

**BEFORE THE INDEPENDENT HEARING PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

Under the	Resource Management Act 1991
In the matter	of the Urban Intensification Variation to the proposed Queenstown Lakes District Plan

**SECTION 42A REPORT OF RACHEL GRACE MORGAN
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

REZONING REQUESTS FOR THE RESIDENTIAL ZONES

6 June 2025



Sarah Scott / Shanae Richardson

T: +64 3 968 4018

sarah.scott@simpsongrierson.com

shanae.richardson@simpsongrierson.com

PO Box 874 Christchurch

TABLE OF CONTENTS

1.	QUALIFICATIONS AND EXPERIENCE	1
2.	INTRODUCTION	2
3.	SCOPE OF THE UIV AND REZONING REQUESTS.....	5
4.	PLANNING CONTEXT	5
5.	RESIDENTIAL ZONE AMENDMENTS.....	9
6.	AREA 1: EAST OF QUEENSTOWN GARDENS – LAND FROM PARK STREET TO CECIL ROAD	12
7.	AREA 2: NORTHEAST OF QUEENSTOWN TOWN CENTRE AND FRANKTON ROAD ..	17
8.	AREA 3: FERNHILL	23
9.	AREA 4: REMARKABLES PARK	27
10.	AREA 5: BRIDESDALE	30
11.	AREA 6: ARTHURS POINT.....	33
12.	AREA 7: FRANKTON ROAD.....	39
13.	AREA 8: MDRZ AROUND WĀNAKA (SOUTH AND WEST OF THE WĀNAKA TOWN CENTRE)	45
14.	AREA 9: EAST OF WĀNAKA TOWN CENTRE	51
15.	AREA 10: SOUTH OF BUSINESS MIXED USE IN WĀNAKA.....	56
16.	AREA 11: WEST AND EAST OF BUSINESS MIXED USE IN WĀNAKA.....	60
17.	AREA 12: THREE PARKS	63
18.	AREA 13: NORTH WĀNAKA	70
19.	AREA 14: WĀNAKA SOUTH.....	73
20.	CONCLUSION	77

1. QUALIFICATIONS AND EXPERIENCE

- 1.1** My full name is Rachel Grace Morgan. I hold the position of Director and Planner at Barker & Associates and have over 16 years of experience in resource management, and particularly in planning strategy and District Plan development across New Zealand.
- 1.2** I hold the qualifications of Master of Planning Practice (First Class Honours) and a Bachelor of Arts from the University of Auckland. I am a full member of the New Zealand Planning Institute.
- 1.3** Recent relevant experience includes working with various Councils around New Zealand on their National Policy Statement on Urban Development plan changes, plan reviews, and Future Development Strategies. I was involved in the preparation of the Auckland Unitary Plan. I have also recently worked on behalf of private clients on various private plan changes, including several private plan changes in Drury, Auckland.
- 1.4** I have worked with Queenstown Lakes District Council (**Council** or **QLDC**) as an expert planning witness for the Tussock Rise appeal on the Proposed District Plan (**PDP**). I am generally familiar with the Queenstown and Wānaka parts of the Queenstown Lakes District and visited each of the sites subject to this evidence in May 2025.
- 1.5** Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

2. INTRODUCTION

2.1 In this section 42A report, I provide recommendations to the Hearings Panel on the submissions and further submissions received on the proposed Urban Intensification Variation to the PDP (**UIV**) mapping/zoning changes in Queenstown/Whakatipu and Wānaka for the Residential Zones. I do not address submissions requesting changes to residential rezonings in Arrowtown or Hawea as these are addressed by Ms Amy Bowbyes and Ms Corinne Frischknecht, respectively.

2.2 The Residential Zones in Queenstown/Whakatipu and Wānaka that I address are:

- (a) High Density Residential Zone (**HDRZ**);
- (b) Medium Density Residential Zone (**MDRZ**); and
- (c) Lower Density Suburban Residential Zone (**LDSRZ**).

2.3 I was not involved in the preparation of the notified UIV.

2.4 I have grouped my analysis of these submission points into topics by area as follows:

- (a) Area 1: East of Queenstown Gardens – Land from Park Street to Cecil Road
- (b) Area 2: Northeast of Queenstown Town Centre and Frankton Road
- (c) Area 3: Fernhill
- (d) Area 4: Remarkables Park
- (e) Area 5: Bridesdale
- (f) Area 6: Arthurs Point
- (g) Area 7: Frankton Road
- (h) Area 8: MDRZ around Wānaka – South and west of the Wānaka Town Centre
- (i) Area 9: East of Wānaka Town Centre
- (j) Area 10: South of Business Mixed Use in Wānaka
- (k) Area 11: West and east of Business Mixed Use in Wānaka
- (l) Area 12: Three Parks
- (m) Area 13: North Wānaka

(n) Area 14: Wānaka South.

- 2.5** For each area, I summarise the key issue(s) and relief sought in the submissions, consider whether the relief sought better achieves the relevant objectives of the applicable policy documents, and evaluate the appropriateness, including costs and benefits, of the requested changes in terms of section 32AA of the Resource Management Act 1991 (**RMA**).
- 2.6** The section 32AA evaluations contain a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Therefore, recommendations on editorial, minor, and consequential changes that improve the effectiveness of provisions without changing the policy approach are not re-evaluated.
- 2.7** My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.
- 2.8** Multiple submission points were received for a given topic/area, which often spatially overlap and/or seek different outcomes. To assist with orientation, I provide a map for each area in the evidence below and generally identify the location of sites referred to in submissions. This includes references to individual submission numbers. I also provide specific maps where relevant and necessary to aid with the analysis and spatial interpretation of the issues. I do not do this for every submission point given their volume. Reference to the individual submission and the summary of submissions will be necessary.
- 2.9** When evaluating the submissions, I refer to and rely on the evidence of:
- (a) Mr Cameron Wallace, Urban Designer, Barker and Associates (**B&A**) – Urban Design;
 - (b) Ms Susan Fairgray, Economic Geographer, Market Economics (**M.E.**) – Economics;
 - (c) Mr Richard Powell, Senior Infrastructure Development Engineer, QLDC – Infrastructure;

- (d) Ms Amy Bowbyes, Principal Policy Planner, QLDC – s42A report for Strategic Overview; and
- (e) Ms Corinne Frischknecht, Senior Policy Planner, QLDC – s42A reports for Residential Zones.

2.10 The key documents I have used, or referred to, in this evidence is as follows are:

- (a) National Policy Statement on Urban Development (**NPSUD**);
- (b) Proposed Urban Intensification Variation – Section 32 Report (**s32**);
- (c) Queenstown Lakes Proposed District Plan (**PDP**);
- (d) Queenstown Lakes Operative District Plan (**ODP**);
- (e) Regional Policy Statement 2019 for Otago (**ORPS 19**);
- (f) Proposed Otago Regional Policy Statement 2021 (**PORPS 21**) - decisions version;
- (g) Queenstown Lakes Spatial Plan 2021 – 2050 (**Spatial Plan**);
- (h) QLDC Ten Year Plan 2024-2034 (**LTP**);
- (i) QLDC Annual Plan 2023-2024 (**AP**);
- (j) QLDC Housing & Business Capacity Assessments (**HBA**) (2021)

2.11 My recommendations for accepting or rejecting submission points is included in Appendix 2 to the Strategic S42A Report (**Strategic Evidence Appendix 2**) alongside a summary of the relief sought in the submissions.

2.12 Where a submission is in support of notified mapping and no other submissions have been received on that mapping, I have not addressed the submission point. I recommend that these submission points are accepted, as shown in **Strategic Evidence Appendix 2**.

2.13 Where a submission opposes mapping and does not provide any reasons, I have not addressed the submission point. I recommend that these submission points are rejected, as shown in **Strategic Evidence Appendix 2**.

3. SCOPE OF THE UIV AND REZONING REQUESTS

3.1 The scope of the notified UIV is set out in the evidence of Ms Bowbyes¹. Relying on legal advice, Ms Bowbyes states that the following requests contained in submissions are not within the scope of the UIV:

- (a) Land that is not within the Urban Growth Boundary (**UGB**)²;
- (b) Land that is within the UGB but is currently zoned as an Operative District Plan (**ODP**) zone³; and
- (c) Provisions that seek changes to the provisions that are not related to heights and densities e.g. visitor accommodation activities.

3.2 Relying on the evidence of Ms Bowbyes, I do not address rezoning requests that fall within categories (a)-(b). Where scope issues arise from the relief sought in submissions seeking rezoning I address these on a case-by-case basis in my evidence below. Where my opinion is that the relief sought in these submissions is not within the scope of the UIV, for this particular category of submissions, I still engage with the issues raised and the merits of what is sought, should the Panel find that those submissions are within the scope of the UIV.

4. PLANNING CONTEXT

Statutory Matters

4.1 The relevant statutory context for the UIV is set out by Ms Bowbyes Strategic s42A⁴ and I do not repeat that here. In terms of Section 32/32AA, zoning is a mapped rule in the District Plan and is therefore a 'provision'. My analysis below therefore examines the extent to which the zone is most appropriate to achieve the objectives.

4.2 The submissions I assess in this evidence seek to apply a different zone to that notified in the UIV. The relevant objectives in this case are therefore those

1 Refer to Section 9 of Ms Bowbyes strategic evidence.

2 These include submission points 45.1, 56.3, 56.4, 404.1, 404.2, 73.3, 473.4, 481.1, 681.2, 681.3, 681.4, 681.5, 681.6, 681.7, 681.8, 681.9, 711.2, 711.3, 840.16.

3 These include submission points 191.1, 191.3, 679.6, 1041.2.

4 Refer to Section of Ms Bowbyes strategic evidence.

contained in Chapter 3 – Strategic Direction and Chapter 4 – Urban Development, which are largely unchanged by the UIV. These chapters of the PDP set out the strategic approach to growth management for Queenstown Lakes and contain specific growth policies for the Whakatipu Basin and Upper Clutha Basin. As explained by Ms Bowbyes⁵, the objectives and policies in Chapter 3 and 4 are considered to give effect to the urban growth and form objectives and policies of the Operative (**ORPS**) and Proposed Otago Regional Policy Statement (**pORPS**). I agree with this statement.

- 4.3** The Section 32 Report⁶ for the UIV refers to UFD-P3 of the pORPS which addresses urban intensification specifically. This policy has been amended since the UIV was notified (through ORC's decision on the pORPS) and is subject to appeal. I understand that the live appeals seek to insert a new limb into the policy and address how urban intensification is managed in respect of reverse sensitivity effects on existing and planned infrastructure and ensuring that intensification does not compromise the safe and efficient ongoing use of nationally or regionally significant infrastructure. I understand appeals do not seek to change the rest of UFD-P3, and therefore it remains relevant as it directly implements Policy 5 of the NPSUD. It states:

Manage intensification in urban areas, so that as a minimum it:

- (1) contributes to establishing or maintaining the qualities of a well-functioning urban environment,*
- (2) is well-served by existing or planned development infrastructure and additional infrastructure,*
- (3) enables heights and densities that meets the greater of demonstrated demand for housing and/or business use or the level of accessibility provided for by existing or planned active transport or public transport,*
- and*
- (5) addresses issues of concern to iwi and hapū, including those identified in any relevant iwi planning documents.*

5 Refer to paragraphs 5.29-5.30 of Ms Bowbyes strategic evidence.

6 Refer to Section 5.1.1 of the Section 32 Report for the UIV.

- 4.4** This proposed pORPS policy is relevant to the rezoning topic, which the UIV must have regard to, as is Policy 1, 2, 5 and 6 of the NPSUD itself which the UIV must give effect to.

Key Issues and Zoning Approach

- 4.5** The evidence of Ms Bowbyes sets out the key policy drivers and resource management issues that the UIV seeks to address. I rely on that analysis in the assessment below.

- 4.6** The Section 32 report for the UIV sets out the methodology used to determine the zoning pattern applied in the notified UIV. This methodology is at a broad scale and addresses the Residential Zones strategically. In terms of defining the exact boundaries, a range of matters informed the notified boundaries of the Residential Zones including primarily the accessibility and relative demand analysis and the residential development capacity analysis.⁷ Translating this to mapped zone extents requires planning judgement and there is some flexibility in how they are applied depending on the site and environmental context.

- 4.7** As I understand it, the mapped zoning approach applied to the Residential Zones in the notified UIV is broadly summarised below. This was informed by a relative demand assessment for the Whakatipu and Wānaka wards⁸.

(a) In Queenstown:

- (i) Extend the operative HDRZ generally within close walking distance of the Queenstown Town Centre (800m / 10 minutes) in areas with a high level of accessibility;
- (ii) Extend the MDRZ within a moderate walking distance of the Queenstown Town Centre and Frankton and taking into account the level of relative demand on Queenstown Hill;

(b) In Wanaka:

- (i) Extend the MDRZ to the north and east of the Wanaka Town Centre recognising that the area is within a moderate walking distance (1200m / 15 minute) of the Wanaka Town Centre;

⁷ Refer to Appendix 3 of the s32 report – Accessibility and Demand Analysis – Method Statement.

⁸ Refer to Section 4 and Section 6 of Susan Farigray's EIC for further detail on how this was applied.

- (c) Apply the LSDRZ in other residential locations;
- (d) Retain existing Operative HDRZ and MDRZ locations recognising that they have been historically identified as being suitable for higher density forms of housing, however provide for lower heights in some historic HDRZ and MDRZ areas that have lower accessibility or significant constraints;
- (e) Use roads and natural features as zoning boundaries where possible and appropriate; and
- (f) Apply a coherent zoning pattern that provides logical transitions between high, medium and low density residential zones.

4.8 The evidence of Cam Wallace addresses submissions seeking residential rezoning from an urban design perspective. Mr Wallace draws from the accessibility analysis he undertook for the notified UIV. I rely on Mr Wallace's evidence where stated below.

4.9 The evidence of Susan Fairgray addresses submissions seeking residential rezoning from an urban economics perspective. Ms Fairgray relies on updated residential demand projections dated March 2025 and notes that these are 40% higher in the long term than the assessment undertaken to inform the UIV. However, it is important to bear in mind that Ms Fairgray's development capacity analysis does not take into account future urban areas identified in the Queenstown Lakes Spatial Plan 2021. While the Spatial Plan is not a Future Development Strategy and therefore does not technically meet the definition of plan-enabled capacity,⁹ the development capacity it identifies remains relevant for the long term. Because this has not been factored into Ms Fairgray's development capacity analysis, in practice the development capacity numbers are likely to be understated in the long term. Ms Fairgray also assesses the matter of relative demand although does not apply/map this spatially. I refer to Ms Fairgray's discussion on these matters where relevant below.

4.10 The evidence of Richard Powell addresses the capacity of the three waters infrastructure networks to cater for the level of growth enabled by the notified UIV and that sought by submitters. Like every fast growing region in New Zealand,

9 Refer to clause 3.4 of the NPSUD.

Queenstown Lakes has infrastructure challenges and funding constraints that influence the speed at which the Council can provide infrastructure to support urban growth. This matter is relevant to the issue of zoning, to the extent that urban development must be integrated/coordinated with existing and proposed infrastructure (Objectives 3.2.2.1 / 4.2.2A/4.2.2.1). This integration occurs through a range of methods both within and outside of the District Plan.

- 4.11** Integration occurs at a strategic / city-wide level through the Long Term Plan and Annual Plan processes, where funding priorities can shift over time according to need and new information. Integration also occurs at the individual development scale via the resource consent and the engineering acceptance process. The Council is also able to publish information about capacity in its infrastructure networks as and when required. For these reasons, in my opinion, within the UGB a zoning response to infrastructure constraints is unnecessary unless those constraints are fundamental and cannot be reasonably or practicably resolved. Based on the evidence of Mr Powell, there are no such areas within the UGB in Whakatipu or Wanaka and I refer to this where relevant below.

5. RESIDENTIAL ZONE AMENDMENTS

- 5.1** The evidence of Ms Frischknecht (MDRZ and HDRZ) and Ms Bowbyes (LDSRZ) assesses submissions requesting amendments to the Residential Zone provisions, including the proposed changes to the built form standards contained in the notified UIV. Below I provide a highly summarised version of the relevant residential zone provisions that are relevant to this evidence, including the additional amendments recommended in the evidence of Ms Frischknecht and Ms Bowbyes. This provides context for my discussion on the mapped extent of these zones.

Key bulk and location provisions	HDRZ (42A recommendations)	MDRZ (42A recommendations)	LDSRZ (42A recommendations)
Density	N/A	N/A	One unit per 450m ² One unit per 300m ² average- RDA
Building height	General and Three Parks - 16.5m Wanaka excluding Three Parks – 12m Frankton North – 20m Kawerau Falls – 10m Special height controls apply south of SH6A	General – 11m + 1m for roof form Arthurs Point & Queenstown Hill – 8m	General – 8m Kawerau Heights – 4.5m – 6m
Building coverage	General - 70% Frankton North – 75%	General - 45% Frankton North – 50%	40%
Recession planes	8m & 60 degrees / 8m & 45 degrees on the southern boundary	Southern boundary – 4m & 35 degrees Other boundaries – 4m & 60 degrees	Northern – 2.5 & 55 degrees Western – 2.5m & 45 degrees Southern – 2.5m & 35 degrees
Landscaped permeable area	20%	25%	30%
Building length	Maximum 30m	Maximum 24m	Maximum 16m
Boundary setbacks	1.5m from all boundaries / 3.5m for buildings above 10m 4.5m from a state highway & for garages Excludes Frankton North	3m from road boundary / 1.5m from other boundaries 4.5m from a state highway	4.5m road boundary / 2m from other boundaries

Outlook space	4 m x 4m – main living room 1m x 1m – all other habitable rooms		4m building separation for detached residential units on the same site
Outdoor living space	N/A	20m ² ground floor / 8m ² balcony & 1.8m depth / can be grouped	N/A
Four or more residential units	Restricted discretionary needing design assessment		Complying residential units permitted

6. AREA 1: EAST OF QUEENSTOWN GARDENS – LAND FROM PARK STREET TO CECIL ROAD

Issues raised in submissions

- 6.1** Area 1 includes the land in the area from Park Street to Cecil Road, encompassing Brisbane Street, Hobart Street, Adelaide Street, Frankton Road and The Terrace to the east of the Queenstown Gardens.
- 6.2** Under the PDP the zoning of this area is a mix of MDRZ, HDRZ and LDSRZ as shown on Figure 1. The notified UIV sought to amend the zoning within this area to HDRZ.
- 6.3** 35 submissions points and 55 further submissions points have been received regarding the zoning of this area. The relief sought by the submitters is shown spatially on the plan at Figure 2. The key issues raised in submissions, which seek changes to the notified UIV are summarised as follows:
- (a) Restrict the UIV to the centre of Queenstown on the hill where ‘height matters less’¹⁰;
 - (b) Oppose the notified HDRZ and apply the operative MDRZ or retain the LDSRZ and the existing height rules¹¹. This includes opposition to the mapped extent and the proposed rules of the MDRZ and HDRZ¹²;
 - (c) Oppose the rezoning of MDRZ land to the west of 19 and 23 Adelaide Street and the LDSRZ land to the east to HDRZ¹³;
 - (d) Retain the operative LDSRZ for the Park Street Study Area shown in Submission 758 below¹⁴;
 - (e) As an alternative to rezoning, the height provisions in the Hobart Street, Park Street and Frankton Road block are set at a much lower height than proposed for other HDRZ areas¹⁵; and
 - (f) Apply a Special Character Area overlay over the area bounded by Hobart St, Park St and Frankton Rd¹⁶.

10 Submission point 93.2.

11 Submission point 1232.10

12 Submission points 413.3, 705.3, 705.3; 93.1, 737.2.

13 Submission point 1167.2.

14 Submission point 758.2.

15 Submission point 556.1.1232.4

16 Submission point 413.3.1232.2



Figure 1: PDP zoning in Area 1.

