

Rosalind Devlin for QLDC – Hearing Stream 15 – Visitor Accommodation Sub Zones

1. Council's framework supports Visitor Accommodation sub-zones (**VASZ**) in residential zones, albeit in appropriate locations. The purpose of these VASZ is to guide the location of commercial scale visitor accommodation (**VA**) activities in the underlying zones and to provide increased certainty regarding where visitor accommodation is an anticipated activity, while addressing adverse effects on residential amenity, including character, traffic and noise effects. The provisions for VASZ as notified have largely been retained, with specific amendments recommended by Ms Bowbyes.
2. I do not support the use of VASZs in rural zones, given the absence of a policy framework for VASZs in the rural zones; considering the Hearing Panel's earlier comments in this regard¹; and with reference to the PDP's strategic direction, which provides for the visitor industry within urban areas and settlements at locations where this is consistent with objectives and policies for the relevant zone². I remain of the view that VA in rural zones should be consented under the fully discretionary rules (21.4.19, 22.4.10, 23.4.16) with associated provisions for Residential Visitor Accommodation (**RVA**) and Homestays.
3. I recommend a VASZ be applied over eight additional submitter sites in Wanaka, Frankton, Fernhill and Sunshine Bay, and Arthurs Point. I consider that these VASZs are appropriate in these specific locations for guiding the location of commercial scale visitor accommodation activities in the underlying residential zones, and providing increased certainty regarding where visitor accommodation is an anticipated activity. In my view, these eight additional VASZs will implement the objectives and policies of the underlying zones, are the most appropriate way to achieve the strategic direction of the PDP³ and are the most appropriate way to achieve the purpose of the RMA.
4. For all other requests for a VASZ, I consider that the notified PDP zones, without the addition of a VASZ and instead using the underlying zone, are more appropriate. I consider that these requests do not meet the relevant statutory tests and the rezoning principles set out in Sections 3 and 4 of my S42 Report.
5. The key outstanding matters of disagreement between myself and submitters who have filed evidence are:
 - (a) Whether a VASZ is appropriate over 9 Southberg Avenue (2616 Delos Investments Limited);
 - (b) Whether a VASZ is appropriate over 9 Frankton Road (2552 Greenwood Group Limited); and
 - (c) Whether a Building Restriction Area (**BRA**) is appropriate for the southern edge of the VASZ over Richards Park Lane (2524 Coherent Hotels Limited). In this case, I have recommended a 4.5m BRA to apply to buildings for visitor accommodation within the VASZ to mitigate potential adverse effects on residential amenities; whereas the submitter considers that a BRA is unnecessary because there are already PDP provisions that more appropriately and effectively manage the issue of residential character⁴.

¹ Hearing Panel Report 4B Report and Recommendations of Independent Commissioners Regarding the Visitor Accommodation Subzone in Chapter 22: Rural Residential & Lifestyle, paragraph 43, dated 30 March 2018.

² Strategic Policy 3.3.1.

³ Strategic Policies 3.2.1.1; 3.3.1; Urban Development Policy 4.2.2.2

⁴ Statement of Primary Evidence of Nicholas Grala on behalf of Coherent Hotel Limited 6 August 2018, paragraph 28.