all land within Urban Growth Boundaries will be suitable for urban development, such as (but not limited to) land with ecological, heritage or landscape significance; or land subject to natural hazards. The form and location of urban development shall take account of site specific features or constraints to protect public health and safety.

4.2.2.5 Urban Growth Boundaries may need to be reviewed and amended over time to address changing community needs.

Efficiency & Effectiveness ^(a)	Benefits ^(b)	Costs ^(b)	Risk Acting/Not Acting ^(c)
The requested UGB is adjacent to a major urban area and its proposed boundary is distinct and defensible.	<p>The requested UGB is of a scale and form consistent with anticipated residential demand.</p> <p>The requested UGB is appropriate in terms of urban development.</p>	The character of the area, when viewed from old Arthurs Point and Wattie's Track in particular, will change.	Uncertainty with respect to the future development of this strategically located piece of land if retained in RZ.

4.2.3 Objective – Within Urban Growth Boundaries, provide for a compact and integrated urban form that limits the lateral spread of urban areas, and maximises the efficiency of infrastructure operation and provision

Policies 4.2.3.1 Provide for a compact urban form that utilises land and infrastructure in an efficient and sustainable manner, ensuring:

- connectivity and integration;
- the sustainable use of public infrastructure;
- convenient linkages to the public and active transport network; and
- housing development does not compromise opportunities for commercial or community facilities in close proximity to centres.

Efficiency & Effectiveness ^(a)	Benefits ^(b)	Costs ^(b)	Risk Acting/Not Acting ^(c)
The requested UGB topographically limits the spread of the Arthurs Point urban area.	<p>The requested UGB is topographically constrained.</p> <p>Infrastructure can be upgraded to enable development.</p>	The character of the area, when viewed from old Arthurs Point and Wattie's Track in particular, will change.	Uncertainty with respect to the future development of this strategically located piece of land if retained in RZ.

4.2.4 Objective - Manage the scale and location of urban growth in the Queenstown Urban Growth Boundary.

Policies 4.2.4.1 Limit the spatial growth of Queenstown so that:

- the natural environment is protected from encroachment by urban development
- sprawling of residential settlements into rural areas is avoided
- residential settlements become better connected through the coordinated delivery of infrastructure and community facilities
- transport networks are integrated and the viability of public and active transport is improved
- the provision of infrastructure occurs in a logical and sequenced manner
- the role of Queenstown Town Centre as a key tourism and employment hub is strengthened
- the role of Frankton in providing local commercial and industrial services is strengthened

4.2.4.2 Ensure that development within the Queenstown Urban Growth Boundary:

- Provides a diverse supply of residential development to cater for the needs of residents and visitors
- Provides increased density in locations close to key public transport routes and with convenient access to the Queenstown Town Centre
- Provides an urban form that is sympathetic to the natural setting and enhances the quality of the built environment
- Provides infill development as a means to address future housing demand
- Provides a range of urban land uses that cater for the foreseeable needs of the community
- Maximises the efficiency of existing infrastructure networks and avoids expansion of networks before it is needed for urban development
- Supports the coordinated planning for transport, public open space, walkways and cycleways and community facilities
- Does not diminish the qualities of significant landscape features

<i>Efficiency & Effectiveness (a)</i>	<i>Benefits (b)</i>	<i>Costs (b)</i>	<i>Risk Acting/Not Acting (c)</i>
The requested UGB is managed through topography.	<p>The topographical constraints of the requested UGB limit urban development encroachment into the rural area.</p> <p>Trails can link the existing urban area and the requested LDRZ together.</p> <p>The requested LDRZ provides a diverse supply of residential activities.</p>	The character of the area, when viewed from old Arthurs Point and Wattie's Track in particular, will change.	Uncertainty with respect to the future development of this strategically located piece of land if retained in RZ.

Chapter 5 – Tangata Whenua

The purpose of Chapter 6 Tangata Whenua is to recognise and provide for Ngāi Tahu as a partner in the management of the District's natural and physical resources through the implementation of this District Plan. The Council will actively foster this partnership through meaningful collaboration, seeking formal and informal advice, providing for Ngāi Tahu's role as kaitiaki, and protecting its values, rights and interests.

The following Objectives and Policies are relevant to the JBILs submission:

5.4.1 Objective - Promote consultation with tangata whenua through the implementation of the Queenstown Lakes District Plan.

5.4.1.1 Ensure that Ngāi Tahu Papatipu Rūnanga are engaged in resource management decision-making and implementation on matters that affect Ngāi Tahu values, rights and interests, in accordance with the principles of the Treaty of Waitangi.

5.4.1.2 Actively foster effective partnerships and relationships between the Queenstown Lakes District Council and Ngāi Tahu Papatipu Rūnanga.

5.4.1.3 When making resource management decisions, ensure that functions and powers are exercised in a manner that takes into account iwi management plans.