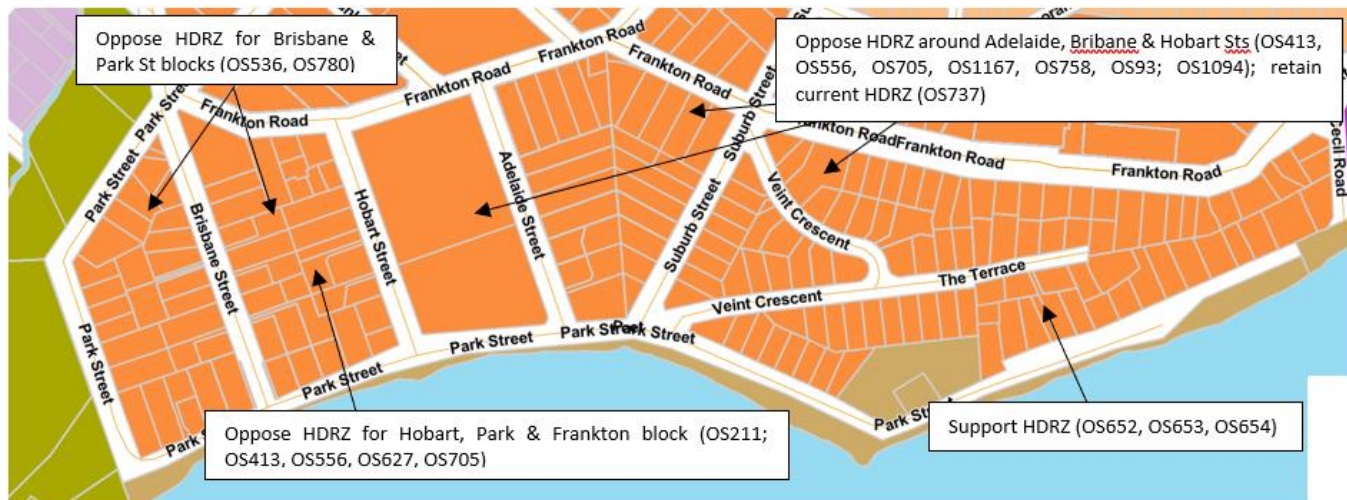


Figure 2: Notified UIV zoning and general location of submissions in support and opposition.

Analysis and discussion

- 6.4** I support applying the HDRZ as per the notified UIV to Area 1 (at both ends of Park Street) as shown in Figure 2 above. I do not agree with submitters that seek to retain the existing zoning, apply a lower density zone or otherwise reduce heights and densities within zone rules.
- 6.5** Mr Wallace addresses Area 1 in Section 15 of his Evidence. In relation to the area around the Queenstown Town Centre he states that these locations are all in close proximity (or immediately adjacent) to the Queenstown Town Centre and generally surrounded by the HDRZ under the current PDP provisions. He states that the area was identified in the Accessibility and Demand Analysis as performing particularly well relative to all other urban areas in the District. The proximity to not only the Queenstown Town Centre but open spaces, cycle routes and public transport services combined with the natural amenity afforded by their lake front positioning as well as the size of existing parcels mean it is, in his opinion, very well suited to supporting higher density residential uses.
- 6.6** The evidence of Ms Fairgray states her support for retaining the notified UIV zones in this area. In her view, the submissions apply to areas of high relative demand that is commensurate with the development opportunity enabled by the notified UIV. She further considers that lower density land uses (that would be encouraged by the LDSRZ on several of these areas) would result in an inefficient use of land within the context of Queenstown's spatial structure. Ms Fairgray also notes that there are higher shares of demand for attached dwellings in the Whakatipu Ward and within this, a higher proportion of the Whakatipu Ward attached dwelling demand is for apartments. On this, Ms Fairgray notes that the estimated demand for apartments is 2,200-6,000 dwellings in the long term, of which demand is mostly concentrated in the Whakatipu Ward.
- 6.7** The evidence of Mr Powell addresses infrastructure capacity for the land surrounding the Queenstown Town Centre. He states that the area has large conveyance infrastructure and projects budgeted for and scheduled within the Long Term Plan (LTP) to provide additional capacity for growth in this area for both water supply and wastewater collection. He states that these projects can be

assessed and increased in size or get completed earlier if an increased growth rate requires it and that on this basis, infrastructure constraints should not be a reason for not allowing further intensification of this area.

6.8 Relying on the analysis undertaken by Mr Wallace, Mr Powell and Ms Fairgray, I support applying the HDRZ for the following reasons:

- (a) As the most intensive residential zone in the UIV, applying the HDRZ would be commensurate with the area's high level of accessibility and high relative demand for housing when considered relative to other locations in Queenstown (Policy 5) and UFD-P3 of the pORPS.
- (b) If the development opportunity enabled by the HDRZ is taken up, this would result in a change in amenity values from the existing environment, including visual amenity, privacy and sunlight. I note that the PDP zoning already anticipates a change to amenity values from the existing environment through the LDSRZ, MDRZ and HDRZ although not to the same degree as the notified UIV. In the context of high residential demand for apartments, in Queenstown and the need to use land efficiently (s7(b)), particularly in accessible locations, the potential benefits of enabling greater development in terms of housing choice and affordability for Queenstown, in my view outweigh the potential costs to existing residents in terms of changes to amenity values, noting that these effects can be managed to an extent through effective site layout and design.
- (c) Applying the HDRZ would more efficiently and effectively achieve a compact, well designed and integrated urban form that provides a mix of housing opportunities (Strategic Objective 3.2.2), by providing more opportunities for development to occur in a highly accessible location with high relative demand. It would also better align with Policy 4.2.2.3, which seeks an increased density of well-designed residential development in close proximity to the Queenstown Town Centre.
- (d) Relying on the evidence of Mr Powell, development can be effectively integrated with existing and proposed infrastructure over time (Policy 3.2.2.1).

- 6.9** I do not support applying a Special Character Area over the area bounded by Hobart Street, Park Street and Frankton Road. While there are listed heritage features in the area as observed by submitter 413, the wider area has not been assessed as having heritage or character values that warrant protection under the District Plan. However, I would consider any evidence put forward by the submitter on this matter.
- 6.10** A number of submitters raise concerns about the impact of intensification of parking and transport generally in the area. For example, submitter 413 observes that the area is subject to significant parking pressures that have been exacerbated by the recent removal of Council parking to accommodate the Queenstown Arterial Road. The submitter states that further intensification would make this matter worse. Ms Bowbyes addresses this matter generally in her evidence from paragraph 12.7. I defer to Ms Bowbyes on those matters. Regarding Area 1 specifically, the location is well connected to the surrounding roading network and is generally within a walkable distance to the Queenstown Town Centre. Based on my observations, on-street parking is limited, however, by removing the requirement for parking minimums, the NPSUD is directing Council's to generally allow the market to dictate parking provision. Ms Bowbyes sets out the programme of works that the Council is undertaking to manage parking provision and travel demand management that sit outside of the District Plan¹⁷. These methods are intended to address the matters raised by the submitters.
- 6.11** Submitter 758 outlines concerns with the notified HDRZ in the Park Street Study Area, being the land generally to the north of The Terrace and Frankton Road at the eastern end. The submitter observes that many of the sites have been recently developed and that the area is therefore unlikely to contribute to development capacity. On this point I note that neighbourhoods generally contain a mix of housing types developed at different times, reflecting the development cycle and landowner aspirations. This is unlikely to be a defining feature of this area when compared with other parts of Queenstown and should not in my opinion be a key driver of zoning decisions.

17 Refer to paragraphs 12.10-12.16 of Ms Bowbyes strategic evidence.

- 6.12** Submitter 758 also raises concerns about shading impacts on Jubilee Park, and within the area generally. Mr Wallace has considered this and states that there is insufficient detail provided in the shading diagrams provided with the submission, and it is not clear how other standards have been incorporated. He further states that additional shading should not be determinative of whether to enable intensification as this would negate any meaningful attempts to enable intensification around the Queenstown Town Centre. I generally agree with Mr Wallace, and note that there is high demand for apartments in the Whakatipu Ward and land on the lower side of Frankton Road is well suited for higher density housing owing to its accessibility to the Queenstown Town Centre and its more favourable topography. However, I would consider any technical evidence put forward by the submitter on amenity effects on Jubilee Park.

Recommendation and Section 32AA Evaluation

- 6.13** Retain the HDRZ as set out in the UIV.
- 6.14** No Section 32AA evaluation is required as no changes to the notified UIV are proposed.

7. AREA 2: NORTHEAST OF QUEENSTOWN TOWN CENTRE AND FRANKTON ROAD

Issues raised in submissions

- 7.1** Area 2 relates to zoning of land in the area northeast of Queenstown town centre and Frankton Road, including land between Edgar Street to the east and Panorama Terrace / Windsor Place to the west. Under the PDP the zoning of this area is a mix of MDRZ, HDRZ and LDSRZ (refer Figure 3).
- 7.2** Under the notified UIV, the main change in this area is the proposed rezoning of existing LDSRZ to MDRZ, with some LDSRZ proposed to be rezoned HDRZ near the lower sections of Dublin Street and Suburb Street. 29 submissions points and 21 further submission points have been received in relation to the zoning of this area, the general location of land subject to submissions in this area is shown in Figure 4 below. The key issues raised in submissions, which seek changes to the notified UIV are summarised as follows:

- (a) Oppose the change to HDRZ for specific properties or streets including York Street, Suburb and Dublin Street and requests that it revert to the operative zoning¹⁸;
- (b) Oppose the change to MDRZ for specific properties or streets including Suburb Street, Kent Street and Belfast Street¹⁹;
- (c) Amend provisions to ensure that there should be no more than 12 residential dwellings served by the privately owned/Council maintained York Street Right of Way²⁰;
- (d) Retain the operative zoning for the block of land bounded by Hallenstein, Edgar, Kent and York Streets²¹;
- (e) Support the increased height limit and recession planes for the HDRZ within the Edgar Street locality at 7 and 5 Edgar Street in particular²²;
- (f) Support proposed rezoning of 43, 45, 47, 49, 62, 66 and 67 Suburb Street, and Lot 1 DP 502401 (and wider area on the northern side of Frankton Road) from LDSRZ to MDRZ²³;
- (g) A number of submitters oppose rezoning in the vicinity of Panorama Terrace and seek to retain the operative height limits and zoning²⁴;
- (h) Request consistent zoning for properties at 1-18 Panorama Terrace and that all of these properties be rezoned to HDRZ or alternatively rezoned to MDRZ²⁵; and
- (i) Rezone the “currently isolated” patch of LDSRZ land around Windsor Place /Edinburgh Drive /London Lane (12 property titles) to MDRZ²⁶.

18 Submission points 253.2, 1070.3, 59.1.
 19 Submission points 508.3, 515.5, 517.3, 77.2, 223.1, 82.2, 82.3 and 1368.2.
 20 Submission point 253.2.
 21 Submission points 515.1 and 517.1, 515.2, 517.4.
 22 Submission point 661.8.
 23 Submission point 831.1.
 24 Submission points 1258.1, 657.2, 657.3, 1013.3, 1013.4, 641.3, 641.6.
 25 Submission points 97.1, 97.4, 1077.1 and 1077.4.
 26 Submission point 1024.1.

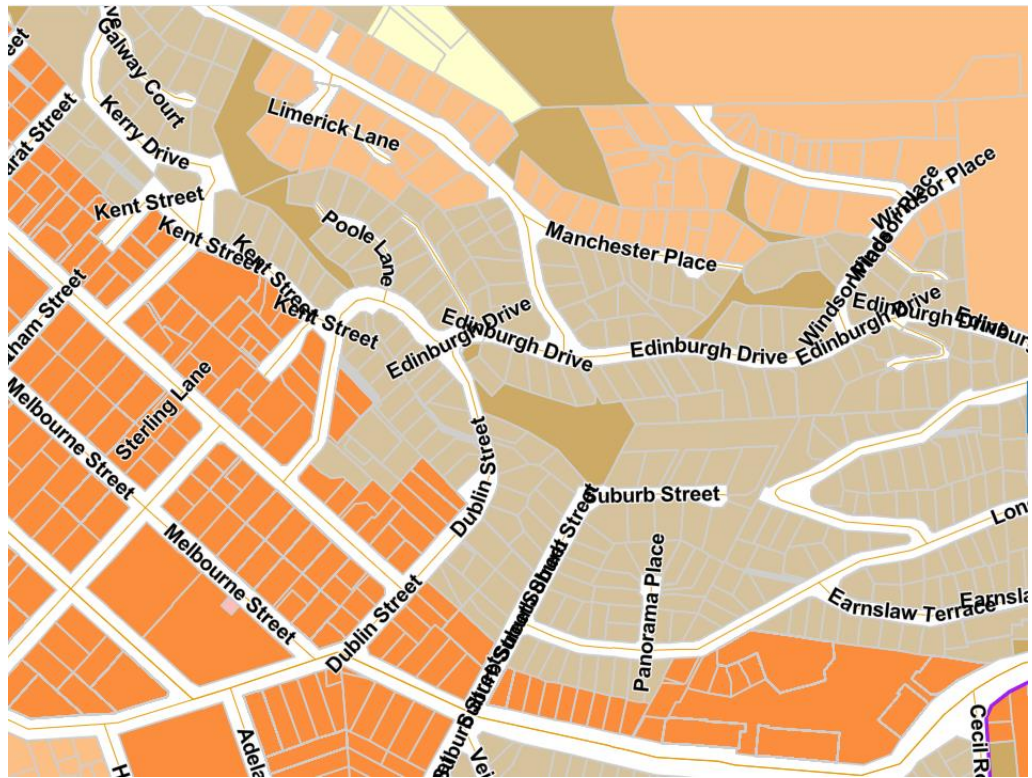


Figure 3: PDP zoning in Area 2.

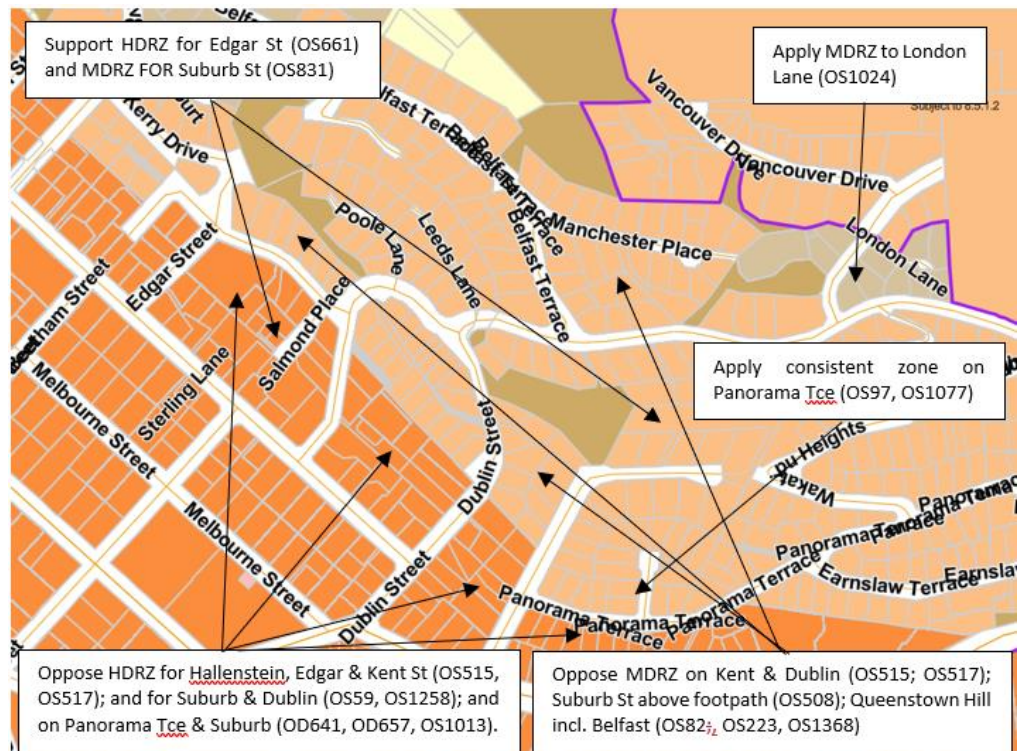


Figure 4: Notified UIV zoning and general location of submissions in support and opposition.

Analysis and discussion

- 7.3** Ms Fairgray has addressed submissions within this area seeking downzoning. Ms Fairgray does not support these submissions from an economic perspective as these requests apply to areas of high relative demand that is commensurate with the development opportunity enabled by the notified UIV.²⁷ Ms Fairgray's comments on the demand for apartments in the Whakatipu ward, which I have detailed in the Area 1 discussion above, equally apply here.
- 7.4** In respect of submissions seeking downzoning within this area Mr Wallace supports the notified zoning pattern on an accessibility basis.²⁸ Mr Wallace notes that in particular the HDRZ eastwards of the Queenstown Town Centre, including around Park, Brisbane, Hobart and Suburb Streets or north-east up Queenstown Hill is in close proximity to the Town Centre, open spaces, cycle routes and public transport services.²⁹ Further the natural amenity afforded by the lake front positioning as well as the size of existing parcels mean it is, in Mr Wallace's opinion, very well suited to supporting higher density residential uses.³⁰ Mr Wallace notes that the UIV includes several standards that will address the concerns raised by submitters in relation to potential impacts on views and sunlight. These include building coverage, yards, building length, recession planes which seek to provide appropriate levels of on-site amenity (including sunshine).
- 7.5** I agree with the expert evidence of Ms Fairgray and Mr Wallace and do not support any downzoning or reduction in height in this area in response to submissions. In my view the proposed application of the MDRZ and the expanded HDRZ within this location would be commensurate with the area's high and moderate levels of accessibility and high relative demand for housing when considered relative to other locations in Queenstown (Policy 5) and UFD-P3 of the pORPS. My evidence above with regard to amenity values in Area 1, equally apply in this location as do my comments on Objective 3.2.2 and Policy 4.2.2.3. I further note that the land on the northern side of Hallenstein and Frankton Street is within the HDRZ under the operative District Plan and intensive multi-unit housing is already well-established

27 EIC Susan Fairgray paragraph 8.6.

28 EIC Cam Wallace paragraph 15.21.

29 EIC Cam Wallace paragraph 15.21.

30 EIC Cam Wallace paragraph 15.21.

in the area. The same can be said for the existing LDSRZ further north, which, while at a lower density, has a mix of housing types and densities with some multi-unit housing developments, consistent with the character of development anticipated by the MDRZ.

7.6 Mr Wallace has addressed submission requests in relation to the properties that seek to extend HDRZ to properties located along the northern edge of Panorama Terrace to avoid buildings of different heights on opposite sides of the road. Mr Wallace is of the view that it is preferable to utilise natural boundaries such as roads, parks, streams or steep topography as opposed to utilising property boundaries which tend to create issues around recession planes when adjoining lower intensity zones³¹. I agree with this statement, and this achieves Objective 3.2.2 and is consistent with Policy 3.2.2.1, both of which seek a logical and integrated urban form. No logical boundary exists on the northern side of Panorama Terrace.

7.7 Mr Wallace has considered the requests to rezone a small number of isolated sites around Windsor Place, northeast of the Queenstown Town Centre from LDSRZ to MDRZ. Mr Wallace notes that while this area has been identified as having relatively low accessibility the adjacent and adjoining sites all fall within the MDRZ with the sites immediately to the north subject to an additional height overlay control of 8m³². To ensure consistency of urban form, Mr Wallace supports extending the MDRZ over this location in addition to the 8m height control³³. I agree that this amendment would support a logical and integrated zoning pattern despite the topography being a barrier to accessibility. The land immediately to the north is subject to Rule 8.5.1.2 which applies an 8m height limit to the MDRZ. Applying this to the block would effectively complete the zoning for the land on the northern side of Edinburgh Drive and enable a consistent built form outcome to be achieved in the future, while acknowledging the location's more challenging topography and consequent lower level of accessibility.

7.8 Submitters raised concerns about transport and stormwater infrastructure in Area 2. Submitter 253 raised concerns about applying the HDRZ to sites accessed from

31 EIC Cam Wallace paragraph 15.33.

32 EIC Cam Wallace paragraph 15.45.

33 EIC Cam Wallace paragraph 15.45.

the York Street right-of-way. The submitter requests that no more than 12 residential dwellings should be served by the York Street right-of-way. PDP Rule 29.5.13(c) already limits the number of sites served by a rear service lane to 12 residential units. It is a restricted discretionary activity to infringe this rule with the safety, efficiency, and amenity of the site and of the transport network being a key consideration. In my opinion, this rule, and any potential infringements to it, is the appropriate planning method for assessing the suitability to site access to cater for more intensive development. This would enable detailed consideration of the site constraints in the context of a specific proposal, noting that vehicle access and parking is not required and may not be provided. Regarding the suitability of the transport network in Queenstown Hill generally, I acknowledge that the area has steeper topography and this is characteristic of Queenstown's landform. As assessed by Mr Wallace, the area has a high to moderate level of accessibility depending on proximity to Frankton Road and the Queenstown Town Centre.

Recommendation and Section 32AA Evaluation

- 7.9** Rezone 2, 4, 5, 6 and 7 Windsor Place, and 3, 4, 5, 6, 7 and 8 London Lane, and 22 Manchester Place from LDSRZ to MDRZ, subject to the 8m height limit for Queenstown Hill as per notified Rule 8.5.1.2.
- 7.10** For the recommended changes I make the following comments with respect to Section 32AA matters, which summarise the analysis already undertaken:
- (a) The recommended amendments to the zoning will more efficiently and effectively achieve the relevant objectives of the PDP, particularly Objective 3.2.3.2 as it will provide for built form that integrates with the adjoining and adjacent sites;
 - (b) The benefits are considered to outweigh the costs. The recommended zoning would support a more consistent and integrated urban form in the future;
 - (c) There is no need to assess the risk of acting or not acting as there is sufficient information available to make a decision on this matter; and
 - (d) For these reasons, I consider that the recommended amendments are more appropriate in achieving the purpose of the RMA than the notified PDP zoning in this location.

