

Kimberley Banks for QLDC – Summary of Evidence, 9 September 2016

Temporary Activities and Relocated Buildings Chapter 35 – Hearing Stream 5

1. The structure of the notified Temporary Activities and Relocated Buildings chapter remains relatively unchanged. I have recommended some changes to the provisions which I consider will better achieve the purpose of the chapter, remove unnecessary regulation, and reduce ambiguity.

Relocated Buildings

2. I consider that the most appropriate activity status is to require a controlled activity resource consent for Relocated Buildings. Along with recommending that the provisions are simplified for clarity and consistency, I have recommended changes made in response to submissions including:
 - (a) amendment to notified and redrafted Objective 35.2.6 and notified and redrafted Policy 35.2.6.1 to relate to the matters of control and the specific effects of relocated buildings;
 - (b) amendment to the activity status to ensure Relocated Buildings are a Controlled Activity across all zones;
 - (c) removal of specifications for shipping containers and accessory buildings, reverting to the regulatory approach for “buildings”; and
 - (d) new definitions for “Removal” and “Re-siting”, and amendment to the definition of “Relocated Building” and “Building”.

Temporary Activities

3. Only minor amendments have been recommended to the provisions for Temporary Activities. A number of submitters sought exclusion from the rule framework for their specific activities and/or locations. However, for the most part, these submissions have been rejected. I do not consider that it fits the purpose of this district wide chapter, which provides for “Temporary Activities” of an infrequent nature, to contain site specific or bespoke provisions for longer term or regular activities.
4. Minor changes which have been recommended include:

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- (a) a new definition for Temporary Military Training Activities and reference to this term through the provisions;
 - (b) widening the scope of redrafted Objective 35.2.5 for Temporary Storage so that it applies in all locations; and
 - (c) amendment to redrafted Rule 35.5.1 to widen its scope to all types of lighting, including for health and safety purposes.

 5. Relating to temporary obstacles, the evidence of Ms O’Sullivan¹ suggests an alternative approach of including a non-statutory clarification note which draws attention to the obstacle limitation surface designation. I agree with this suggestion, and consider that the most practical location for such a note may be within the Activity Table (35.4).

 6. I disagree with the evidence of Ms Fiona Black.² In my opinion, the event duration timeframes of Rule 35.4.8 (redrafted 35.4.6) are adequate for a permitted standard. I note this is more enabling than the Operative District Plan rules, which the submitter should be familiar with for large or recurring temporary events, such as those of the Winter Festival.

 7. Whilst I appreciate the safety concerns expressed by Mr Anthony Macoll,³ I do not consider sufficient evidence has been put forward that driver distraction is a particular concern for informal airports for temporary events, nor why this particular activity should be treated differently to the many other air and water based activities which occur in the district.

 8. In response to the Legal Submissions of Counsel for Queenstown Park Limited, Remarkables Part Limited and Queenstown Wharves Limited. I consider that different approaches are necessary for events on private land compared to Council or Department of Conservation land. Events on private land do not necessarily have the same wider benefit to the public, and can give rise to different effects, particularly on neighbouring land uses.

 9. I acknowledge the error raised by David Cooper⁴ and clarify that the ‘rejection’ indicated in Appendix 2 was based on an earlier iteration of the chapter in

¹ On behalf of Queenstown Airport Corporation (433).

² On behalf of Real Journeys Ltd (621) and Te Anau Developments Ltd (607).

³ On behalf of NZTA (719).

⁴ On behalf of Federated Farmers (600, FS1132).

which the notified and redrafted Policy 35.2.5.1 and notified Policy 35.2.5.2 were to be amended.