5.4.1.4 Recognise that only tangata whenua can identify their relationship and that of their culture and traditions with their ancestral lands, water sites, wāhi tapu, tōpuni and other taonga.			
Efficiency & Effectiveness ^(a)	Benefits ^(b)	Costs ^(b)	Risk Acting/Not Acting ^(c)
No specific consultation has been undertaken as part of this submission. Opportunity exists for consultation as part of the resource consent process (Discretionary activity for subdivision).	Consultation can occur as part of the subdivision process (proposed to be discretionary activity).	Inadequate consultation.	Nil.

5.4.3 Objective - Protect Ngāi Tahu taonga species and related habitats.			
5.4.3.1 Where adverse effects on taonga species and habitats of significance to Ngāi Tahu cannot be avoided, remedied or mitigated, consider environmental compensation as an alternative.			
Efficiency & Effectiveness ^(a)	Benefits ^(b)	Costs ^(b)	Risk Acting/Not Acting ^(c)
Ngai tahu taonga and related habitats can be assessed and protected through the resource consent process.	Consultation more effective when a development is proposed.	Nil.	Nil.

5.4.5 Objective - Wāhi tūpuna and all their components are appropriately managed and protected.			
5.4.5.1 Identify wāhi tūpuna and all their components on the District Plan maps and protect them from the adverse effects of subdivision, use and development.			
5.4.5.2 Identify threats to wāhi tūpuna and their components in this District Plan.			
5.4.5.3 Enable Ngai Tahu to provide for its contemporary uses and associations with wāhi tūpuna.			
5.4.5.4 Avoid where practicable, adverse effects on the relationship between Ngāi Tahu and the wāhi tūpuna.			
Efficiency & Effectiveness ^(a)	Benefits ^(b)	Costs ^(b)	Risk Acting/Not Acting ^(c)
No wāhi tūpuna have been identified in on the subject site.	Wāhi tūpuna can be identified and protected through the resource consent process.	Nil.	Nil.

Chapter 6 – Landscapes

The purpose of Chapter 6 – Landscapes is to recognise the landscape as a significant resource to the district and region which requires protection from inappropriate activities that could degrade its qualities, character and values. The relevant Objectives and Policies are as follows:

6.3.1 Objective - The District contains and values Outstanding Natural Features, Outstanding Natural Landscapes, and Rural Landscapes that require protection from inappropriate subdivision and development.			
6.3.1.1 Identify the District's Outstanding Natural Landscapes and Outstanding Natural Features on the Planning Maps.			
6.3.1.5 Avoid urban subdivision and development in the Rural Zones.			
6.3.1.7 When locating urban growth boundaries or extending urban settlements through plan changes, avoid impinging on Outstanding Natural Landscapes or Outstanding Natural Features and minimise disruption to the values derived from open rural landscapes.			

6.3.1.8 Ensure that the location and direction of lights does not cause glare to other properties, roads, and public places or the night sky.
 6.3.1.9 Ensure the District's distinctive landscapes are not degraded by forestry and timber harvesting activities.
 6.3.1.11 Recognise the importance of protecting the landscape character and visual amenity values, particularly as viewed from public places.
 6.3.1.12 Recognise and provide for the protection of Outstanding Natural Features and Landscapes with particular regard to values relating to cultural and historic elements, geological features and matters of cultural and spiritual value to Tangata Whenua, including Tōpuni.

<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
The requested LDRZ will be excluded from the ONL or Rural Landscapes classifications. The ONF of the Shotover River gorge is not affected by the requested LDRZ.	The requested LDRZ falls outside of the ONF of the Shotover River gorge. Timber harvesting is likely to have positive effects in terms of eliminating a seed source.	The character of the area, when viewed from old Arthurs Point and Wattie's Track in particular, will change. Timber harvesting or felling is likely to have a dramatic visual effect.	Land suitable for residential development will be underutilised with little landscape benefit.

6.3.2 Objective - Avoid adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development.

...
 6.3.2.2 Allow residential subdivision and development only in locations where the District's landscape character and visual amenity would not be degraded.
 ...

<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
The requested LDRZ does not represent incremental development.	Nil.	The character of the area, when viewed from old Arthurs Point and Wattie's Track in particular, will change.	Land suitable for residential development will be underutilised with little landscape benefit.

6.3.4 Objective - Protect, maintain or enhance the District's Outstanding Natural Landscapes (ONL).

6.3.4.1 Avoid subdivision and development that would degrade the important qualities of the landscape character and amenity, particularly where there is no or little capacity to absorb change.
 6.3.4.2 Recognise that large parts of the District's Outstanding Natural Landscapes include working farms and accept that viable farming involves activities which may modify the landscape, providing the quality and character of the Outstanding Natural Landscape is not adversely affected.
 6.3.4.3 Have regard to adverse effects on landscape character, and visual amenity values as viewed from public places, with emphasis on views from formed roads.
 6.3.4.4 The landscape character and amenity values of the Outstanding Natural Landscape are a significant intrinsic, economic and recreational resource, such that large scale renewable electricity generation or new large scale mineral extraction development proposals including windfarm or hydro energy generation are not likely to be compatible with the Outstanding Natural Landscapes of the District.