8. AREA 3: FERNHILL

Issues raised in submissions

- 8.1** Area 3 includes the residential land at Fernhill. Refer Figure 5 for the PDP zoning in this area. Zoning in this area is a mix of LDSRZ and MDRZ. No change to the zoning in this area is proposed through the notified UIV.
- 8.2** Three submissions have been received in relation to zoning at Fernhill. The relief sought by the submitters is shown spatially on the plan at Figure 5. The key issues raised in submissions, which seek changes to the notified UIV are summarised as follows:
- (a) Rezone 139 Fernhill Road, 10 – 18 Richards Park Lane and 18 – 22 Aspen Grove MDRZ, and include these properties within the Visitor Accommodation Sub-Zone of the Proposed District Plan³⁴; and
 - (b) Support the mapping for Fernhill as notified and request that 45 Wynyard Crescent be rezoned MDRZ to match zoning of adjacent sites ³⁵.

34 OS1263.2.

35 OS439.2, OS439.4.

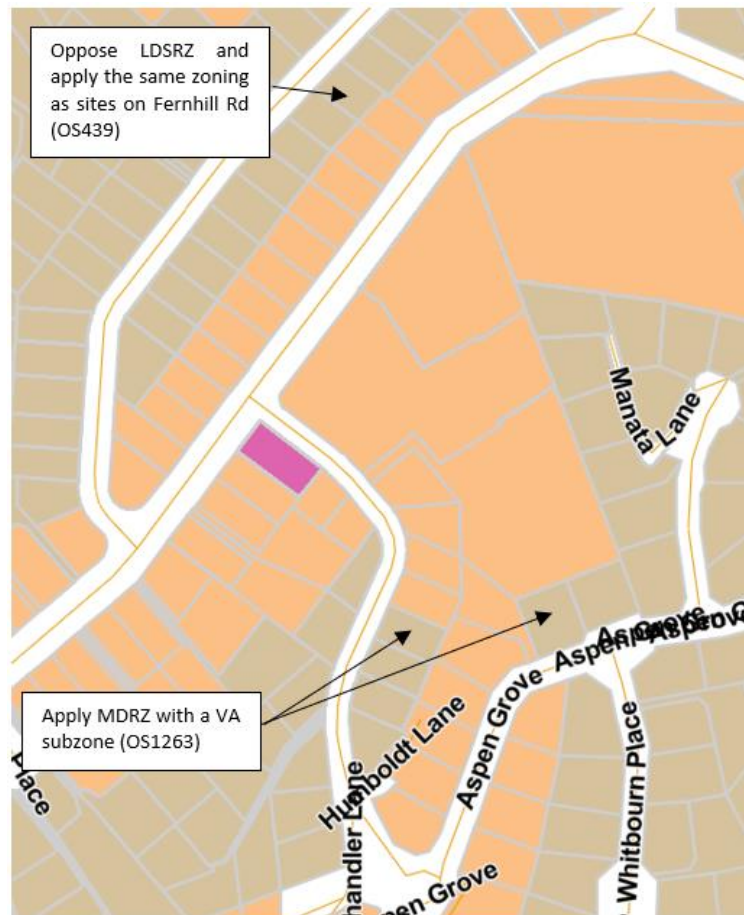


Figure 5: PDP zoning in Area 3 which is unchanged by the notified UIV. Also showing the general location of submissions in support and opposition.

Analysis and discussion

8.3 Ms Fairgray supports the application of the MDRZ to these sites from an economic perspective.³⁶

8.4 Mr Wallace notes that Fernhill performed relatively poorly in the Accessibility and Demand Analysis.³⁷ From a pragmatic perspective however, he supports the inclusion of the additional site at 18 Richards Park Road within the MDRZ.³⁸ In Mr Wallace's view this will ensure the entirety of Coherent Hotel's undeveloped

36 EIC Susan Fairgray paragraph 8.41

37 EIC Cam Wallace paragraph 15.53.

38 EIC Cam Wallace paragraph 15.53.

landholdings is included within the MDRZ to encourage redevelopment.³⁹ He is satisfied that this will not give rise to adverse urban design effects.⁴⁰

8.5 I agree with Mr Wallace that the application of the MDRZ to 18 Richards Park Road will result in a logical zoning pattern and enable comprehensive redevelopment of a larger landholding, despite it having a relatively lower level of accessibility. I note that this development (two-four storeys) is currently underway and includes the site at 18 Richards Park Road.⁴¹ I also acknowledge Ms Fairgray's evidence that there is market demand that supports this change in zoning. The site at 18 Aspen Grove is not within the extent of the visitor accommodation development currently underway, although I understand that the site is owned by the developer and has resource consent to operate visitor accommodation on the site for six persons up to 365 nights of the year.⁴² I see the merit in including these sites within the MDRZ as it would enable a coherent and logical zoning boundary to extend to a road boundary and enable the area to be comprehensively developed and managed for visitor accommodation. There are currently resource consents in place that would enable this occur, although I note that this does not include the redevelopment of 18 Aspen Grove.

8.6 The same submitter (1263) has requested to apply the Visitor Accommodation Sub-Zone to 18 Richards Park Road and 18 Aspen Grove in addition to the MDRZ. This sub-zone provides for visitor accommodation as a restricted discretionary activity (PDP Rule 8.4.11). Visitor accommodation in the MDRZ is otherwise a non-complying activity (PDP Rule 8.4.17). These rules are not proposed to be amended through the UIV, however, I see the merit in applying this sub-zone to the sites in this instance, given that they form part of a larger integrated visitor accommodation grouping on Richards Park Land and Fernhill Road, and in the case of 18 Richards Park Lane and 18 Aspen Grove,⁴³ are consented for this use. However, as these rules are not proposed to be amended by the UIV and relate to land use, rather than heights and densities, I note that the UIV itself may not provide scope for this amendment.

39 EIC Cam Wallace paragraph 15.53.

40 EIC Cam Wallace paragraph 15.53.

41 Refer to RM210350.

42 Refer to RM191263.

43 Refer to RM191263.

- 8.7** Regarding the request to include 45 Wynyard Crescent, Fernhill within the MDRZ, the existing MDRZ boundary in this location sits mid-block (between Fernhill Road and Wynyard Crescent) and responds to the significant elevation change between these roads. In Mr Wallace's opinion the existing zone boundary is logically located and no further expansion of the MDRZ in this location is necessary. I agree with Mr Wallace that rezoning 45 Wynyard Crescent to MDRZ is not appropriate given the lack of accessibility and elevation changes between Fernhill Road and Wynyard Crescent. In my view this rezoning request will result in a "spot zone" and will not achieve a logical and integrated built form outcome.
- 8.8** Mr Powell addresses three waters infrastructure capacity at Fernhill and Sunshine Bay and notes that some updates to infrastructure may be needed to support development depending on their location and scale. Given that the rezoning sought applies to two-three standard sized residential sites, in my opinion, three waters infrastructure can be appropriately assessed through a future resource consent process given the small scale.

Recommendation and Section 32AA Evaluation

- 8.9** Rezone 18 Richards Park Road and 18 Aspen Grove from LDSRZ to MDRZ. If the Panel consider there is scope to make this mapping change, , include these sites within the Visitor Accommodation Sub-Zone and subject to rule 8.4.11 of the District Plan.
- 8.10** For the recommended changes I make the following comments with respect to Section 32AA matters, which summarise the analysis already undertaken:
- (a) The recommended amendments to the zoning will more efficiently and effectively achieve the relevant objectives of the PDP, particularly Objective 3.2.3.2 as it will provide for built form that integrates with the adjoining and adjacent sites;
 - (b) The benefits are considered to outweigh the costs. The existing PDP zoning pattern does not align with the existing landholding which will result in an inconsistent planning framework to be applied to redevelopment of the site; and

- (c) There is no need to assess the risk of acting or not acting as there is sufficient information available to make a decision on this matter.

8.11 For these reasons, I consider that the recommended amendments are more appropriate in achieving the purpose of the RMA than the notified PDP zoning in this location.

9. AREA 4: REMARKABLES PARK

Issues raised in submissions

9.1 Area 4 includes the land at Remarkables Park. Refer Figure 6 for the PDP zoning in this area. The PDP zoning in this area is LDSRZ. Parts of the area is proposed to be included in the MDRZ under the notified UIV.

9.2 Three submissions and one further submission point have been received in relation to zoning at Remarkables Park. The relief sought by the submitters is shown spatially on the plan at Figure 7. The key issues raised in submissions, which seek changes to the notified UIV are summarised as follows:

- (a) Retain the existing height and density allowances in Frankton between Riverside Road and the Kawarau River and oppose the proposed MDRZ 11m+1m height standard;⁴⁴ and
- (b) Oppose the proposed rezoning of the Remarkables Crescent, Riverside Road and Kawarau Place area of Frankton, or alternatively reduce the height limit to 8m.⁴⁵

⁴⁴ Submission point 204.2

⁴⁵ Submission points 385.2, 385.1 and 425.2.



Figure 6: PDP zoning for Area 4.

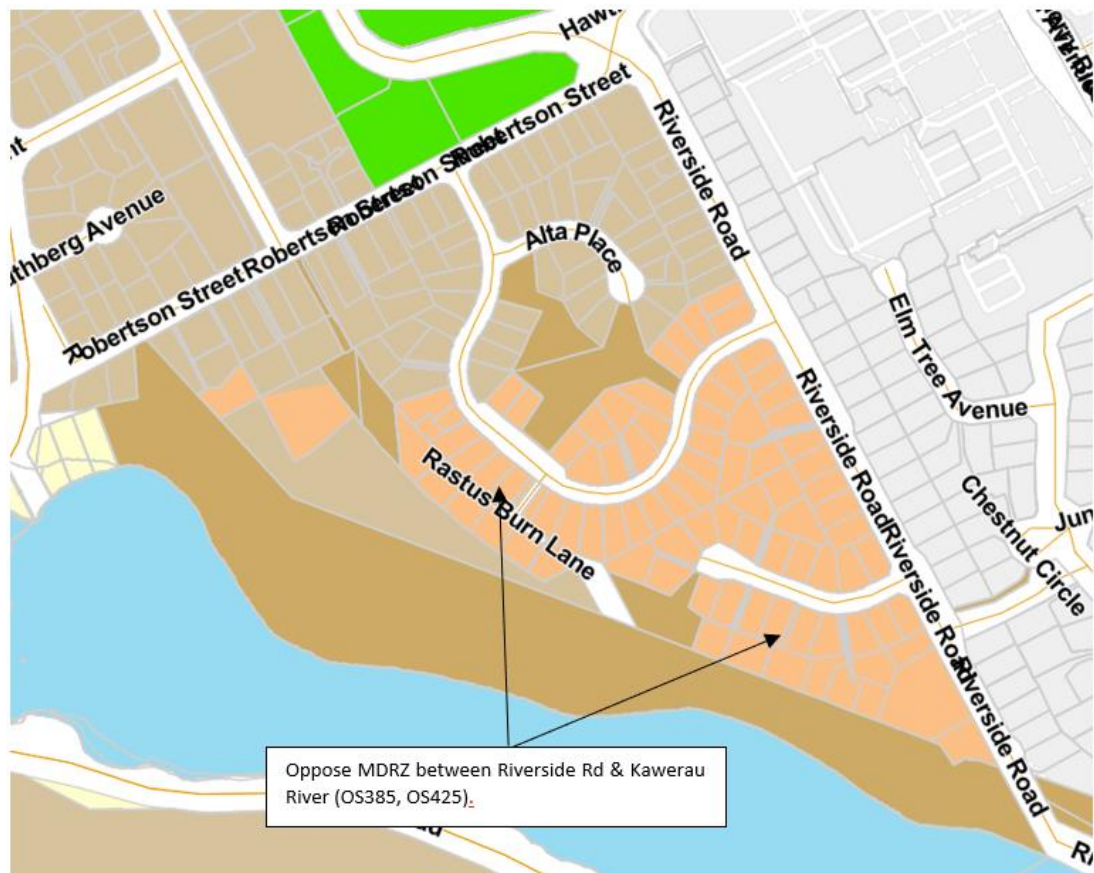


Figure 7: Notified UIV zoning and general location of submissions in support and opposition.

Analysis and discussion

- 9.3** Mr Wallace notes in his EiC that this area performs relatively well in the Accessibility and Demand Analysis owing to its proximity to retail destinations, supermarket, schools, employment opportunities and the hospital. It is also served by public transport providing access to a wider range of destinations and services beyond the immediate area. Ms Fairgray is of the view that intensification in these areas will support the commercial viability of the adjacent centre at Remarkables Park. Ms Fairgray considers that a reduction in height would reduce the feasibility of more intensive attached dwellings, which would reduce the level of residential intensification, and associated economic benefits, in areas surrounding the commercial centre.
- 9.4** Mr Powell comments on infrastructure capacity at Remarkables Park. He states that upgrades for the wider area are included in the current LTP and include upgrades to the Wastewater Pump Stations and conveyance lines as well as increased water Storage at the Quail Rise Reservoir. Further upgrades may be required in the future if development occurs beyond current anticipated growth levels, however Mr Powell notes that this can be reassessed in the future as needed. I take this to mean that there are no fundamental three waters infrastructure constraints for this area.
- 9.5** Relying on the expert advice of Mr Wallace, Ms Fairgray and Mr Powell, I support the zoning and height limits as notified in the UIV in Remarkables Park for the following reasons:
- (a) Applying the MDRZ would be commensurate with the area's moderate level of accessibility and relative demand for housing when considered relative to other locations in Queenstown (Policy 5) and UFD-P3 of the pORPS. I note that the potential for residential intensification in the most accessible parts of Frankton is generally limited by the Air Noise Boundaries for the Airport. The land on the southern side of Remarkables Crescent is located outside of the Air Noise Boundaries but retains a moderate level of accessibility. The proposed rezoning enables this land to be used efficiently in the context of development constraints in the wider area;

- (b) Applying the MDRZ would more efficiently and effectively achieve a compact, well designed and integrated urban form that provides a mix of housing opportunities (Objective 3.2.2), by providing more opportunities for development to occur in a moderately accessible location with moderate relative demand;
- (c) If the development opportunity enabled by the MDRZ is taken up, this would result in a change in amenity values from the existing environment, including visual amenity, privacy and sunlight. However, consistent with the objectives and policies of the MDRZ, development is intended to provide for high quality living environments with reasonable maintenance of amenity values for adjoining residents (Objective 8.2.3) and this is achieved through the rules and requirements for resource consent; and
- (d) Relying on the evidence of Mr Powell, development can be effectively integrated with existing and proposed infrastructure over time (Policy 3.2.2.1).

Recommendation and Section 32AA Evaluation

9.6 Retain the MDRZ and height limits as per the notified UIV.

9.7 No Section 32AA evaluation is required as no changes to the notified UIV are proposed.

10. AREA 5: BRIDESDALE

Issues raised in submissions

10.1 Submitter 860 seeks to change the notified MDRZ area in Bridesdale, Queenstown to LDSRZ or lower the building height to be the same height limit as the LDSRZ in these areas. Figure 8 shows the notified UIV zoning. This zoning pattern has been 'rolled over' from the PDP zoning. The MDRZ applies under the existing PDP, albeit at lower heights and densities.

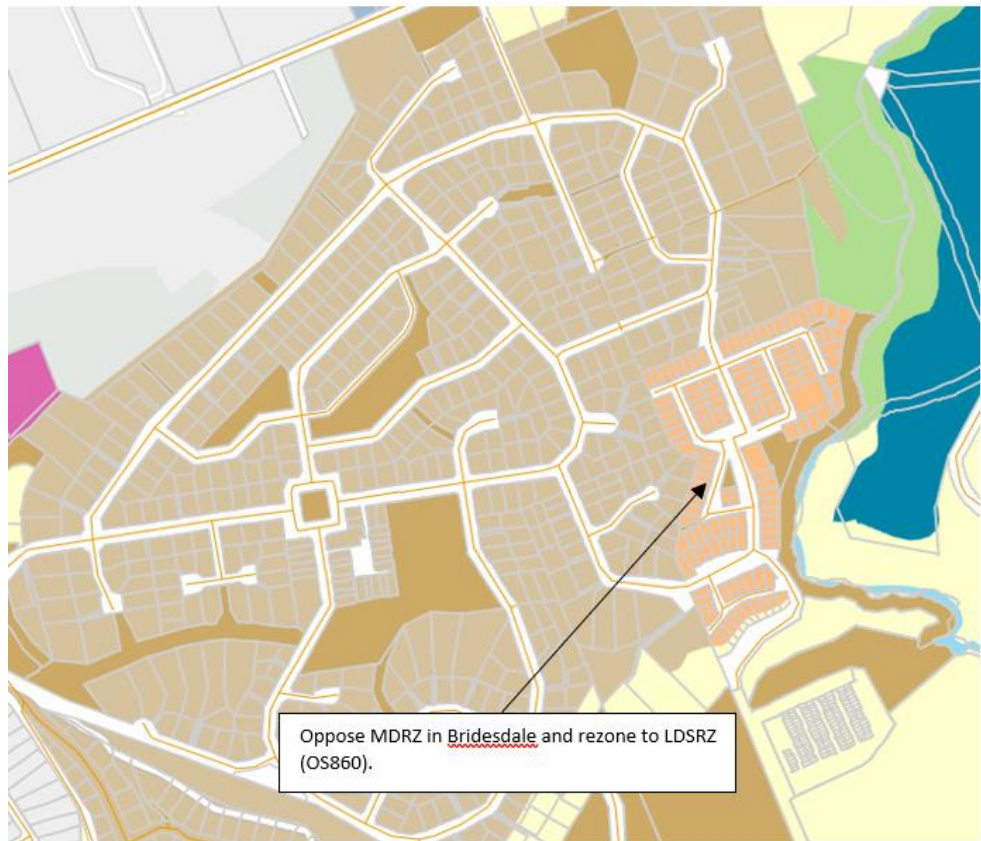


Figure 8: PDP zoning in Area 5 which is unchanged by the notified UIV. Also showing the general location of submissions in support and opposition.

Analysis and discussion

10.2 Having visited the area, I observe that the MDRZ in Bridesdale has been fully built out for a mix of more intensive housing typologies of generally two storeys. In this respect, the built form generally aligns with what is enabled under the PDP zoning and given it has been recently developed the prospect of it being redeveloped or developed further is likely to be limited. Mr Wallace agrees with the submitter that the area performs relatively poorly in terms of its accessibility.⁴⁶ Ms Fairgray also comments on this and states that the PDP zoning would enable an increased dwelling mix that is aligned with the patterns of relative demand in this part of the urban environment.⁴⁷ On the basis that the MDRZ area is fully developed, infrastructure capacity is not a key issue to address.

10.3 On this basis, I partly support the relief sought by the submitter. I recommend retaining the notified MDRZ and applying a maximum 8m height limit to the site via

⁴⁶ EIC Cameron Wallace paragraph 15.25.

⁴⁷ EIC Susan Fairgray paragraph 8.15.

a further amendment to notified Rule 8.5.1. In my opinion, the lower height limit would be commensurate with the lower level of accessibility that the area has and would be consistent with the patterns of relative demand in this location as assessed by Ms Fairgray. In this regard, the recommended amendment would continue to support a compact and well designed urban form (PDP Policy 4.2.2A), while enabling a more appropriate increase in density reflecting its relative location to town centres, public transport routes, community and education facilities (PDP Policy 4.2.2.3).

Recommendation and Section 32AA Evaluation

- 10.4** Retain the MDRZ in Bridesdale and apply a maximum 8m height limit to the site via an amendment to notified Rule 8.5.1.
- 10.5** For the recommended changes I make the following comments with respect to Section 32AA matters, which summarise the analysis already undertaken:
- (a) The recommended amendment to the MDRZ height in this location will more efficiently and effectively achieve the relevant objectives of the PDP, particularly Objective 3.2.3.2, as it will provide for built form that better integrates with the adjoining and adjacent sites. The amendment will also support a compact, integrated and well-designed urban form (PDP 4.2.2A), noting that the area has lower levels of accessibility, and has already been largely built out, with the prospect of further development occurring in the long term being reasonably limited;
 - (b) The benefits are considered to outweigh the costs. There are limited costs as the area has been largely developed and the benefits include a enabling a built form that has greater consistency with the surrounding environment and the area's level of accessibility;
 - (c) There is no need to assess the risk of acting or not acting as there is sufficient information available to make a decision on this matter; and
 - (d) For these reasons, I consider that the recommended amendments are more appropriate in achieving the purpose of the RMA than the notified PDP zoning in this location.

