

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL HEARINGS PANEL

UNDER the Resource Management Act 1991

IN THE MATTER of the review of parts of the Queenstown Lakes District Council's District Plan under the First Schedule of the Act

AND

IN THE MATTER of submissions and further submissions by QUEENSTOWN PARK LIMITED, REMARKABLES PARK LIMITED and QUEENSTOWN WHARVES (GP) LIMITED

**SUMMARY FOR QUEENSTOWN PARK LIMITED,
REMARKABLES PARK LIMITED AND QUEENSTOWN WHARVES (GP) LIMITED**

HEARING STREAM 05 – DISTRICT WIDE

**CHAPTER 30 – ENERGY AND UTILITIES, CHAPTER 35 – TEMPORARY ACTIVITIES &
RELOCATED BUILDINGS AND CHAPTER 36 - NOISE**

15 SEPTEMBER 2016

1. CHAPTER 30 – ENERGY AND UTILITIES

- 1.1 Queenstown Park Limited (**QPL**), Remarkables Park Limited (**RPL**) and Queenstown Wharves (GP) Limited (**QWL**) consider that references to public transport in this chapter should include water-based public transport and the provision of a gondola between the RPZ to Queenstown Park and to the Remarkables ski field to reduce reliance on private motor vehicle use.
- 1.2 Mr Barr's opposition to this request is a case of "chicken and egg". Whilst there is currently no provision for a gondola structure in the PDP, there may be in the future. The "chicken and egg" issue might be remedied if the Panel deferred final decisions on this chapter until it has heard the site specific zoning submissions. We have been advised that the Panel may release interim recommendations or guidance, but final decisions will not be made until Stage 1 hearings are completed.
- 1.3 We would add, however, that whether a utility currently exists or is zoned is not a useful indicator of whether it should be recognised as a desirable infrastructure for the District. The proposed gondola would provide a genuine commuter transport option for people in Frankton and, for example, Lake Hayes. It would also provide a real transport alternative to use of the State Highway, district roads and the ski field access Road for those accessing the Remarkables ski-field or the Rastus Burn Recreation Reserve.
- 1.4 We also consider that the gondola and water based transport are utilities that fall within the Purpose of Chapter 30¹. They will be "essential" from a transportation perspective, bearing in mind the significant transport issues facing the district. Utilities are "generally", but not always, provided by a network utility operator. They can be provided and maintained by private interests. The gondola, in particular, will have "high capital cost to establish" and has "specific locational needs".
- 1.5 Further, there is no doubt that water-based public transport and the provision of a gondola between the RPZ to Queenstown Park and to the Remarkables ski field would deliver on policy 3.2.4.5 which states:

¹ As stated in 30.1.2.

² Paragraph 8 of Ms Banks Summary of Evidence dated 9 September 2016.

“Transport networks should be designed so that the number, length and need for vehicle trips is minimised, and reliance on private motor vehicles is reduced, to assist in reducing energy consumption.”

- 1.6 By adding the words “alternative forms of transport such as water-based public transport and gondolas could form part of an integrated transport network” (or similar) the opportunity is properly recognised.

2. CHAPTER 35 - TEMPORARY ACTIVITIES AND RELOCATED BUILDINGS

- 2.1 We consider that there is no effects based reason for drawing a distinction between public land and private land. We do not accept that private events, by virtue of being on private land, give rise to “different effects”². Different effects could only be generated by the location or scale of a temporary activity.
- 2.2 We oppose the distinction based on public land or private land. If it is acceptable for a large scale temporary activity to be held on Council land as a permitted activity without restrictions on the number of persons, duration etc³, then it is equally acceptable for such events to occur on private land. The nature and scale of the activity will dictate a suitable location.
- 2.3 Ms Banks’ also identifies “neighbouring land uses” as a reason for the distinction⁴. However, some public land adjoins private land and, logically vice versa. In that regard, it appears that reasonably significant events can occur on private land. For example, an event hosting, say, 400 people over two days from 8am to 2am (see 35.4.8) is permitted on private land. Such an event may have the potential to generate effects on neighbours, irrespective of whether it was on public or private land. As such, it seems that all the rules achieve is ensuring that the Council has a commercial advantage in terms of hosting large scale events (over 500) (see 35.4.7).

3. CHAPTER 36 - NOISE

- 3.1 The RPZ contains a suite of provisions that deal with noise. No changes are being made to the RPZ as part of this stage of the review. It is our position that the RPZ be excluded from any future stage of the review in accordance with agreements with the Council.

² Paragraph 8 of Ms Banks Summary of Evidence dated 9 September 2016.

³ See 35.4.5 to 35.4.8.

⁴ Paragraph 8 of Ms Banks Summary of Evidence dated 9 September 2016.

- 3.2 The section 42A report acknowledges that “the noise provisions of the ODP are spread throughout the various zone chapters” and that the PDP seeks to consolidate all provisions in a separate chapter. Therefore, there is a conflict in the structure of the ODP when compared to the PDP. Further complicating matters is the fact that it is now proposed to refine the noise controls that were promulgated under Plan Change 35 (see the evidence of Dr Stephen Chiles for example) under the PDP.
- 3.3 The RPZ is not specifically referred to in table 36.5, with the inference (and, in our view, intention) being that it is excluded from the requirements of Chapter 36. We consider that this inference should be expressly stated by way of a specific rule or advice note. This would avoid uncertainty and the potential for conflicting interpretations of the ODP and PDP.

DATED the 14th day of September 2016

A Porter/ B Fitzpatrick

for Queenstown Park Limited, Remarkables Park Limited and Queenstown Wharves (GP)
Limited



Remarkables Ski Field Top Base Station

Queenstown Park Upper Station

Remarkables Park Town Centre Base Station

Residential Transit Station

Queenstown Park Mid Station