<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
The requested LDRZ will be excluded from the ONL or Rural Landscapes classifications.	The requested LDRZ falls outside of the ONF of the Shotover River gorge.	Nil.	Land suitable for residential development will be underutilised with little landscape benefit.

6.3.5 Objective - Ensure subdivision and development does not degrade landscape character and diminish visual amenity values of the Rural Landscapes (RLC).

6.3.5.1 Allow subdivision and development only where it will not degrade landscape quality or character, or diminish the visual amenity values identified for any Rural Landscape.
 6.3.5.2 Avoid adverse effects from subdivision and development that are:
 • Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and

<ul style="list-style-type: none"> • Visible from public roads. 6.3.5.3 Avoid planting and screening, particularly along roads and boundaries, which would degrade openness where such openness is an important part of the landscape quality or character. 6.3.5.4 Encourage any landscaping to be sustainable and consistent with the established character of the area. 6.3.5.5 Encourage development to utilise shared accesses and infrastructure, to locate within the parts of the site where they will be least visible, and have the least disruption to the landform and rural character. 6.3.5.6 Have regard to the adverse effects from subdivision and development on the open landscape character where it is open at present. 			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
The requested LDRZ will be excluded from the ONL or Rural Landscapes classifications.	The requested LDRZ falls outside of the ONF of the Shotover River gorge.	Nil.	Land suitable for residential development will be underutilised with little landscape benefit.

Chapter 7 - Low Density Residential

The purpose of the LDRZ is as follows:

“The Low Density Residential Zone is the largest residential zone in the District. The District Plan includes low density zoning that is within identified urban growth boundaries, and includes land that has already been substantively developed, as well as areas that will continue to be developed over time. Fundamentally the zone provides for traditional suburban densities and housing forms. Houses will typically be detached and set on sections between 450 and 1000 square metres in area. However, the zone will also support some increased density, whether through smaller scale and low rise infill development, or larger comprehensively designed proposals, to provide more diverse and affordable housing options. Community activities and facilities are anticipated in the zone provided adverse effects can be suitably addressed, as these activities are often best located within the residential communities they serve. Home occupations are also provided for. Commercial activities are generally discouraged, however may be accommodated where necessary to address a demonstrated local need provided residential amenity is not compromised.”

7.2.1 Objective - The zone provides for low density residential living within the District’s urban areas.			
Policies 7.2.1.1 Low density zoning and development is located in areas that are well serviced by public infrastructure, and is designed in a manner consistent with the capacity of infrastructure networks.			
7.2.1.2 The zone is suburban in character and provides for a low-density housing development on larger urban allotments primarily comprising dwellings up to two storeys in height.			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
The requested LDRZ provides for low density residential living in an area well suited for such purpose.	The requested LDRZ can be serviced by public reticulated services.	The character of the area, when viewed from old Arthurs Point and Wattie’s Track in particular, will change.	Risk of not acting likely to result in decreased development capacity.

7.2.2 Objective - Ensure protection of amenity values in recognition of the zone’s lower intensity character, whilst providing for subtle and low impact change.			
Policies 7.2.2.1 Enable residential development on allotments of a size consistent with a low density character, which are typically larger than 450 square metres, but enable infill development at a higher density where it is low scale and discrete, and relates well to existing land use.			
7.2.2.2 Apply height, building coverage, and bulk and location controls as the primary means of retaining the lower intensity character of the zone and ensuring protection of amenity values in terms of privacy, access to sunlight, and impacts arising from building dominance.			

<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
The requested LDRZ will be subject to all of the amenity standards that are proposed within the zone.	All applicable height, coverage and bulk and location standards will apply to the requested LDRZ.	The character of the area, when viewed from old Arthurs Point and Wattie's Track in particular, will change.	Risk of not acting likely to result in decreased development capacity.

Chapter 22 Subdivision and Development

7.2.7 Objective - Ensure development efficiently utilises existing infrastructure and minimises impacts on infrastructure and roading networks.			
Policies 7.2.7.1 Access and parking is located and designed to optimise efficiency and safety and minimise impacts to on-street parking.			
7.2.7.2 Development is designed consistent with the capacity of existing infrastructure networks and seeks low impact approaches to storm water management and efficient use of potable water supply.			
7.2.7.3 Development is integrated with, and improves connections to, public transport services and active transport networks (tracks, trails, walkways and cycleways).			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
The requested LDRZ will require some upgrades to infrastructure and potentially moving some capital works forward.	The required upgrades are relatively simple to achieve and capital works have already been earmarked for the works in the LTP.	The required upgrades can occur at no cost to the Council or the community.	Risk of not acting likely to result in decreased development capacity.
Stormwater can be designed with low impact approaches.			Uncertainty and potential time delays with the resource consent process.