11. AREA 6: ARTHURS POINT

Issues raised in submissions

- 11.1** Area 6 includes the land at Arthurs Point. Refer to Figure 9 for the existing PDP zoning in this area. No changes to underlying zone extents are proposed under the notified UIV, however the MDRZ surrounding the HDRZ is subject to notified Rule 8.5.1.1(a), which limits building heights to 8m.
- 11.2** Nine submissions points and 43 further submission points have been received in relation to zoning at Arthurs Point. The notified UIV zoning and the relief sought by the submitters is shown spatially on the plan at Figure 10. The key issues raised in submissions, which seek changes to the notified UIV are summarised as follows:
- (a) Rezone the land at 117 Arthurs Point Road from LDSRZ to MDRZ and apply the location specific height notified Rule 8.5.1.1(a);⁴⁸
 - (b) Rezone the land at 111 Atley Road (legally described as Lot 1-2 Deposited Plan 518803 held in Record of Title 814337) from Lower Density Residential Zone to MDRZ;⁴⁹
 - (c) Retain the visitor accommodation sub-zone on the MDRZ portion of 157 Arthurs Point Road (Lot 2 DP 331294);⁵⁰ and
 - (d) Remove reference to the Mid Terrace at 182 Arthurs Point Road being affected by proposed Rule 8.5.5.1 (a) and that “any reference to the site at 182 Arthurs Point Road or any other map or rule that distinguishes this site be deleted”.⁵¹

48 Submission point 1383.2.712.1.

49 Submission point 500.1.

50 Submission point 830.4, 832.3, 833.28, 835.18.

51 Submission points 1260.4. and 1260.5.

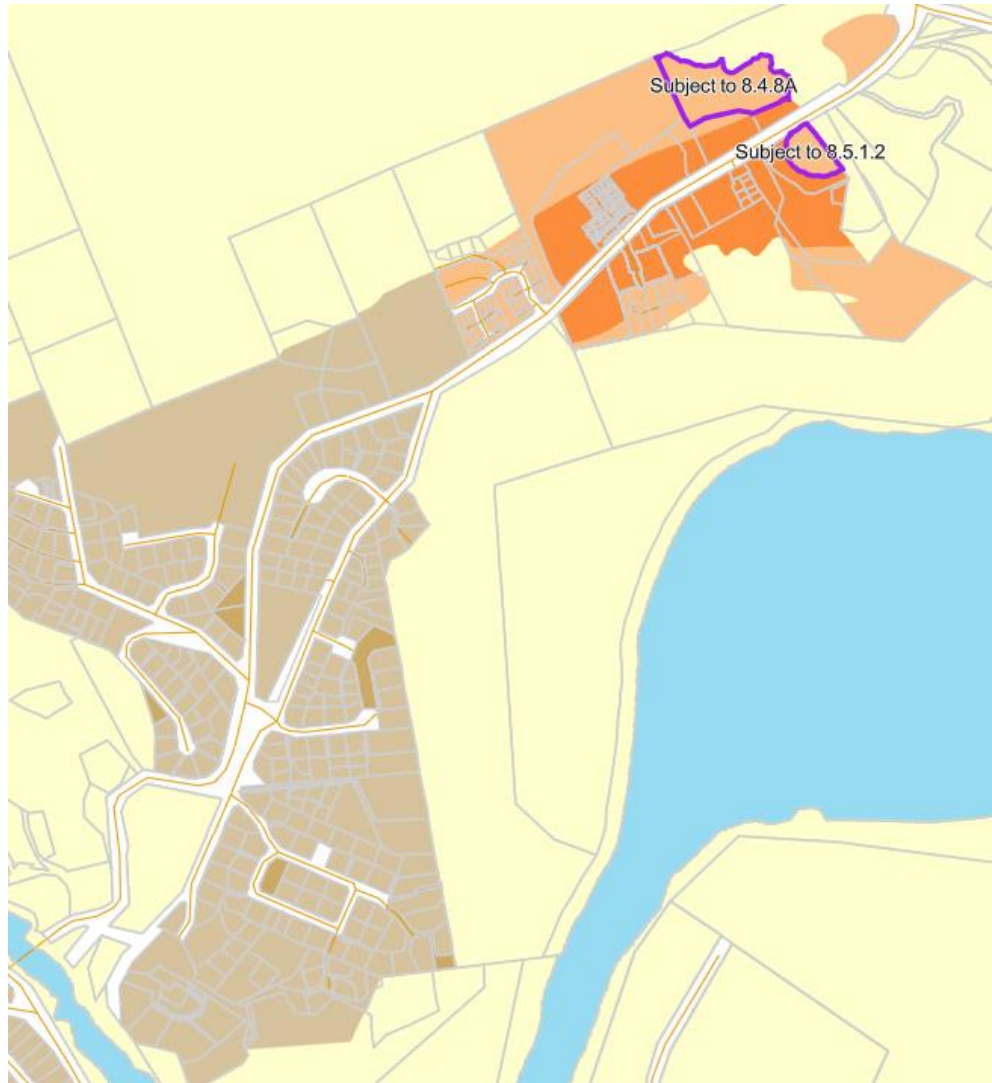


Figure 9: PDP zoning for Area 6.

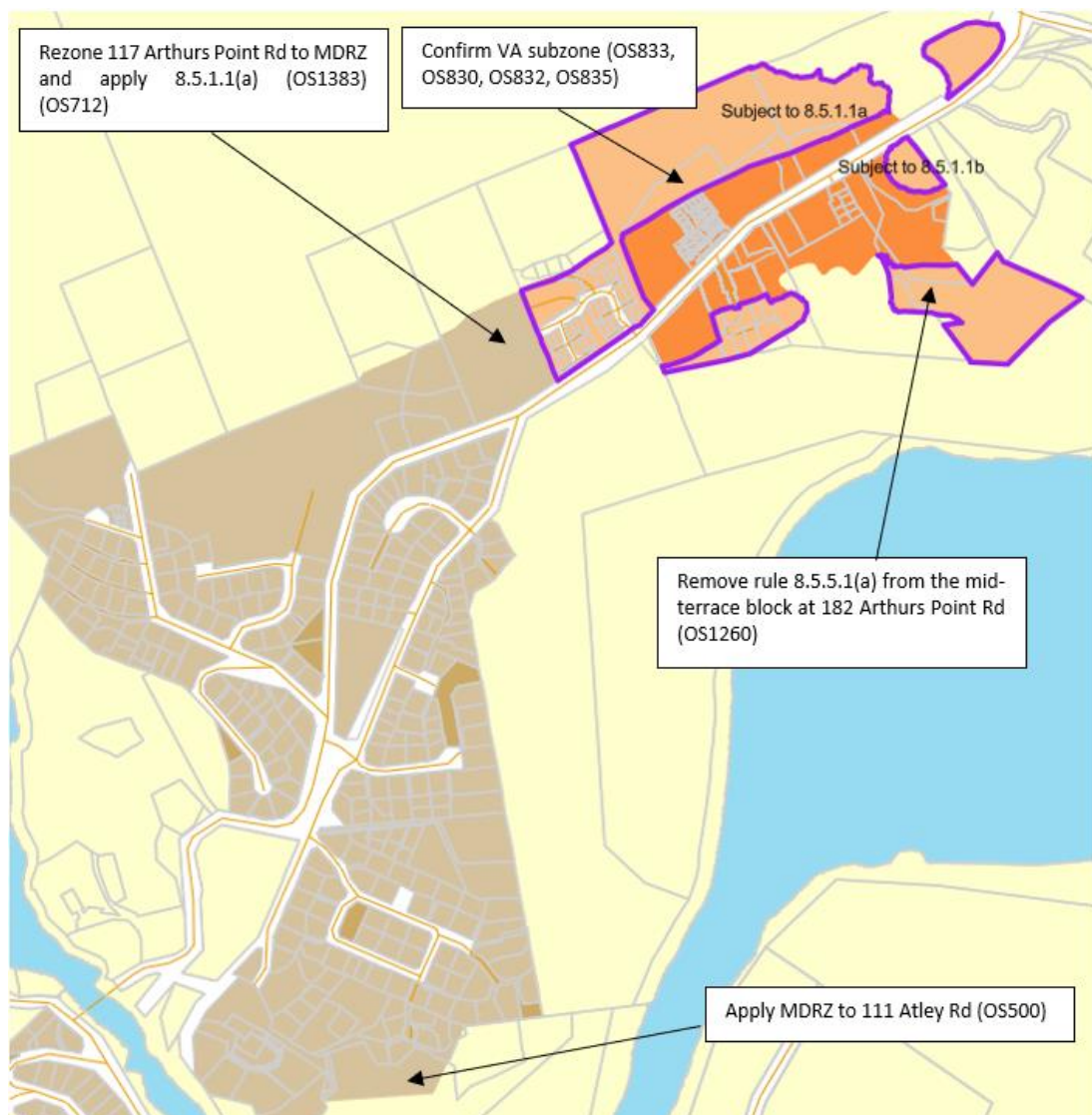


Figure 10: Notified UIV zoning and general location of submissions in support and opposition.

Analysis and discussion

11.3 Mr Wallace has clarified that while some increase in density was provided for in this area through the proposed changes to the MDRZ text due to its role in the provision of visitor accommodation, the current height limit of 8m was retained in recognition of its poor performance in the Accessibility and Demand Analysis relative to other areas. Mr Wallace does not support any further changes to the MDRZ provisions or the spatial extent of the MDRZ as it relates to the land at 111 Atley Road. Ms Fairgray also considers that the LDSRZ is more aligned to the relative demand at 111 Atley Road.

- 11.4** Mr Powell has commented on three waters infrastructure for Arthurs Point. He states that there are currently constraints in the wastewater network that limits the potential for additional development. He notes that investigations by the Council are underway, but that infrastructure needs to be a matter of discretion for development in this area. I note that the MDRZ does include a matter of discretion under notified Rule 8.4.10 to enable infrastructure capacity to be assessed at the resource consent stage. The nature of this constraint means that the level of development enabled by the proposed zoning may be limited through the resource consent process until such time as the constraint is resolved.
- 11.5** I comment below on the issues raised in submissions.
- 11.6** I support rezoning the site at 117 Arthurs Point Road from LDSRZ to MDRZ, subject to applying notified Rule 8.5.1.1(a) consistent with the surrounding MDRZ. The site is currently under development and has resource consent⁵² for a four storey multi-unit development on the site. Applying the MDRZ to the site would be consistent with the level of development enabled on the site, which forms part of the existing environment. The rezoning would also logically extend the MDRZ that currently applies to Arthurs Point Road to form a coherent and integrated zoning pattern.
- 11.7** I do not support applying the MDRZ to the part of 111 Atley Road that is currently zoned LDSRZ in the PDP. The site is located at the southern extent of Arthurs Point, the least accessible part of an area that has low accessibility relative to other parts of Queenstown. 111 Atley Road (as a whole) is a larger contiguous block of land, that is currently zoned a combination of LDSRZ (within the UGB) and Rural Zone (outside of the UGB), the latter being located within the Outstanding Natural Landscape (ONL) boundary. I am advised by legal counsel (Simpson Grierson) that all of 111 Atley Road (except the existing LDSRZ) is subject to a number of live Environment Court appeals, including an appeal on the appropriate zoning and landscape classification of the site, and various appeals relating to if they should apply, and if so, the content, of the Priority Area landscape schedules as relevant to the site.

52 Refer to SH190001 and subsequent variations.

- 11.8** In respect of the rezoning appeal, the Appellant is seeking to apply LDSRZ to the immediate south of the existing LDSRZ, and a combination of rural zones across the site, subject to a structure plan, through that process. If the existing LDSRZ part of 111 Atley Road was rezoned MDRZ (and the Appellant successfully achieves that LDSRZ relief), it would therefore form an isolated pocket of higher density zoning between LDSRZ. Even if the Appellant does not achieve that LDSRZ relief through its rezoning appeal, the MDRZ would form an isolated pocket of higher density zoning on the edge of the current Arthurs Point urban boundary.
- 11.9** Notwithstanding the area's low level of accessibility, applying the MDRZ to 111 Atley Road would not therefore integrate with the surrounding zoning in a logical or coherent way.
- 11.10** The submitter's request to retain the visitor accommodation sub zone at 157 Arthurs Point Road (Lot 2 DP 331294) is noted.
- 11.11** I do not support removing notified Rule 8.5.5.1(a) from the mid-terrace at 182 Arthurs Point Road at this time. The location of the mid-terrace is shown in the submission and is reproduced in Figure 11 below.



Figure 11: Showing the upper, mid and lower terrace of 182 Arthur's Point Road contained in submission 1260.

11.12 I have reviewed the resource consents approved for the site. By my reading, RM19333 provides for development on part of the mid-terrace (Buildings E1, E2 and E3) and associated carparking, which includes four storey buildings. RMA200384 provides for lower density development on the remaining part of the site, with 35 two storey terraced residential units that are within the 8m height limit. In my view, this transition in heights and densities continues to be appropriate in the context of what Policy 5 requires and what the UIV seeks to achieve. The mid-terrace is less proximate to Arthurs Point Road and as noted above, Arthurs Point as a whole, has low accessibility relative to other parts of Queenstown. Having said that, I acknowledge the potential that the site offers for comprehensive development, and I would consider any evidence put forward by the submitter on this matter. This would benefit from a more detailed background on the consenting history of the site. It should also address potential effects on the landscape values of the Kimiākau (Shotover River) Landscape Priority Area, of which the south-western corner of the site forms a part of.

Recommendation and Section 32AA Evaluation

11.13 Rezone 117 Arthurs Point Road from LDSRZ to MDRZ, subject to applying rule 8.5.1.1(a).

11.14 For the recommended changes I make the following comments with respect to Section 32AA matters, which summarise the analysis already undertaken:

- (a) The recommended amendments to the zoning will more efficiently and effectively achieve the relevant objectives of the PDP, particularly Objective 3.2.2.1(c) given that the amended zoning pattern will more effectively achieve Objective 3.2.3.2 as it will provide for built form that integrates with the adjoining and adjacent sites. The MDRZ would also reflect what has been consented for the site, noting that it is currently under development;
- (b) The benefits are considered to outweigh the costs. The current zoning pattern does not align with the existing landholding which would result in an inconsistent planning framework being applied for the redevelopment of the site; and

- (c) There is no need to assess the risk of acting or not acting as there is sufficient information available to make a decision on this matter.
- (d) For these reasons, I consider that the recommended amendments are more appropriate in achieving the purpose of the RMA than the notified PDP zoning in this location.

12. AREA 7: FRANKTON ROAD

Issues raised in submissions

12.1 Area 7 includes land along Frankton Road and within the established residential areas to the north. Under the PDP the zoning of this area is a mix of HDRZ, MDRZ and LDSRZ as shown on Figure 12. The notified UIV sought to rezone areas of LDSRZ to MDRZ.

12.2 45 submissions points and 18 further submissions points have been received in relation to zoning of this area. The relief sought by the submitters is shown spatially on the plan at Figure 13. The key issues raised in submissions, which seek changes to the notified UIV are summarised as follows:

Frankton Road

- (a) Support the HDRZ at 259 and 267 Frankton Road, subject to amendments sought related to building height, recession plane and lot size;⁵³ and
- (b) Reduce the spatial extent of the MDRZ along Frankton Road to a more feasible walking or biking distance to the Central Business District and Five Mile, such as stopping at Hensman Road, and restarting at Marina Drive toward Frankton. Alternatively reduce the spatial extent to the very lowest areas above Frankton Road.⁵⁴

Panorama Terrace / Star Lane / Sunrise Lane / Peregrine Place / Hensman Road

- (c) Retain the current (operative) zoning for 20 Peregrine Place and surrounding properties;⁵⁵

53 Submission point 458.1.

54 Submission point 531.7.

55 Submission point 28.1.

- (d) Oppose the rezoning of land to the North of Panorama Terrace and on the northern side of Star Lane, and South-West of Hensman Road and retain LDSRZ;⁵⁶
- (e) Alternatively retain LDSRZ on Star Lane or if MDRZ is applied introduce a non-complying height standard and that greater consideration be given to the effects on amenity;⁵⁷
- (f) Oppose MDRZ for Sunrise Lane and retain LDSRZ;⁵⁸
- (g) Oppose rezoning of land bounded by Panorama Terrace and Hensman Road and seek that LDSRZ is retained, or alternatively, that Star Lane and Peregrine Place remain zoned LDSRZ;⁵⁹
- (h) Retain zoning of the long-established neighbourhood (Panorama Terrace);⁶⁰ and
- (i) Include the Hensman Road/Sunset Lane block within the MDRZ, or alternatively ensure that all of the Hensman Road/Sunset Lane block is retained within the LDSRZ.⁶¹

St Georges Avenue / Highview Terrace / Panners Way / Golden Terrace / Goldfield Heights

- (j) Oppose the proposed rezoning to MDRZ along St Georges Avenue and Highview Terrace and request that the existing LDSRZ in this area be retained;⁶²
- (k) Amend the zoning of the area around St Georges Avenue including the subject site (Lot 11 DP 365562), to MDRZ. Currently only the southern side of St Georges Avenue has been notified as MDRZ;⁶³
- (l) Extend the MDRZ to incorporate the properties on the northern side of Panners Way;⁶⁴

56 Submission point 281.2.
 57 Submission points 281.4, 281.5, 281.7
 58 Submission 299.1382.1-10
 59 Submission points 581.1, , 651.1 and 655.1.
 60 Submission 1175.
 61 Submission points 1250.3, 1250.2.
 62 Submission points 425.7, 433.1 and 730.1.
 63 Submission point 836.1.
 64 Submission point 26.2.

- (m) Extend the MDRZ to the land accessed off Goldfield Heights Road (including along Panners Way and Golden Terrace) and up to the intersection with St Georges Avenue is rezoned as MDRZ;⁶⁵
- (n) Rezone 1 Golden Terrace as MDRZ;⁶⁶ and
- (o) Retain the 8m height limit in Goldfield Heights.⁶⁷



Figure 12: PDP zoning in Area 7.

65 Submission point 548.2.
 66 Submission point 1025.1.
 67 Submission point 552.2.

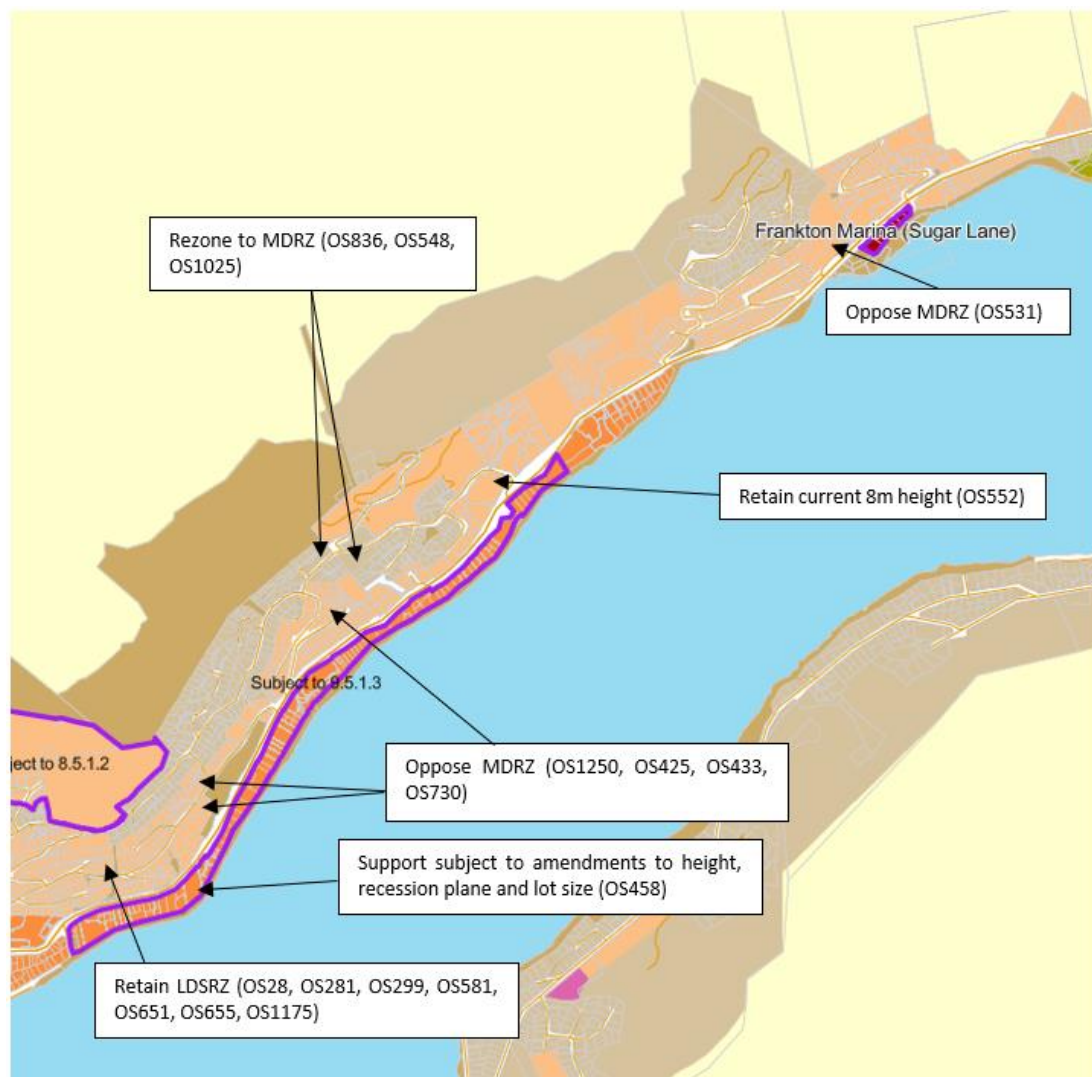


Figure 13: Notified UIV zoning and general location of submissions in support and opposition.

Analysis and discussion

12.3 Area 6 includes the streets which are elevated above Frankton Road between the Queenstown Town Centre and the Frankton Local Shopping Centre Zone. I support applying the MDRZ to Area 6 as per the notified UIV as shown in Figure 12 above. I do not agree with submitters that seek to retain the operative zoning, apply a higher or lower density zone or otherwise reduce heights and densities within the notified zone rules.

12.4 Mr Wallace has considered the submissions that seek to retain the existing PDP zoning or otherwise reduce the permitted height limits within the MDRZ. Mr Wallace has also considered the submissions that seek further upzoning in this area

from LDSRZ to MDRZ through the extension of the MDRZ to various sites bordering Panners Way, Golden Terrace, St Georges Avenue and St Lukes Lane.

12.5 On balance Mr Wallace supports the notified extent of the MDRZ in this location which has generally been concentrated to those areas with more convenient and direct access to Frankton Road. Exceptions to this are generally limited to a few areas (e.g. Marina Drive and Potters Hill Road) where the notified MDRZ zoning reflects the nature of existing development that has already occurred. While Mr Wallace acknowledges that in a strategic sense, further intensification along this corridor aligns with its general location between significant employment and retail nodes, the steep topography and circuitous street routing are barriers to accessibility.

12.6 In relation to concerns raised regarding the application of the MDRZ and the impact on views and sunlight within this location, Mr Wallace advises that the UIV includes several standards such as building coverage, yards, building length, recession planes which seek to provide appropriate levels of on-site amenity (including sunshine). I have addressed similar concerns as they relate to Area 1 and my comments there equally apply to Area 6. Within the context of an MDRZ, while a change in the environment would result if development occurs in line with the zone standards, in my opinion, these effects are efficiently and effectively managed by the standards and resource consent requirements for four or more residential units in the MDRZ. These effects also need to be balanced with the benefits of intensification, as expressed in Policy 6 of the NPSUD, which include the ability to support increased and varied housing densities and types.

12.7 Ms Fairgray has also considered the submissions challenging the extent of MDRZ within this area. Ms Fairgray is of the view that the development opportunity enabled by the notified UIV MDRZ extent would correspond to the level of relative demand experienced across this area. Ms Fairgray is of the opinion that lower density land uses would result in an inefficient use of land within the context of Queenstown's spatial structure. Further to this Ms Fairgray does not support a reduction in height on the basis that this would reduce the feasibility of development in these areas and decrease the range of dwelling options (including

terraced housing). I also refer to Ms Fairgray's commentary on the high demand for apartments in Whakatipu which I have already outlined in the Area 1 discussion above.

12.8 Mr Powell outlines the three waters infrastructure capacity in Frankton. He states that various upgrades are planned via the LTP, including the Quail Rise Reservoir, which will provide additional water storage to service Frankton. Upgrades to the Frankton wastewater network are also planned which would provide additional capacity to cater for growth. Stormwater would be managed via the Code of Practice and would be addressed on a case-by-case basis. While some adjustments to the timing of infrastructure projects may be needed in the future in response to demand, Mr Powell confirms that there are no fundamental three waters infrastructure issues in catering for the level of growth envisaged by the UIV in Frankton.

12.9 After considering the expert evidence from Mr Wallace, Mr Powell and Ms Fairgray, I support the notified zoning pattern set out in the UIV. I do not support any downzoning or reduction in height given the demand for housing in this area identified by Ms Fairgray. I agree with Mr Wallace that there are accessibility issues that are challenges to further intensification in this area and I therefore do not support requests to upzone the various sites bordering Panners Way, Golden Terrace, St Georges Avenue and St Lukes Lane from LDSRZ to MDRZ. On balance it is my view that the zoning set out in the notified UIV is appropriate subject to any evidence that may set out an alternative approach to this.

Recommendation and Section 32AA Evaluation

12.10 Retain the notified UIV for Area 6 – Frankton Road.

12.11 No Section 32AA evaluation is required as no changes to the notified UIV are proposed.

13. AREA 8: MDRZ AROUND WĀNAKA (SOUTH AND WEST OF THE WĀNAKA TOWN CENTRE)

Issues raised in submissions

13.1 Area 8 includes the land within the established residential area south-west of the Wānaka Town Centre. This area is bound by Helwick Street, Brownston Street, Conor Street, Stone Street and the Wānaka Golf Course. Under the PDP the zoning of this area is a mix of MDRZ and LDSRZ as shown on Figure 14. The notified UIV sought to amend the zoning within this area to MDRZ.

13.2 Forty submission points and two further submission points have been received regarding the zoning of this area. The relief sought by the submitters is shown spatially on the plan at Figure 15. The key issues raised in submissions, which seek changes to the notified UIV are summarised as follows:

- (a) Oppose the notified MDRZ and apply the existing PDP MDRZ or retain the LDSRZ. This includes opposition to the mapped extent and the proposed rules of the MDRZ;⁶⁸
- (b) Move the boundary of the MDRZ to the natural escarpment so that it will run from Redwood Lane at the west end, across through Sycamore Place and extend to lower Youghal Street to the east;⁶⁹
- (c) Move the boundary of the MDRZ to not include the areas below Aspiring Terrace, and above Sycamore Place;⁷⁰ and
- (d) Support the proposed upzoning to MDRZ within this area.⁷¹
- (e) Consider the north western side of Monument Hill and the hillside behind Tenby Street for greater heights.⁷²

68 Submission points 1153.1, 1140.1, 1029.2, 722.3, 268.2, 149.2, 146.1, and 146.5, 63.1, 15.3, 1171.2, 1146.1, 828.2, 801.1, 783.3 724.1, 392.1, 719.2, 719.1, 255.1, 237.1, 224.2, 212.2, 1369.5, 394.1

69 Submission points 1029.1, 1185.1.

70 Submission point 63.3.

71 Submission point 711.11.

72 Submission point 437.2



Figure 14: PDP zoning in Area 8.



Figure 15: Notified UIV zoning and general location of submissions in support and opposition.

Analysis and discussion

13.3 I support applying the MDRZ as per the notified UIV to Area 7 as shown in Figure 15 above. I do not agree with submitters that seek to retain the existing PDP zoning, apply a lower density zone or otherwise reduce heights and densities within zone rules.

13.4 These submission requests are discussed in Mr Wallace’s evidence who notes that this area was identified within the Accessibility and Demand Analysis Report as having generally moderate to high levels of accessibility, with some areas of lower accessibility driven by the cadastral pattern (e.g. rear lots) and primary access of properties adjacent to the golf course.⁷³ Mr Wallace is of the view that the concerns

73 EIC Cameron Wallace paragraph 15.16.

raised by submitters in relation to views, sunlight access and the appearance of higher density development will be addressed by the proposed development standards including building coverage, yards, building length, recession planes which seek to provide appropriate levels of on-site amenity (including sunshine).⁷⁴ I agree with this statement for the reasons I have provided earlier in this evidence.

13.5 Mr Wallace has considered the view raised in submissions that the escarpment provides a natural transition point for the boundary between the MDRZ and LDSR Zone within this area. Mr Wallace is of the view however, that the golf course provides a more appropriate transition point that acknowledges the overall intent of the NPSUD which seeks to encourage greater levels of intensification in existing urban areas. I agree with Mr Wallace on this matter and note that while the land is elevated, the contour is modest, and in my opinion, is not a barrier to accessibility.

13.6 The evidence of Ms Fairgray has also considered the views raised by submitters within her evidence from an economic perspective. Ms Fairgray is of the view that the notified UIV-proposed MDRZ in south-west Wānaka is likely to be more efficient and better aligned with relative demand in this location than the current LDSRZ. In Ms Fairgray's view, the application of the MDRZ encourages intensification around the Wānaka Town Centre at a scale that is likely to be supported by the market and aligns with the likely future housing need in this market. Additionally, Ms Fairgray considers that limiting the height to two storeys would restrict development in this location and reduce the level of intensification occurring around the town centre.

13.7 Mr Powell has addressed the ability of the three waters infrastructure networks to cater for growth in this area. He states that upgrades to the water supply and wastewater networks are planned and budgeted for in the LTP. This includes additional water storage planned for 2029-2031 and the Beacon Point Supply upgrades in 2027-2030. Wastewater network upgrades are planned for 2026-2028. Mr Powell does not identify any issues with stormwater capacity and management. Relying on the evidence of Mr Powell, there are no fundamental infrastructure

74 EIC Cameron Wallace paragraph 15.14.

constraints and infrastructure provision can be coordinated with development through the resource consent and building consent process.

13.8 Submitter 198 opposes the additional heights and densities for several properties on Warren Street in Wānaka, which are located at the corner of Warren Street and Helwick Street. The submitter opposes the additional heights and densities on the basis that the area has a high groundwater table and the impacts of development on the Wānaka Basin Cardrona Gravels Aquifer. Both Ms Frischknecht and Mr Matthee address the substance of the submission.

13.9 The management of groundwater and effects of development on the Wānaka Basin Cardrona Gravel Aquifer is a matter for the Otago Regional Council (**ORC**) to regulate through its Regional Plan. ORC has not made a submission on the UIV raising concerns with development in Wānaka. I have no technical evidence on the potential cumulative effects of development on the Wānaka Basin Cardrona Gravels Aquifer and I would consider any evidence on this matter put forward by the submitter. However, in my experience, a high groundwater table is not unusual in an urban area, and effects can typically be managed with appropriate engineering design. Although I acknowledge that it does increase the cost of development and would have an impact on overall feasibility.

13.10 In a similar vein, submitter 1153 has raised concerns about the potential impact of higher density development on Bullock Creek. On this, I note that the surrounding catchment is already zoned for urban residential development with minimum requirements for permeable surfaces applying and which are not changing under the notified UIV. In my opinion, the change in zoning and the effects on Bullock Creek are sufficiently addressed by the rules in the UIV and the Regional Plan, with respect to stormwater quantity and quality.

13.11 Submitter 212 raises concerns about potential effects of tall buildings on the heritage building at 41 Warren Street. The building, known as the former Chalmers' Cottage is also listed with Heritage New Zealand. That listing states that the cottage was thought to have been built in the late 1870s for Wānaka businessman, farmer and butcher Archibald Chalmers. In terms of the surrounding context, the building is located on the north-east boundary of the site and is separated from the south-

west boundary by approximately 10m. The other adjoining site to the north-west is separated by approximately 20m and the lower gradient there means that any new development will be set below. Any new multi-unit development on the adjoining sites (four or more dwellings) would require resource consent as a restricted discretionary activity. The matters of discretion enable consideration of the location, external appearance and design of buildings as well as their dominance relative to neighbours (see amended rule 8.4.10). In my opinion, the context of the site, together with the consent requirement for four or more residential units, means that the heritage values of the site will be appropriately protected.

13.12 Regarding the relief sought by Submitter 437 I note that the area on the north wester side of Monument Hill is outside of the Urban Growth Boundary and is therefore not within the scope of the notified UIV. The hillside behind Tenby Street is proposed to be within the MDRZ, with the Wānaka Golf Course at the south-eastern boundary.

13.13 Relying on the expert advice of Mr Wallace, Ms Fairgray and Mr Powell I support the zoning and height limits as notified in the UIV in the area to the south and west of the Wānaka Town Centre for the following reasons:

- (a) Applying the notified MDRZ would be commensurate with the area's moderate level of accessibility and relative demand for housing when considered relative to other locations in Queenstown (Policy 5) and UFD-P3 of the pORPS, noting that the majority of the area is already within the MDRZ under the PDP;
- (b) Applying the notified MDRZ would more efficiently and effectively achieve a compact, well designed and integrated urban form that provides a mix of housing opportunities (Objective 3.2.2), by providing more opportunities for development to occur in a moderately accessible location with moderate relative demand;
- (c) If the development potential enabled by the MDRZ is taken up, this would result in a change in amenity values from the existing environment, including visual amenity, privacy and sunlight. However, consistent with the objectives and policies of the MDRZ, development is intended to

provide for high quality living environments with reasonable maintenance of amenity values for adjoining residents (Objective 8.2.3) and this is achieved through the rules and requirements for resource consent.

- (d) Relying on the evidence of Mr Powell, development can be effectively integrated with existing and proposed infrastructure over time (Policy 3.2.2.1);
- (e) Applying the notified MDRZ would not compromise the heritage values of 41 Warren Street given the methods contained in the notified UIV and the PDP; and
- (f) The Regional Plan provisions relating to groundwater will manage the potential effects of development on the Wānaka Basin Cardrona Gravel Aquifer and current consenting practice ensures that this separate process is coordinated with land use and subdivision processes administered by QLDC.

Recommendation and Section 32AA Evaluation

13.14 Retain the notified UIV zones for Area 7 – South and west of the Wānaka Town Centre.

13.15 No Section 32AA evaluation is required as no changes to the notified UIV are proposed.

14. AREA 9: EAST OF WĀNAKA TOWN CENTRE

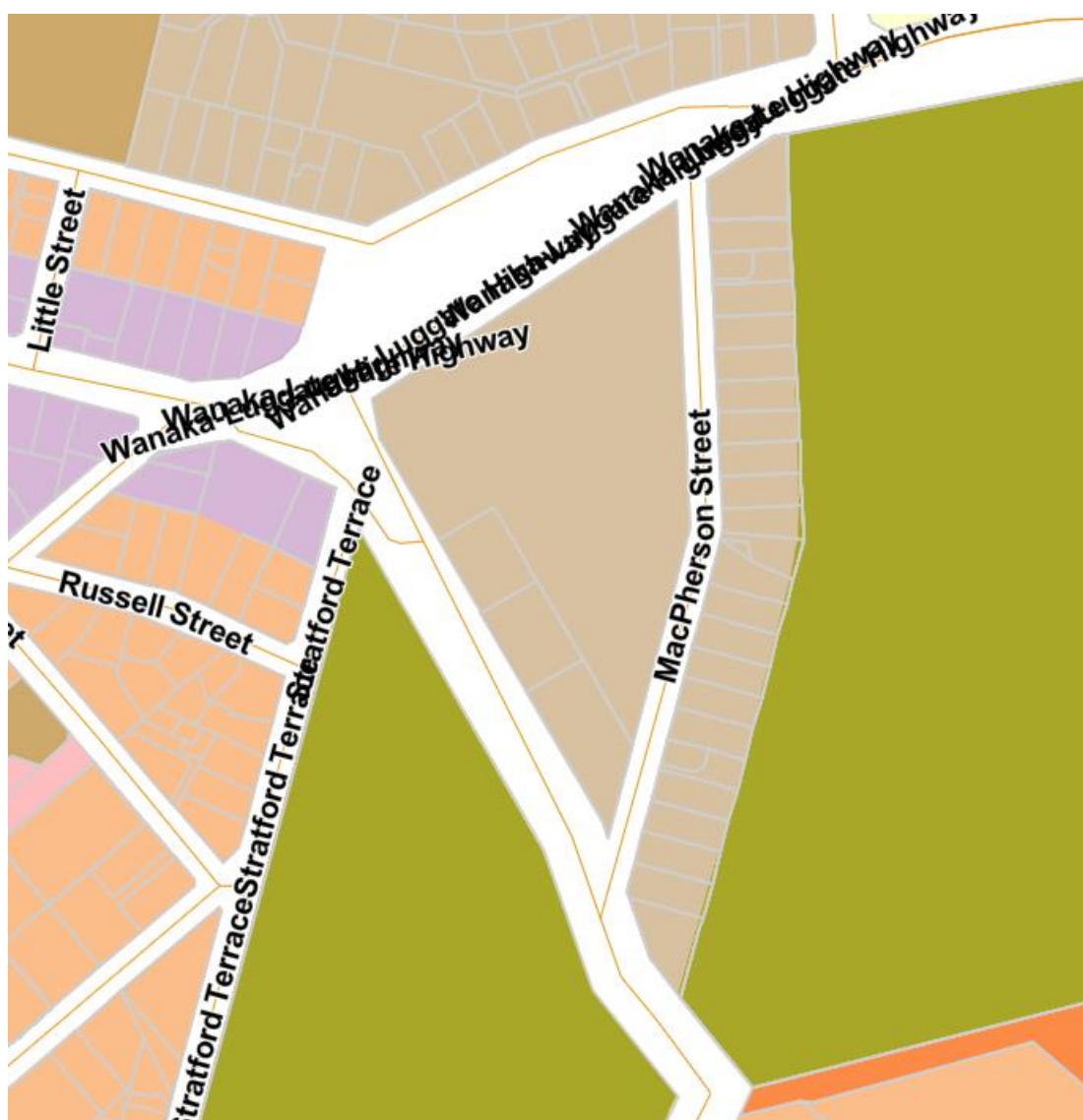
Issues raised in submissions

14.1 Area 8 includes the land within the established residential area east of Wānaka Town Centre. This area is bound by Ballantyne Road, Hedditch Street and the Wanaka Golf Course. Under the existing PDP the zoning of this area is LDSRZ as shown on Figure 15. The notified UIV sought to amend the zoning within this area to MDRZ.

14.2 26 submission points and one further submission points have been received regarding the zoning of this area. The relief sought by the submitters is shown

spatially on the plan at Figure 17. The key issues raised in submissions, are summarised as follows:

- (a) Oppose the upzoning of 1 Ballantyne Road and seek amendments to the zoning to reflect that this site is part of Mount Aspiring National Park;⁷⁵
- (b) That the Wānaka Search and Rescue helipad is maintained as a valued asset to the community and no development be allowed on this site (1 Ballantyne Road);⁷⁶
- (c) Oppose the rezoning from LDSRZ to MDRZ on Macpherson Street;⁷⁷ and
- (d) Support the proposed upzoning to MDRZ within this area.⁷⁸



75 Submission points 3.1, 6.1, 48.1, 55.3, 351.1, 407.1, 848.1, 848.6, 875.1, 3.1, 90.1, 110.3, 561.4, 154.2, 356.6, 677.5.424.4, 1208.2.
76 Submission point 3.2.
77 Submission points 90.2 149.1, 424.3, 442.1, OS677.4, 1133.1.
78 Submission point 711.11.

Figure 16: PDP zoning in Area 8.

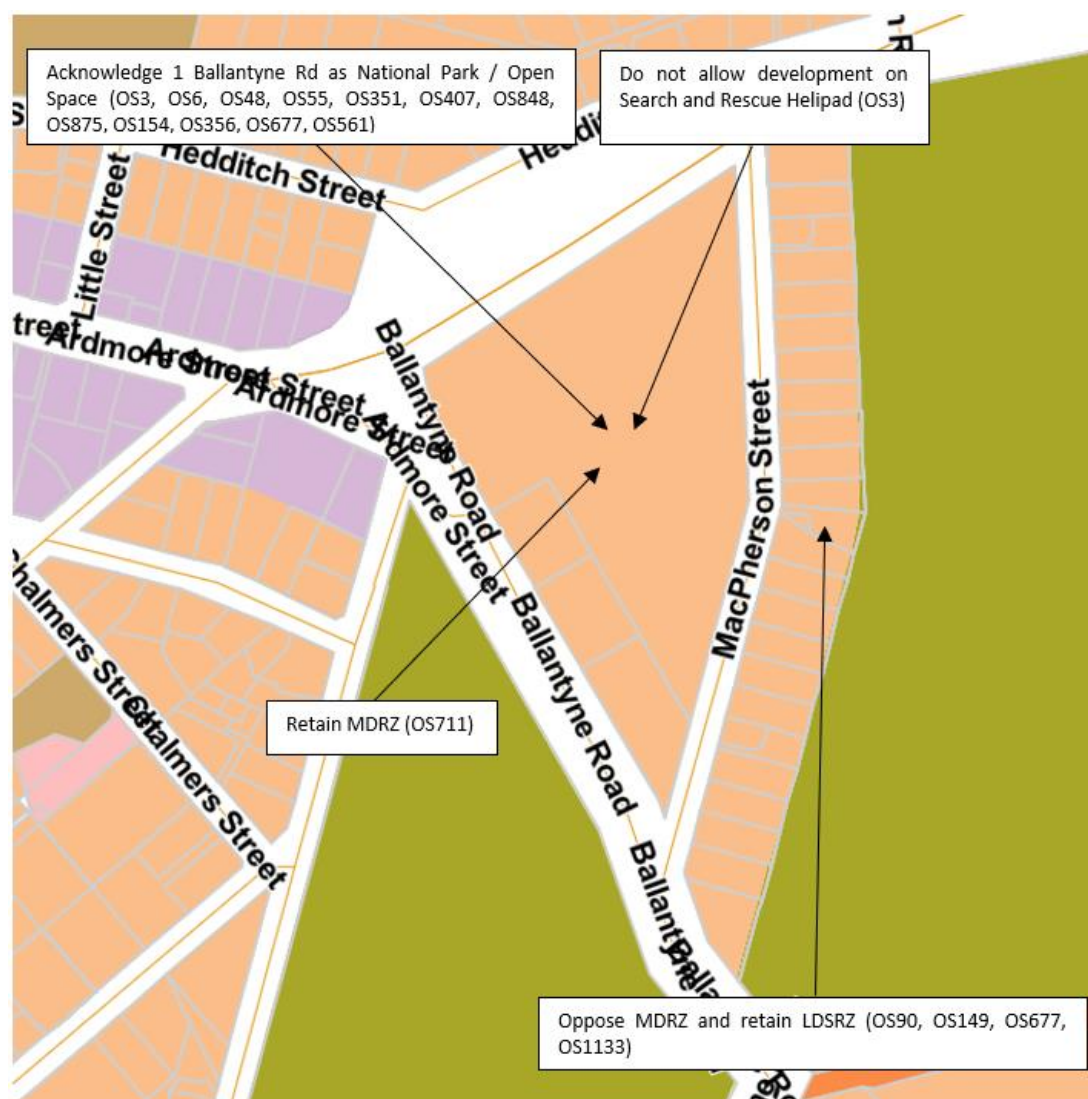


Figure 17: Notified UIV zoning and general location of submissions in support and opposition.

Analysis and discussion

- 14.3** The land at 1 Ballantyne Road is Crown land and part of Mount Aspiring National Park. It contains the visitor centre for Mount Aspiring National Park and the helipad for Wānaka Search and Rescue. I have reviewed the Gazette Notice as it relates to this site which confirms the site's status as a National Park. The site is subject to the National Parks Act 1980. The purpose of this Act is to preserve the land in perpetuity as national parks, for their intrinsic worth and for the benefit, use, and enjoyment of the public, areas of New Zealand that contain scenery of such

distinctive quality, ecological systems, or natural features so beautiful, unique, or scientifically important that their preservation is in the national interest.⁷⁹

14.4 The land at 5 Ballantyne Road contains the Wānaka Police Station and the land at 7 Ballantyne Road contains the Wānaka Volunteer Fire Station. Both sites are owned by the Crown. 5 Ballantyne Road is subject to designation 372 for police purposes and 7 Ballantyne Road is subject to designation 96 for recreation purposes.

14.5 Ms Fairgray comments on 1-7 Ballantyne Road from an economic perspective as does Mr Wallace on accessibility matters. Ms Fairgray confirms that the sites have not been included in development capacity calculations given their reserve status and public use. Mr Wallace observes that the site is accessible to the Wānaka Town Centre and a range of other services and amenities. Despite this, I agree with the majority of submitters and consider that upzoning 1-7 Ballantyne Road from LDSRZ is not appropriate. The sites cannot in practice be used for residential development given their National Park status and public use. Upzoning the sites would not serve any useful purpose nor contribute to achieving the objectives of the NPSUD or those of the PDP that seek a compact urban form. An open space zoning would be more appropriate in my opinion, however, my recommendations are limited by the scope of the notified UIV. As such, I recommend retaining LDSRZ as per the PDP for this area.

14.6 Regarding the sites on McPherson Street, I support retaining them within the notified MDRZ. Ms Fairgray outlines the residential demand and capacity considerations for Wānaka and states that further provision for intensification development opportunity is likely to be required in Wānaka over the medium to long-term due to the higher projected demand.⁸⁰ In relation to McPherson Street, Ms Fairgray considers that intensification in this location at a scale of at least that enabled by the notified UIV MDRZ would encourage an efficient development pattern that is aligned to the level of relative demand in the medium to long-term. Equally, Mr Wallace notes that the location has good accessibility to a range of commercial and community services. On this basis, I support retaining the notified

79 Refer to Section 4 of the National Parks Act 1980.

80 Refer to paragraph 6.49 of Ms Fairgray's EIC.

MDRZ for the sites on McPherson Street as a means of supporting a compact urban form for Wānaka.

- 14.7** Submitters oppose the MDRZ applying to McPherson Street on the grounds that the area has an open landscaped character, is an established residential area and would be adversely affected by loss of sunlight and privacy as a result of the amended zoning. In my opinion, the proximity of the site to the open space to the west and east makes the block especially suitable for medium density development, being able to leverage the outlook, amenity and views that those spaces offer. While there would be a change to the existing environment if redevelopment occurs in line with the MDRZ, as I have explained above, I do not consider this to necessarily be an adverse effect, and the MDRZ provisions themselves and consenting processes are framed to ensure that quality urban design solutions are achieved (Objective 8.2.2). While McPherson Street does have some elevation, the sites are all within good walking distance of the Wanaka Town Centre and have a good level of accessibility as assessed by Mr Wallace. On this basis, medium density development in this location would in my opinion make a positive contribution of housing opportunities (Objective 3.2.2.1(f)) which is particularly important against a backdrop of high residential demand as outlined by Ms Fairgray.

Recommendation and Section 32AA Evaluation

- 14.8** Retain the notified UV zoning for the sites on the eastern side of McPherson Street.
- 14.9** Amend the notified UV zoning for the sites on the western side of McPherson Street to retain the PDP zoning, being the LDSRZ.
- 14.10** For the recommended changes to the west of McPherson Street I make the following comments with respect to Section 32AA matters, which summarise the analysis already undertaken:
- (a) The recommended amendments to the zoning will more efficiently and effectively achieve the relevant objectives of the PDP, particularly Objective 3.2.2.1 which seeks to provide a high quality network of open spaces and community facilities. The LDSRZ better aligns with the recreational and social activities that the intended for this block;

- (b) The benefits are considered to outweigh the costs. The National Park status and the current designations and use of the sites on Ballantyne Road for community uses mean that the sites cannot be practically used for residential development. For this reason, there are no costs associated with the recommended change of zoning;
- (c) There is no need to assess the risk of acting or not acting as there is sufficient information available to make a decision on this matter; and
- (d) For these reasons, I consider that the recommended amendments are more appropriate in achieving the purpose of the RMA than the notified PDP zoning in this location.

15. AREA 10: SOUTH OF BUSINESS MIXED USE IN WĀNAKA

Issues raised in submissions

15.1 Area 9 includes the land bound by Plantation Road and Hedditch Street. Under the existing PDP the zoning of this area is LDSRZ as shown on Figure 18. The notified UIV sought to amend the zoning within this area to MDRZ.

15.2 Two submissions and one further submissions have been received regarding the proposed zoning of this area. The relief sought by the submitters is shown spatially on the plan at Figure 19. The key issues raised in submissions are summarised as follows:

- (a) Oppose the application of the MDRZ on the basis that the area has not been demonstrated as high accessibility and relative demand for the MDRZ in the area.⁸¹ The submitter is seeking to retain the LDSRZ within this area or as an alternative narrow the proposed rezoning so that MDRZ is only retained in the area accessed by Hedditch Street as set out in Figure 20; and
- (b) Support the proposed upzoning to MDRZ within this area.⁸²

⁸¹ A & F McRae *et al* 956.1.

⁸² Nicola Blennerhassett 711.11.

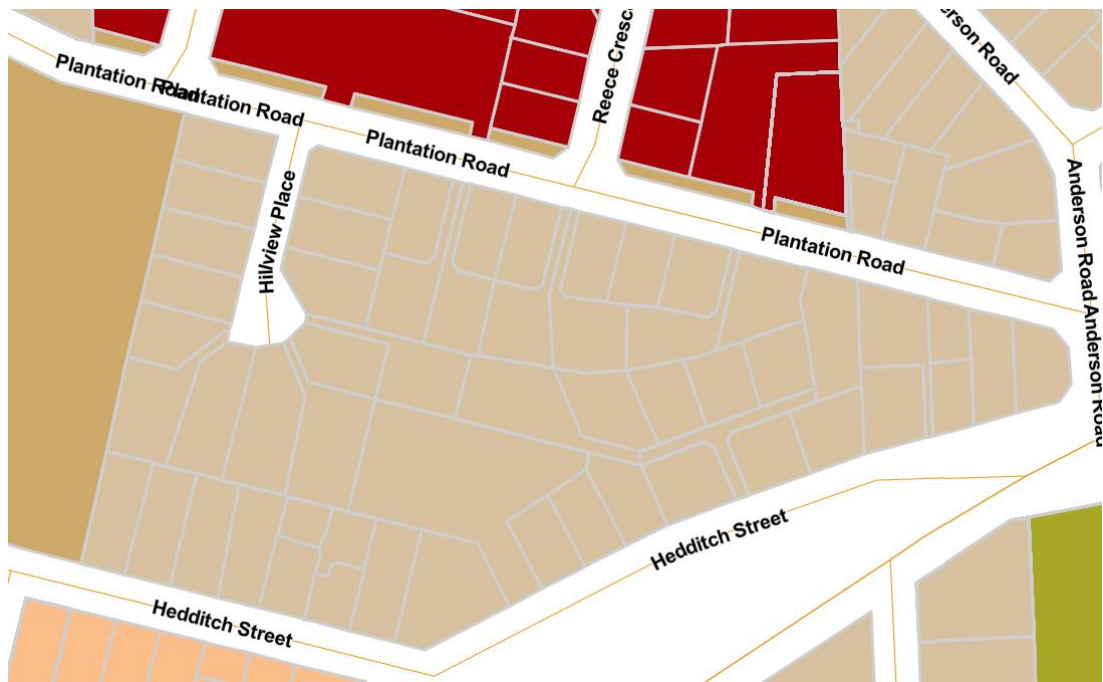
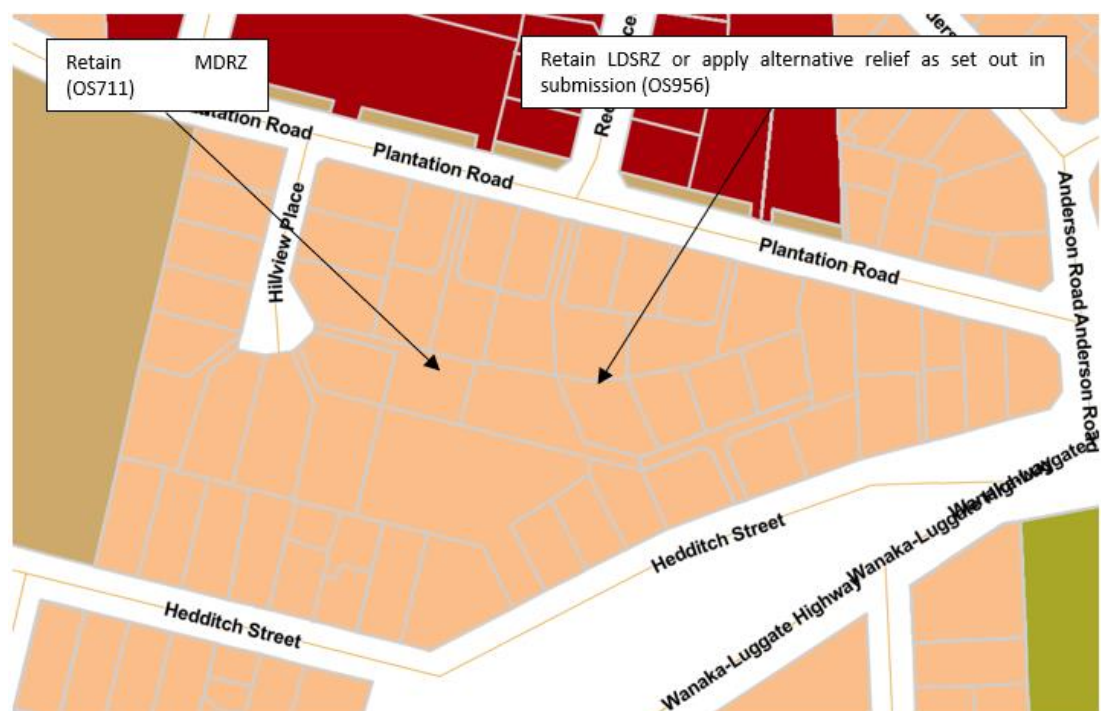


Figure 18: PDP zoning for Area 10.



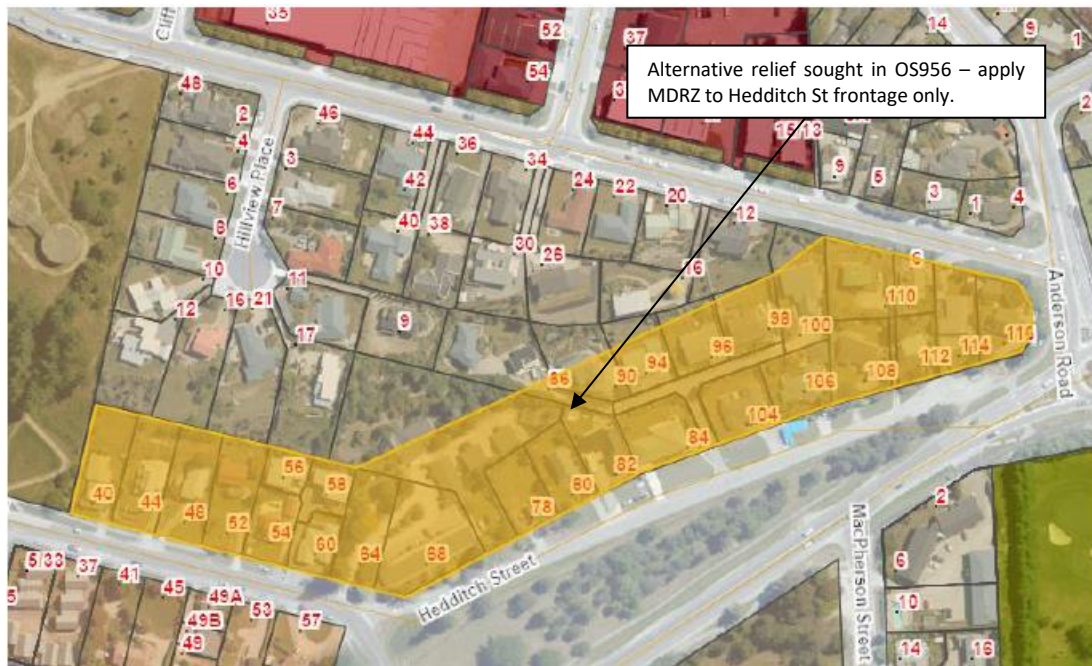


Figure 19 & 20: Notified UIV zoning and general location of submissions in support and opposition and alternative relief sought in OS956.

Analysis and discussion

15.3 For Area 9 Ms Fairgray states that the notified MDRZ is likely to be more efficient and better aligned with relative demand in this location than the current LDSRZ. Ms Fairgray states that the notified MDRZ encourages intensification around the Wānaka Town Centre at a scale that is likely to be supported by the market and aligns with the likely future housing need in this market. Ms Fairgray's comments on future higher demand in Wānaka are relevant here, as are her comments on the ability for development surrounding the Wānaka Town Centre to support its commercial viability.

15.4 Mr Wallace notes that this area performed moderately well in the Accessibility and Demand Analysis in part due to its proximity to the Wānaka Town Centre, schools, open spaces and employment opportunities. On this basis I do not agree with the concerns raised by the submitters that this area is not suitable for medium density residential development due to a lack of accessibility.

15.5 Submitter 956 states that the area has moderately low accessibility and that the sites are in the low percentile and low access band in the relative demand mapping. On this point Mr Wallace states that the sites identified by the submitter are a small pocket of land within a larger area that performed moderately well to high in the

Accessibility and Demand Analysis. Given the characteristics of the wider area, in my opinion, it is more efficient and effective to include the sites within the MDRZ to ensure a logical and integrated zoning pattern. The submitter also states that many of the dwellings have been constructed since the late 1990's and they state that it is difficult to foresee the development enabled by the MDRZ being realised. As I have stated above, neighbourhoods typically contain a mix of dwelling ages and types and in my opinion, this should not be a key determinant of zoning.

15.6 I have set out the opinion of Mr Powell in paragraph 14.7 above with respect to three waters servicing in the catchment surrounding the Wānaka Town Centre. Those comments equally apply to this area.

15.7 Relying on the expert advice of Mr Wallace, Ms Fairgray and Mr Powell I support the zoning and height limits as notified in the UIV in the area to the south of the Business Mixed Use Zone in Wānaka for the following reasons:

- (a) Applying the notified MDRZ would be commensurate with the area's moderate level of accessibility and relative demand for housing when considered relative to other locations in Queenstown (Policy 5) and UFD-P3 of the pORPS;
- (b) Applying the notified MDRZ would more efficiently and effectively achieve a compact, well designed and integrated urban form that provides a mix of housing opportunities (Objective 3.2.2), by providing more opportunities for development to occur in a moderately accessible location with moderate relative demand;
- (c) If the development potential enabled by the MDRZ is taken up, this would result in a change in amenity values from the existing environment, including visual amenity, privacy and sunlight. However, consistent with the objectives and policies of the MDRZ, development is intended to provide for high quality living environments with reasonable maintenance of amenity values for adjoining residents (PDP Objective 8.2.3) and this is achieved through the rules and requirements for resource consent; and

- (d) Relying on the evidence of Mr Powell, development can be effectively integrated with existing and proposed infrastructure over time (Policy 3.2.2.1).

Recommendation and Section 32AA Evaluation

15.8 Retain the MDRZ for Area 10 as set out in the UIV for Area 10 – South of Business Mixed Use in Wānaka.

15.9 No Section 32AA evaluation is required as no changes to the notified UIV are proposed.

16. AREA 11: WEST AND EAST OF BUSINESS MIXED USE IN WĀNAKA

Issues raised in submissions

16.1 Area 11 includes the land to the east and the west of the Reece Crescent Mixed Use area. Under the PDP the zoning of this area is LDSRZ as shown on Figure 21. The notified UIV sought to amend the zoning within this area to MDRZ.

16.2 Twelve submission points and six further submission points have been received regarding the zoning of this area. The relief sought by the submitters is shown spatially on the plan at Figure 22. The key issues raised in submissions, are summarised as follows:

- (a) Oppose the application of the MDRZ;⁸³ and
- (b) Support the application of the MDRZ to enable higher density housing options closer to town.⁸⁴

83 Submission points 711.12, 745.1, 268.1, 571.1, 796.1, 816.1.

84 Submission points 123.1, 711.11.

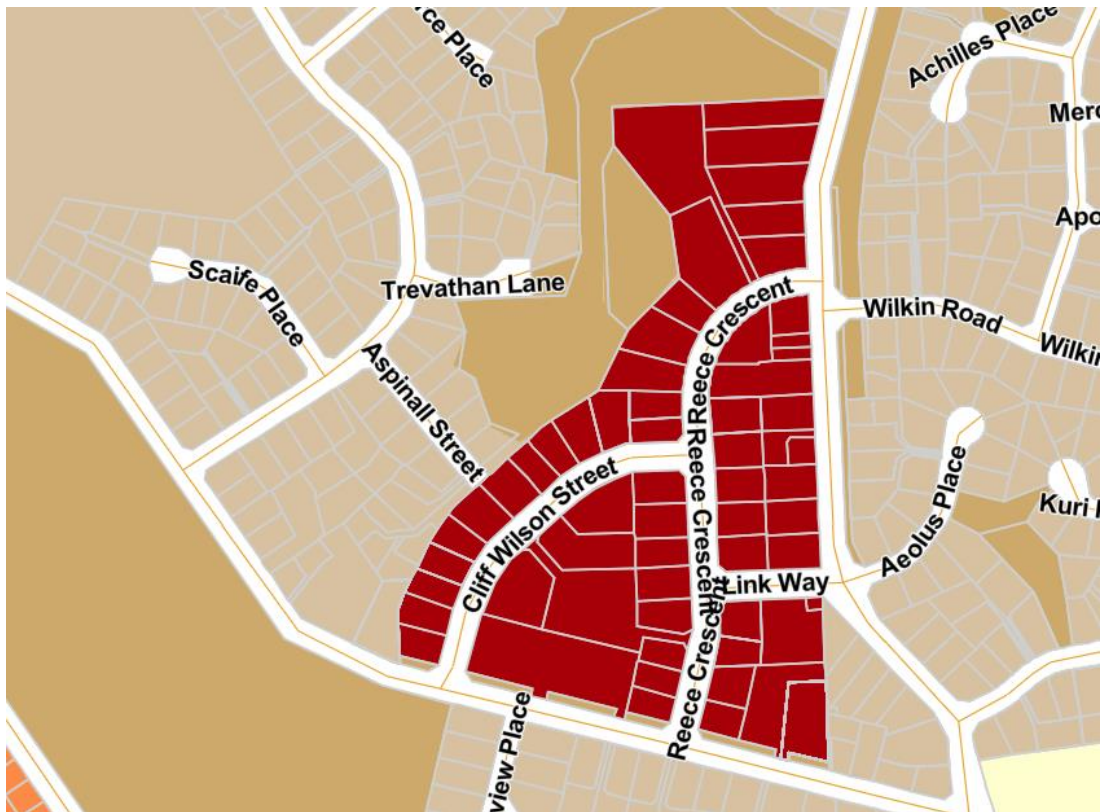


Figure 21: PDP zoning in Area 10.

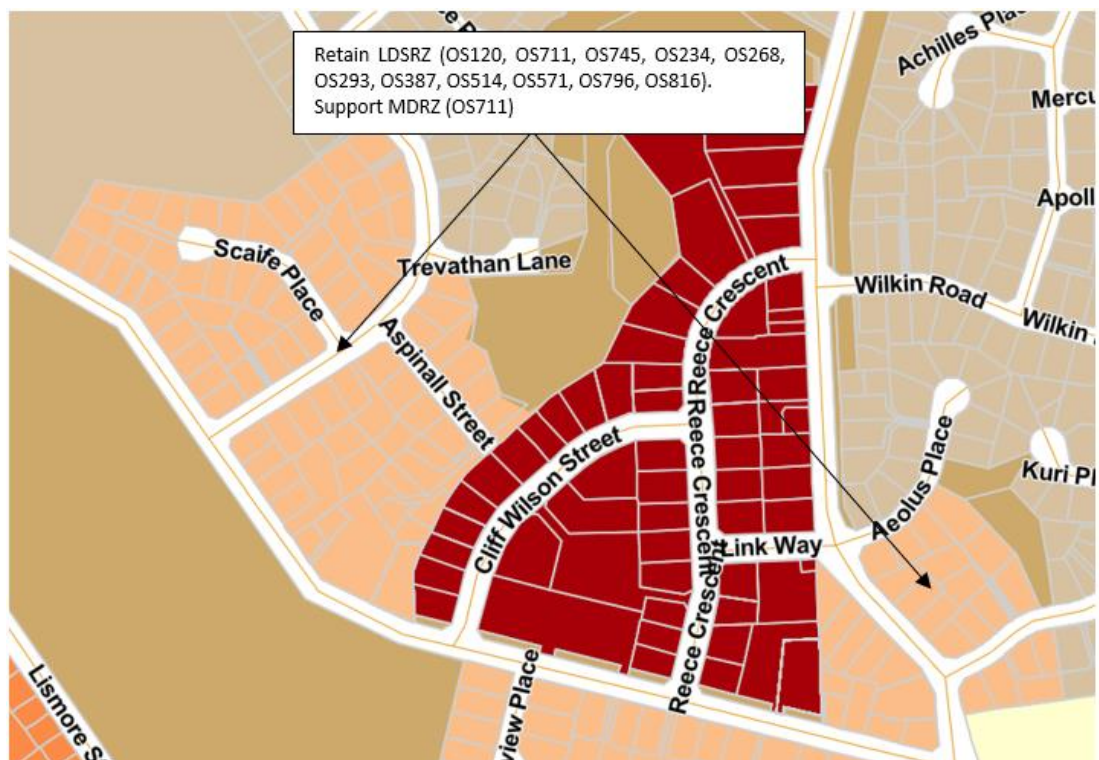


Figure 22: Notified UIV zoning and general location of submissions in support and opposition.

Analysis and discussion

16.3 Mr Wallace notes that this area all performed moderately well in the Accessibility and Demand Analysis in part due to its proximity to the Wanaka Town Centre,

schools, open spaces and employment opportunities. In his opinion, these areas are particularly well located to support some increased levels of intensification consistent with the requirements of the NPSUD.

16.4 Ms Fairgray states that the notified UIV MDRZ in south-west Wanaka is likely to be more efficient and better aligned with relative demand in this location than the current LDSRZ. She states that it encourages intensification around the Wanaka Town Centre at a scale that is likely to be supported by the market and aligns with the likely future housing need in this market. She further states that intensification in these areas is not mutually exclusive with intensification also occurring in Three Parks.

16.5 I have set out the opinion of Mr Powell above with respect to three waters servicing in the catchment surrounding the Wānaka Town Centre. Those comments equally apply to this area.

16.6 Submitters raise a broad range of concerns about the appropriateness of intensification in this area. This includes loss of amenity values, sun and views and unfairness to current landowners with impacts on land values. Submitters state that intensification should occur in alternative locations such as Three Parks. I have commented on these matters already above and I do not restate them here. In terms of intensification occurring at Three Parks, relying on the advice of Ms Fairgray, I understand that development in Three Parks and within existing neighbourhoods in Wanaka is required to meet the higher demand projections.

16.7 Relying on the expert advice of Mr Wallace, Ms Fairgray and Mr Powell I support the zoning and height limits as notified in the UIV in the area to the west and east of the Business Mixed Use Zone in Wānaka for the following reasons:

- (a) Applying the notified MDRZ would be commensurate with the area's moderate level of accessibility and relative demand for housing when considered relative to other locations in Queenstown (Policy 5) and UFD-P3 of the pORPS;
- (b) Applying the notified MDRZ would more efficiently and effectively achieve a compact, well designed and integrated urban form that

provides a mix of housing opportunities (Objective 3.2.2), by providing more opportunities for development to occur in a moderately accessible location with moderate relative demand;

- (c) If the development potential enabled by the MDRZ is taken up, this would result in a change in amenity values from the existing environment, including visual amenity, privacy and sunlight. However, consistent with the objectives and policies of the MDRZ, development is intended to provide for high quality living environments with reasonable maintenance of amenity values for adjoining residents (PDP Objective 8.2.3) and this is achieved through the rules and requirements for resource consent; and
- (d) Relying on the evidence of Mr Powell, development can be effectively integrated with existing and proposed infrastructure over time (Policy 3.2.2.1).

Recommendation and Section 32AA Evaluation

16.8 Retain the MDRZ as set out in the UIV for Area 11 – West and east of Business Mixed Use in Wānaka.

16.9 No Section 32AA evaluation is required as no changes to the notified UIV are proposed.

17. AREA 12: THREE PARKS

Issues raised in submissions

17.1 Area 12 includes the residential land at Three Parks. Under the PDP, the zoning of this area is a mix of MDRZ and LDSRZ as shown on Figure 23. The notified UIV sought to amend the zoning within the area by extending the MDRZ to the land to the west of the Sir Tim Watts Drive, which is currently within the LDSRZ. The notified UIV proposes to retain the LDSRZ on the eastern side of Sir Tim Watts Drive as well as the Building Restriction Areas at the western and northern extents of the area.

17.2 Three submitters and one further submitter are seeking to upzone various sites within Three Parks. Submitters seek to:

- (a) Rezone all the LDSRZ areas within Three Parks to MDRZ;⁸⁵
- (b) Remove the Building Restriction Areas;⁸⁶ and
- (c) Upzone various properties to HDRZ.⁸⁷

17.3 The submitters are seeking upzoning or more development opportunity within Three Parks on the basis that it is currently underdeveloped, it is close to the Three Parks commercial and business areas as well as recreation and school facilities.

17.4 Many submitters sought to enable greater heights and densities in Three Parks as a greenfield location in Wānaka. These requests are generally in the context of seeking reduced heights and densities in other locations in Wānaka.

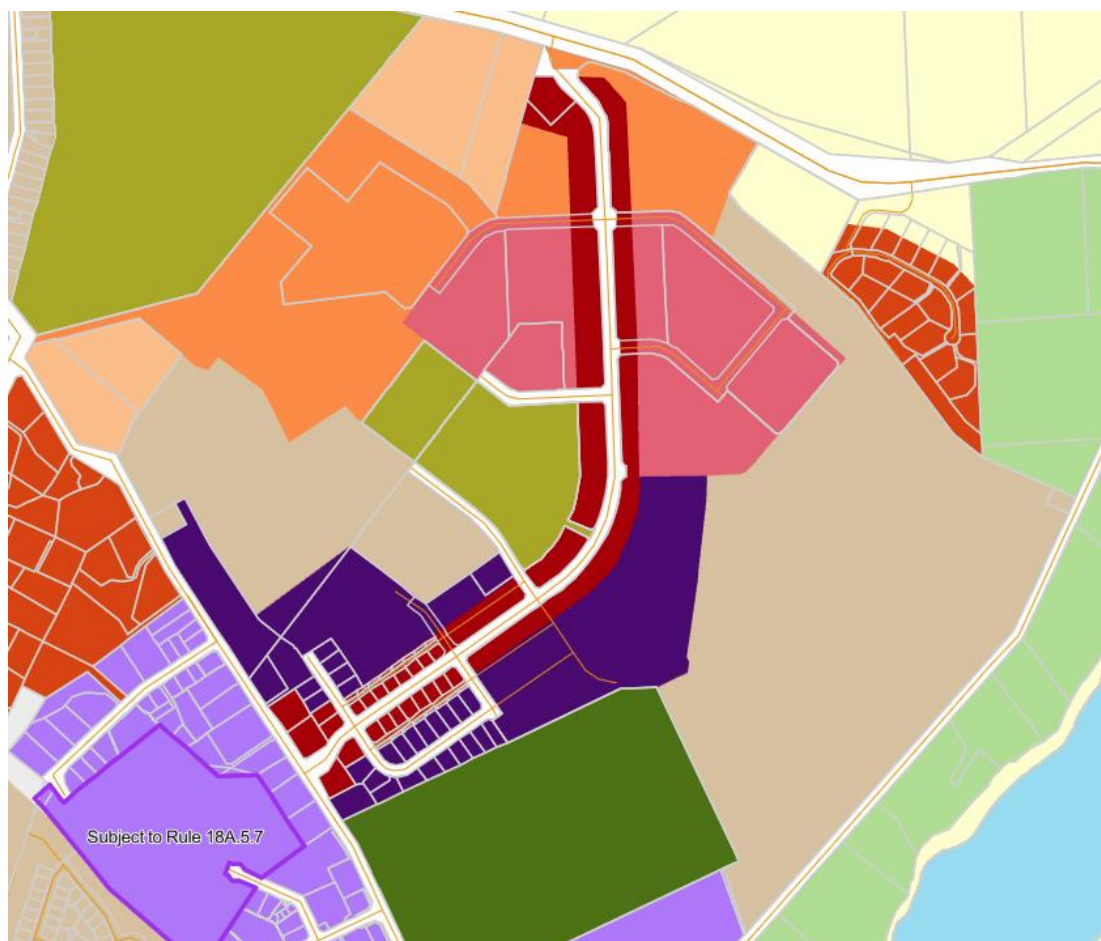


Figure 23: PDP zoning in Area 12.

85 Submission point 948.18.
86 Submission points 1039.2, 1040.2.
87 Submission points 1039.1, 1040.1.

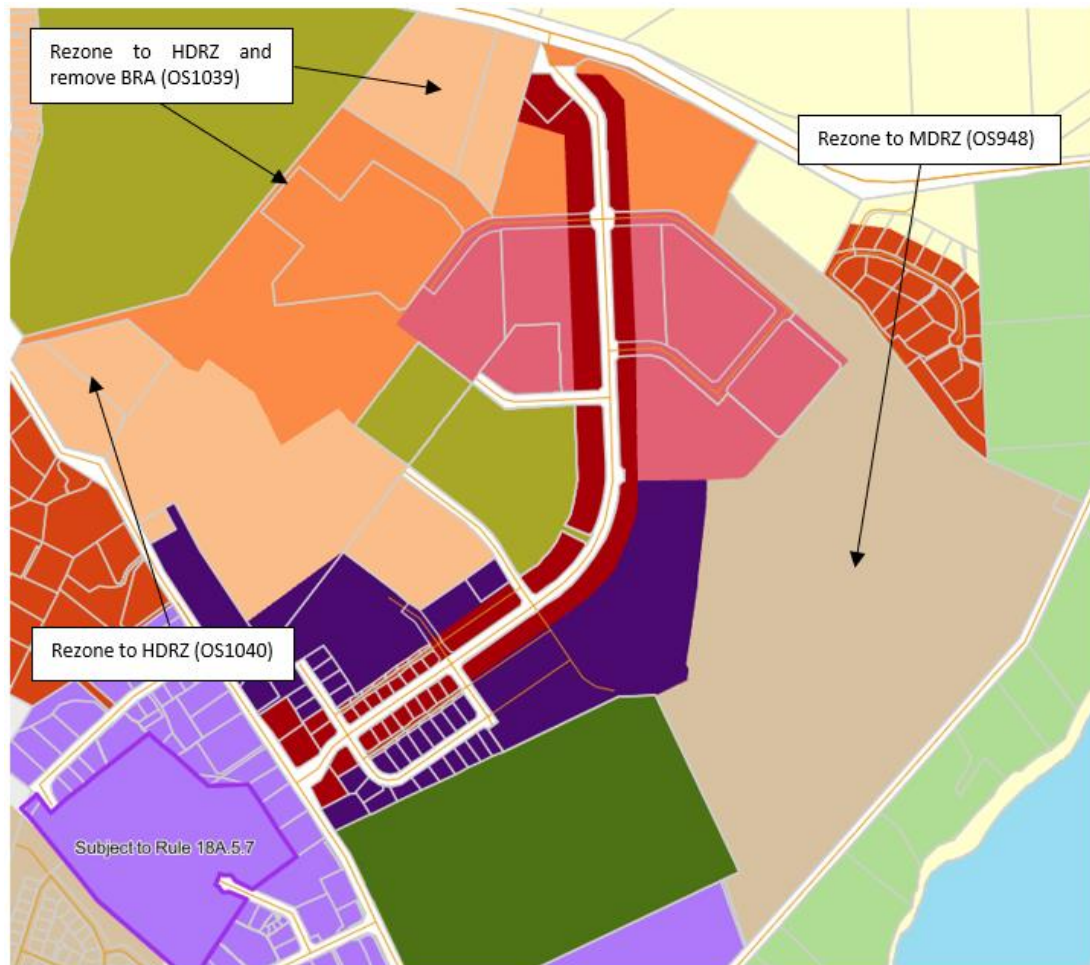


Figure 24: Notified UIV zoning and general location of submissions in support and opposition.

Analysis and discussion

17.5 Ms Fairgray has considered the intensification opportunity at Three Parks and is of the view that further intensification within Three Parks, beyond what was notified, is likely to, on balance, be economically beneficial for Wānaka's urban form and will not undermine Wānaka Town Centre as it will also generate demand for growth within the Wānaka Town Centre. Ms Fairgray supports rezoning the remaining LDSRZ areas MDRZ as this will enable a more economically efficient pattern of land use in the long-term.

17.6 Mr Powell confirms that the Three Parks area can accommodate the increased heights and densities sought by the UIV with upgrades in place.

17.7 Three Parks was identified as having a low level of accessibility. In Mr Wallace's opinion this was driven by the fact that this large site is currently undeveloped and does not have an established transport network. I note that this will change over

time as the area is developed and this should be factored into the conclusions on accessibility in this location given that the UIV is taking a long term approach to managing growth.

17.8 Mr Wallace supports rezoning 27 Ballantyne Road, 100 and 124 Wānaka-Luggate Highway HDRZ given this area is accessible to Wānaka Town Centre by off road cycling facilities and is located approximately 400m from the school and recreation centre. Further, Mr Wallace supports the requested rezoning as the sites are currently vacant. This enables the delivery of more intensive typologies in a comprehensive manner in a way that does not give rise to adverse urban design effects.

17.9 I agree with the expert advice and support applying the HDRZ to 27 Ballantyne Road, 100 and 124 Wānaka-Luggate Highway. I agree that this area is accessible to Wānaka Town Centre, the school and recreation centre as well as the services and amenities within the establishing Mixed Use Zone and Three Parks Commercial Zone. I also share the view of Mr Wallace that given the land is vacant this will enable the comprehensive delivery of high-density housing with more intensive typologies in a way that does not give rise to adverse effects on neighbouring properties. This is unique to the Three Parks area and in my view, the District Plan should encourage this land to be used efficiently for urban growth within the confines of other relevant environmental constraints.

17.10 Regarding the area to the east of Sir Tim Watts Drive, Mr Wallace supports some rezoning of the land within 400m of some or all of the main amenities within Three Parks (being schools, supermarket, open space and employment). Mr Wallace's recommended rezoning extent is shown in Figure 6 of his EiC and provides for two block of 55m in depth and streets. Ms Fairgray's comments on relative demand for residential use are relevant to this area, as are her comments on the overall increase in residential demand for Wānaka arising from the Council's latest population projections (March, 2025). This weighs in favour of providing more opportunities for residential intensification in Wānaka and this greenfield land is an appropriate and efficient location to do so in my opinion. The large scale, greenfield nature of the land to the east of Sir Tim Watts Drive means that

development can be comprehensively planned to a high standard. I acknowledge that the land is located close to Wānaka's urban boundary and that a transition to the lower density rural residential environment on Riverbank Road is a consideration to ensure that built form integrates with its surrounding urban environment (SO 3.2.3.2). The Three Parks Structure Plan in Chapter 27 may also benefit from some revision if the zoning is amended to MDRZ to ensure that development supports a well designed and integrated urban form (SO 3.2.2.1).

17.11 On the basis of the evidence currently available, I support partial rezoning of the land to the east of Sir Tim Watts Drive to MDRZ, however, I would benefit from technical evidence from the submitter on this matter. This would usefully address interface conditions, and whether any amendments to the indicative roading and open space network shown in the Three Parks Structure Plan are necessary.

17.12 Submitters 1039 and 1040 seek to remove the entire Building Restriction Area from the western extent of Three Parks where it adjoins the Wānaka Golf Course. They state that this would enable the site and surrounds to be developed to a greater intensity than otherwise would be provided for, in line with the national direction sought and subsequent urban intensification variation put forward by QLDC. The submitters refer to the recommendations of the IHP for the Stage 3 PDP Hearings, which states the following:

We accept Mr Roberts' opinion that:

While it would be preferable to remove the BRA along the entire golf course boundary, the scope of the Willowridge submission is limited to only removing it at each end. In my mind it would not be appropriate, or result in an integrated resource management outcome to have buildings setback from the golf course in only some areas. It is more appropriate to have consistent built form outcomes at the interface of the golf course. Given there is no scope to remove all of the BRA, it is my preference that it be retained along the full length—that is, I do not recommend any further changes to the BRA alongside the golf course, maintaining the position in my s42A. I also note that if a road is located in the BRA at the Ballantyne Road end, as proposed by Willowridge, for the fixed road to the west of

Sir Tim Wallis Drive in the future, that its construction and use as a road will not be impacted by the BRA.

17.13 The purpose of the Building Restriction Areas on the western edge of the Three Parks Structure Plan in the PDP is not immediately obvious in the PDP provisions. As I understand it, they have their genesis in Plan Change 4 to the Operative District Plan and the decision report for that plan change provides some insight to their purpose.⁸⁸ The decision report refers to an Urban Design Framework⁸⁹ which informed the Three Parks Open Space Plan that is included in the Operative District Plan. Reviewing the various documents for Plan Change 4, the square area of open space relates to the Kame and Kettle Mound reserve, which formed part of the open space network for the area shown in the supporting Urban Design Framework. Similarly, the strip of land running alongside the boundary of the Wānaka Golf Course was intended as an open space corridor providing cycle and pedestrian access to Mt Iron.⁹⁰ The Building Restriction Area in the south-western corner is identified in the Urban Design Framework as “Stormwater Treatment – Integrating Public Open Space” and the ODP describes it as a “reserve over terminal moraine”. The recommendations report for Plan Change 4 notes the dual open space and stormwater function of this area.⁹¹

17.14 The provisions in the ODP were then ‘rolled over’ into the PDP, although the Three Parks Structure Plan contained in Chapter 27 does not include the full extent of the Building Restriction Areas shown on the Planning Maps, the reason for which is unclear. This matter was again discussed at the rezoning hearing for the PDP,⁹² however, it appears that the discussion focussed on the scope of submissions and there is limited discussion on the merits of removing the Building Restriction Areas. The submitter may wish to provide further information on this, given that the

88 https://www.qldc.govt.nz/media/gu3mkvfr/pc4-commissioner_decision.pdf.

89 https://www.qldc.govt.nz/media/iclllvx2/pc4-s32-appendix_1_-_final_ntp_ud_framework_march2012.pdf.

90 Refer also to the notation for the area shown in the Three Parks Open Space Plan in the ODP.

91 The report states: “The Commission notes that the reserve identified on the Spencer-Bower land is described on the Open Space Plan as “Reserve over terminal moraine”. The Commission understands that this reserve has been identified to preserve the feature on that land, as well as for future stormwater disposal. The Commission is therefore satisfied that no change is required to the Structure Plan or to the Open Space Plan in this respect.”

92 <https://www.qldc.govt.nz/media/lplnwbdr/qldc-stage-3-report-20-4-three-parks-with-appendix-2.pdf>.

background to the issue is somewhat complex. For this reason, I do not provide a definitive recommendation on this matter at this stage, and I would consider further evidence from the submitter as to the planning context and background.

Recommendation and Section 32AA Evaluation

- 17.15** Rezone 27 Ballantyne Road and 100 and 124 Wānaka-Luggate Highway HDRZ.
- 17.16** Rezone part of the LDSRZ on the eastern side of Sir Tim Watts Drive to MDRZ, noting that my position on this may be refined in response to submitter evidence.
- 17.17** Retain the Building Restriction Areas on the western side of the Three Parks Structure Plan area, noting that my position on this may be refined in response to submitter evidence.
- 17.18** For the recommended changes I make the following comments with respect to Section 32AA matters, which summarise the analysis already undertaken:
- (a) The recommended amendments to the zoning will more efficiently and effectively achieve the relevant objectives of the PDP, particularly Objective 4.2.2.3 given that it will enable high density housing in close proximity to Wānaka Town Centre, school and recreation centre. The recommended zoning will more efficiently and effectively achieve Objective 4.2.2.5 given the areas are largely vacant and therefore can accommodate comprehensive larger scale development;
 - (b) The benefits of enabling high density residential development at 27 Ballantyne Road and 100 and 124 Wānaka-Luggate Highway are considered to outweigh the costs. This recommended zoning amendment will enable more people to live in an area that is accessible by walking and cycling to the school and recreation centre. It will also enable more people to live in an area that can access the Wānaka Town Centre via an existing cycle path. As this land is currently undeveloped, high density residential development can occur without affecting surrounding established residential development. As set out in the economic evidence of Ms Fairgray high density development within this location will also support the growth of Wānaka Town Centre given it is so accessible;

- (c) The benefits of enabling medium density residential development to occur to the northeast of Sir Tim Wallis Drive are considered to outweigh the costs. This recommended zoning amendment will enable more people to live in an area that is accessible. As this land is currently undeveloped, medium density residential development can occur without affecting surrounding established residential development;
- (d) There is no need to assess the risk of acting or not acting as there is sufficient information available to make a decision on this matter; and
- (e) For these reasons, I consider that the recommended amendments are more appropriate in achieving the purpose of the RMA than the notified PDP zoning in this location.

18. AREA 13: NORTH WĀNAKA

Issues raised in submissions

- 18.1** Area 12 includes the MDRZ in The Heights and Clearview. Under the PDP the zoning of this area is MDRZ as shown on Figure 25. The notified UIV sought to retain the MDRZ within this area.
- 18.2** Two submissions⁹³ have been received seeking that the Heights and Clearview are rezoned to LDSRZ. This is on the basis that these areas are not accessible at all. While the submitters are comfortable with the existing MDRZ, they have concerns with the 12m height limit if this zoning is retained within these areas.

93 Submission points 549.1 and 860.1.

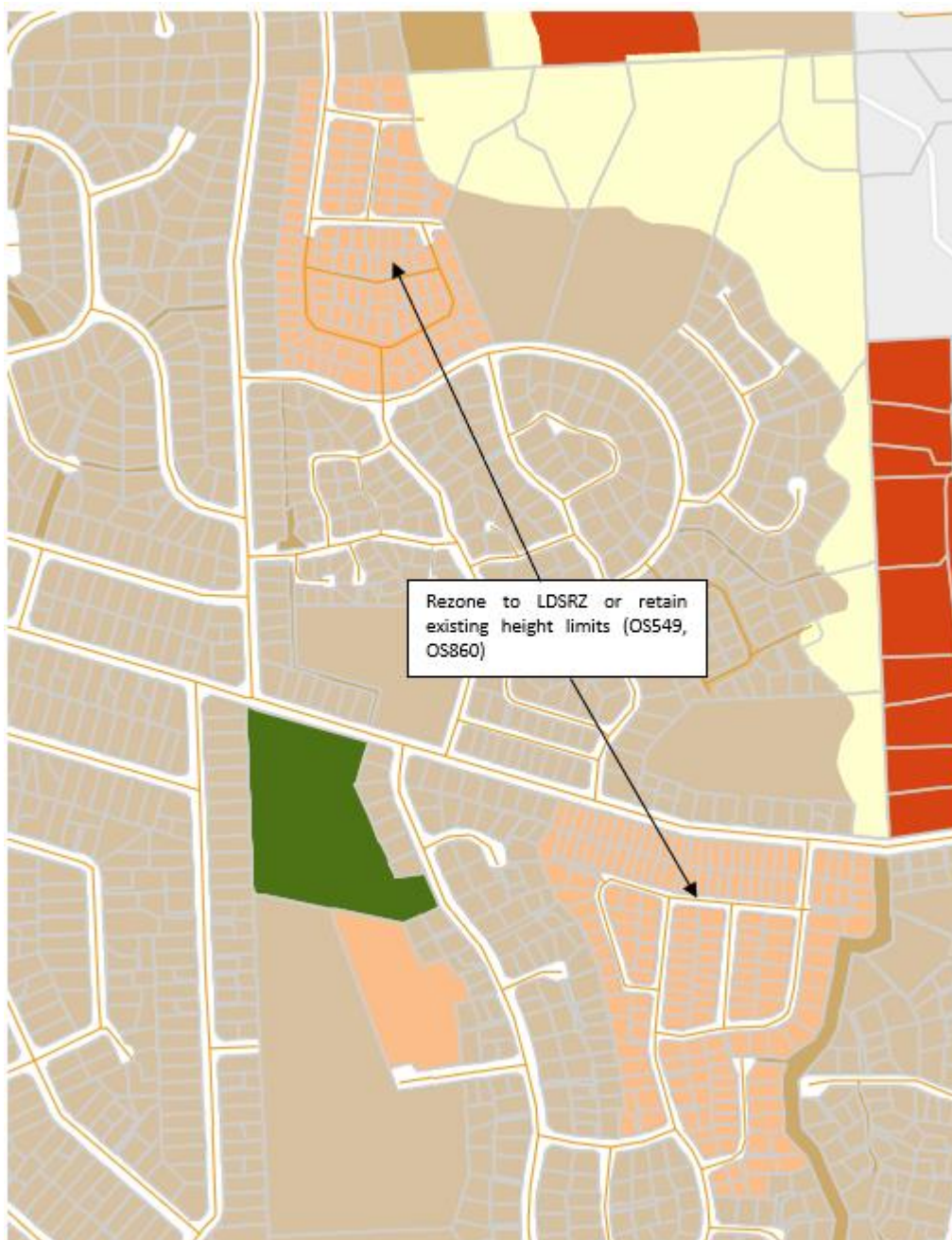


Figure 25: PDP zoning in this area and general location of submissions in support and opposition.

Analysis and discussion

18.3 Ms Fairgray states that while the application of the MDRZ with a limit of two storeys would increase the dwelling mix in this location from current patterns of development, three storeys would increase the incentive to develop these sites to contain a greater number of attached dwellings. Ms Fairgray states that the updated demand projections indicate a higher level of demand for attached dwellings in the Wānaka market at a scale that may exceed capacity in the long-

term and she therefore disagrees with these submissions and support the notified UIV height in these locations.

- 18.4** Mr Wallace notes that Clearview Street is an area that performs relatively poorly in terms of the Accessibility and Demand Analysis. Mr Wallace further notes that in contrast, The Heights performs moderately well due to its proximity to schools, open spaces and employment opportunities. Based on these factors Mr Wallace supports a reduction in the heights that apply to the MDRZ around Clearview Street.
- 18.5** I have reviewed the IHP Recommendations Report that recommended rezoning these areas to MDRZ.⁹⁴ The zoning was supported on the basis that the areas were close to amenities and services and presented the opportunity for comprehensive redevelopment. Since that time, development in both areas has progressed at a range of more suburban residential densities (generally around 400m²). There are a number of lots yet to be developed, although I understand that most of the sites are subject to land covenants that limit what can be developed on the site including on the vacant sites. This means that the zoning of the sites may be less relevant to future development outcomes in these areas, albeit legally, there is a process that can be undertaken to remove or modify land covenants.
- 18.6** I have set out the opinion of Mr Powell in paragraph 14.7 above with respect to three waters servicing in the catchment surrounding the Wānaka Town Centre. Those comments equally apply to this area.
- 18.7** Despite this, I support retaining the notified MDRZ for The Heights given Mr Wallace's findings on the accessibility of the area. In my opinion, this zoning will support a compact and integrated urban form (SO 3.2.2.1(a)). However, given the lower accessibility of the Clearview area, I agree with Mr Wallace that applying an 8m height limit would be appropriate reflecting its lower relative level of accessibility.

94 <https://www.gldc.govt.nz/media/0tfxpfp/report-16-2-stream-12-upper-clutha-mapping-urban-wanaka-and-lake-hawea.pdf>.

Recommendation and Section 32AA Evaluation

- 18.8** Amend the height limit with the MDRZ area in Clearview to 8m. Otherwise, retain the MDRZ in these locations.
- 18.9** For the recommended changes I make the following comments with respect to Section 32AA matters, which summarise the analysis already undertaken:
- (a) The recommended reduction to the height limit will more efficiently and effectively achieve the relevant objectives of the PDP particularly Objective 4.2.2.3, given that the site is not in close proximity to town centres, public transport routes, community and education facilities relative to other parts of Wānaka;
 - (b) The benefits and costs are considered neutral given that development of the land is already well progressed and land covenants are in place which in practice will have the greatest influence on the height and density of development;
 - (c) There is no need to assess the risk of acting or not acting as there is sufficient information available to make a decision on this matter; and
 - (d) For these reasons, I consider that the recommended amendments are more appropriate in achieving the purpose of the RMA than the notified PDP zoning in this location.

19. AREA 14: WĀNAKA SOUTH

Issues raised in submissions

- 19.1** Area 14 applies to two properties in Wānaka South including 45 Cardrona Valley Road and the land north of Avalon Station Drive. Under the PDP the zoning of this area is LDSRZ as shown on Figure 26. The notified UIV sought to retain the LDSRZ within this area.

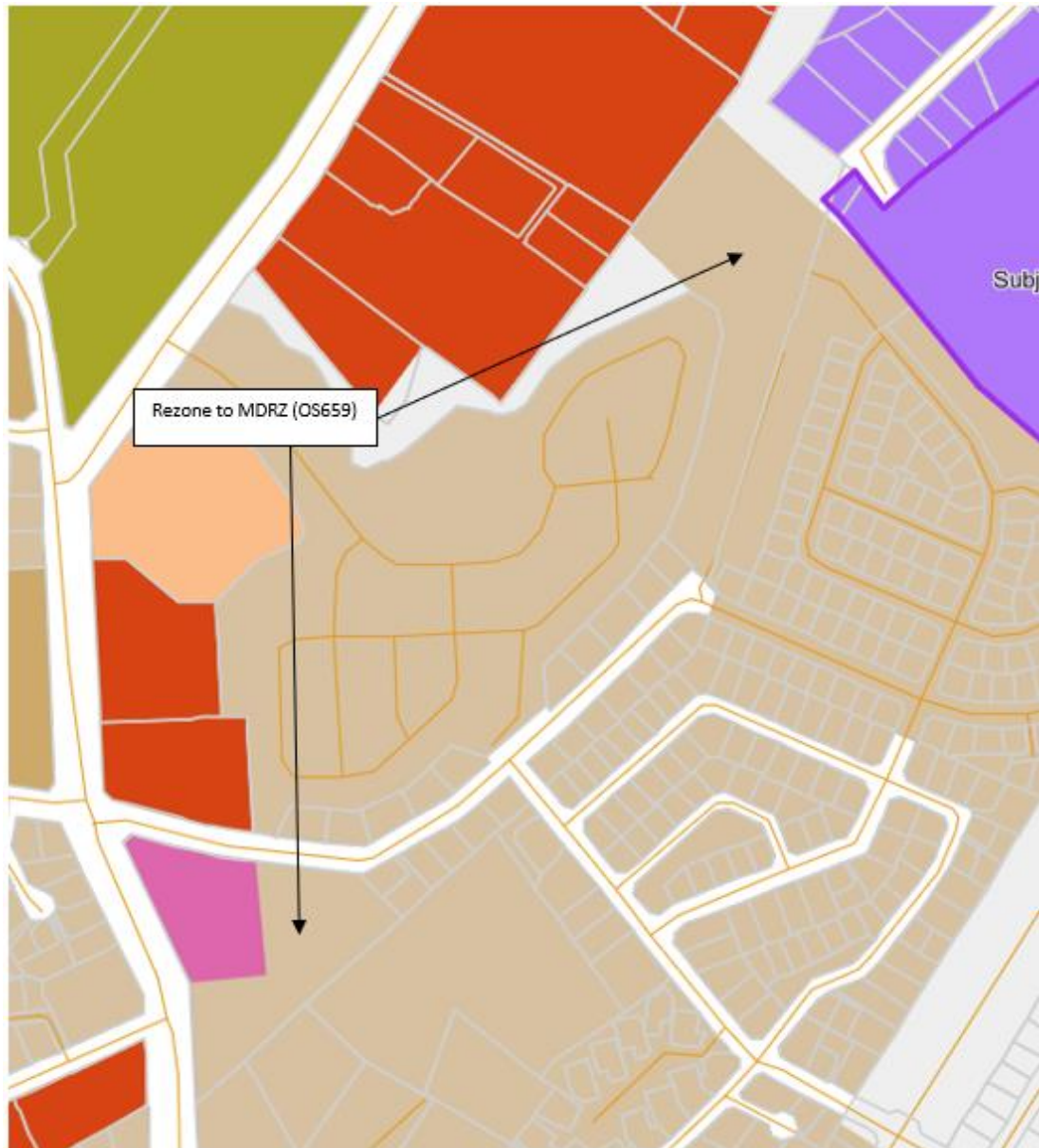


Figure 26: PDP zoning for Area 14.

19.2 The submission from NODROG 2021 Ltd and Gordon Trustees Ltd has opposed the application of the LDSRZ to their landholdings in the vicinity of Golf Course Road and Cardrona Valley Road. In particular, the submitter seeks that land at 45 Cardrona Valley Road that is not zoned Local Shopping Centre should be rezoned to MDRZ⁹⁵ as shown on Figure 26 above.

19.3 The submitter further seeks that the area of land north of Avalon Station Drive that is currently zoned LDSRZ be rezoned MDRZ. The submitters landholdings include significant areas of undeveloped land. The submitter considers that the objectives

95 NODROG 2021 Ltd and Gordon Trustees Ltd OS659.6.

of the NPSUD could be better served by rezoning parts of their landholding to MDRZ.⁹⁶

Analysis and discussion

- 19.4** Ms Fairgray is of the opinion that intensification at a medium density scale at 45 Cardrona Valley Road is likely to be economically efficient (in terms of alignment with future demand and development potential) and support the viability of the smaller commercial centre.⁹⁷
- 19.5** Mr Wallace notes that western Wānaka was assessed as having a moderate to low level of accessibility relative to other parts of the District however, the site at 45 Cardrona Valley Road has better accessibility than most other areas in the western portion of Wānaka. This is due to more proximate access to a range of different open spaces, early childhood education, medical facilities and the future potential of the Cardrona Valley Local Shopping Centre Zone.
- 19.6** From an urban design perspective Mr Wallace supports the rezoning of this site to MDRZ. The site is currently undeveloped so there is an opportunity to deliver a more comprehensive housing development without giving rise to adverse urban design effects. Mr Wallace also supports enabling more varied housing typologies within this location.
- 19.7** I agree with the expert view of Mr Wallace and Ms Fairgray and support the rezoning of 45 Cardrona Valley Road to MDRZ. In my view applying the MDRZ will more efficiently and effectively promote a compact, well designed integrated urban form (Objective 3.2.2.1(a)) given that the land is a moderately accessible location and is greenfield and therefore benefits from comprehensive site planning, which is otherwise more challenging on smaller infill sites. The site would also more efficiently and effectively achieve Objective 4.2.2.3, given that the site is in close proximity to town centres, public transport routes, community and education facilities relative to other parts of Wānaka.

96 NODROG 2021 Ltd and Gordon Trustees Ltd OS659.7.

97 EIC Susan Fairgray paragraph 8.53.

- 19.8** I have set out the opinion of Mr Powell above with respect to three waters servicing in the catchment surrounding Three Parks. Those comments equally apply to this area.
- 19.9** Ms Fairgray does not support intensification at a medium density scale on the northeastern site as this will be likely to contribute to a less efficient development pattern in this location.⁹⁸ From an accessibility perspective Mr Wallace states that while the site is closer to the emerging Three Parks area (and associated employment opportunities), it is still some distance from key amenities including schools, supermarkets and key public open spaces which are all generally at least 1.2 – 2km away. He states that this site is as it relates to its accessibility and locational characteristics more suitably retained within the LDSRZ⁹⁹.
- 19.10** I agree with Ms Fairgray and Mr Wallace that the northeastern site is a less efficient location for MDRZ based on the existing range of activities and services in the area. It is located at the northern end of the LDSRZ and at the southern edge of the General Industrial and Service Zone. The large undeveloped site on Connell Terrace that borders the northeastern edge has been subject of a recent Environment Court decision,¹⁰⁰ which will result in that site being rezoned to Business Mixed Use. This zone provides for a range of activities that could see centre type activities establishing, although there is no guarantee of this happening given the wide range of activities that the Business Mixed Use Zone enables. There is also the issue of potential reverse sensitivity effects arising as a result of increased residential densities in close proximity to the General Industrial and Service Zone at the site's northern edge. I acknowledge that these effects could be appropriately managed with suitable mitigation measures in place if necessary. Given these matters, I do not support rezoning the site to MDRZ, however, I would consider further evidence put forward by the submitter.

98 Susan Fairgray paragraph 8.51

99 Cameron Wallace paragraph 15.36.

100 <https://www.gldc.govt.nz/media/mzfbxtez/env-2018-chc-121-2021-chc-59-tussock-rise-ltd-v-gldc.pdf>.

Recommendation and Section 32AA Evaluation

19.11 Amend the zoning at 45 Cardrona Valley Road from LDSR to MDRZ. Otherwise retain the LDSRZ for the northeastern site.

19.12 For the recommended changes I make the following comments with respect to Section 32AA matters, which summarise the analysis already undertaken:

- (a) The recommended amendments to the zoning will more efficiently and effectively achieve the relevant objectives of the PDP, particularly Objective 4.2.2.3 given that it will enable medium density housing in close proximity to community facilities such as the Wānaka health centre which is located adjacent to the site. Further the rezoning will more efficiently and effectively give effect to Objective 4.2.2.5 given the site is vacant and therefore can accommodate comprehensive larger scale development;
- (b) The benefits are considered to outweigh the costs. Enabling medium density residential development in this area will enable more people to live in an area that is moderately accessible. As this land is currently undeveloped, medium density residential development can occur without affecting surrounding established residential development;
- (c) There is no need to assess the risk of acting or not acting as there is sufficient information available to make a decision on this matter; and
- (d) For these reasons, I consider that the recommended amendments are more appropriate in achieving the purpose of the RMA than the notified PDP zoning in this location.

20. CONCLUSION

20.1 A wide range of submissions and further submissions have been received with respect to the residential zoning proposed in the notified UIV. I have analysed the submissions, with my recommendations set out at Appendix A and discussed above. I intend to revise and refine these recommendations in response to submitter evidence as referenced above.

20.2 Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the residential zone extents of the notified UIV should be amended as set out in this report.

20.3 For the reasons set out in the S32AA evaluation included throughout this report, I consider that the proposed amendments to the residential zone extents will be the most appropriate means to:

- (a) Achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives; and
- (b) Achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

A handwritten signature in black ink, appearing to read 'Rachel Morgan', with a stylized, cursive script.

Rachel Grace Morgan

6 June 2025