

**QUEENSTOWN-LAKES DISTRICT COUNCIL  
PROPOSED DISTRICT PLAN HEARING – STREAM 18**

**IN THE MATTER**

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

**Robert Stewart**  
Submitter (#13038)

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**EVIDENCE OF CAREY VIVIAN  
(PLANNER)  
28 May 2020**

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# Executive Summary

This evidence addresses the content of Mr Stewart's submission on the Arthurs Point North Outstanding Natural Landscape boundary, Urban Growth Boundary and zoning.

In Part 2 of this evidence I outline the planning history in relation to Mr Stewart's land.

In Part 3 of my evidence I detail the Specific Changes Sought over and above what Ms Turner has recommended in her section 42A report. These changes have been informed by Mr Espie in terms of landscape planning and Dr Forrest in terms of natural hazards.

In Part 4 of my evidence I address the issues raised in Ms Turner's section 42A report. Those issue primarily relate to natural hazards and landscape planning.

In part 5 of my evidence I discuss the mandatory assessment criteria. I do not identify any impediment to incorporating the amendments I recommend in Part 3 into the District Plan.

In Part 5 and Appendix A of my evidence I address section 32AA of the RMA. I conclude from this evaluation that the amended proposal is the most appropriate zoning for Mr Stewart's land.

In part 6 of my evidence I consider Part II of the RMA. In my opinion, the amended proposal achieves sustainable management of natural and physical resources.

## 1. Introduction

1.1 My name is Carey Vivian. I hold the qualification of Bachelor of Resource and Environmental Planning (Hons) from Massey University. I have been a full member of the New Zealand Planning Institute since 2000. I am a director of Vivian and Espie Limited, a resource management, urban design and landscape planning consultancy based in Queenstown. I have been practicing as a resource management planner for 20-25 years, having held previous positions with Davie Lovell-Smith in Christchurch; and the Queenstown Lakes District Council (QLDC or the Council), Civic Corporation Limited, Clark Fortune McDonald and Associates and Woodlot Properties Limited in Queenstown.

1.2 I have read the Code of Conduct for Expert Witnesses contained within the Environment Court Practice Note

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

1.3 I have read the evidence of Mr Barr, Ms Turner and Ms Melsop for the Council. I have also read the evidence of Mr Espie. I comment on this material through my evidence.

1.4 I have also read all other relevant submissions and further submissions. I do not specifically address those submissions in this evidence. I understand that I can, should I need to, address other submitters' evidence in a summary document at the hearing.

1.5 I am generally familiar with the subject site, having prepared minor subdivision consents for Mr Stewart in the past. Mr Espie and I walked over the entire site prior to preparing this evidence.

1.6 My evidence is structured as follows:

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

## 2. Submissions

2.1 Mr Stewart owns 5.6 hectares of land<sup>1</sup> (in two titles) located from the Coronet Peak Road turn off to the urban area of Arthurs Point, as shown below:

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<sup>1</sup> I understand Mr Stewart has owned parts of this site since 1972. He acquired extra land in 1974, 1983 and then from a boundary adjustment in 2015.



Figure 1 – Mr Stewart's property.

2.2 The subject site is held in two titles as follows:

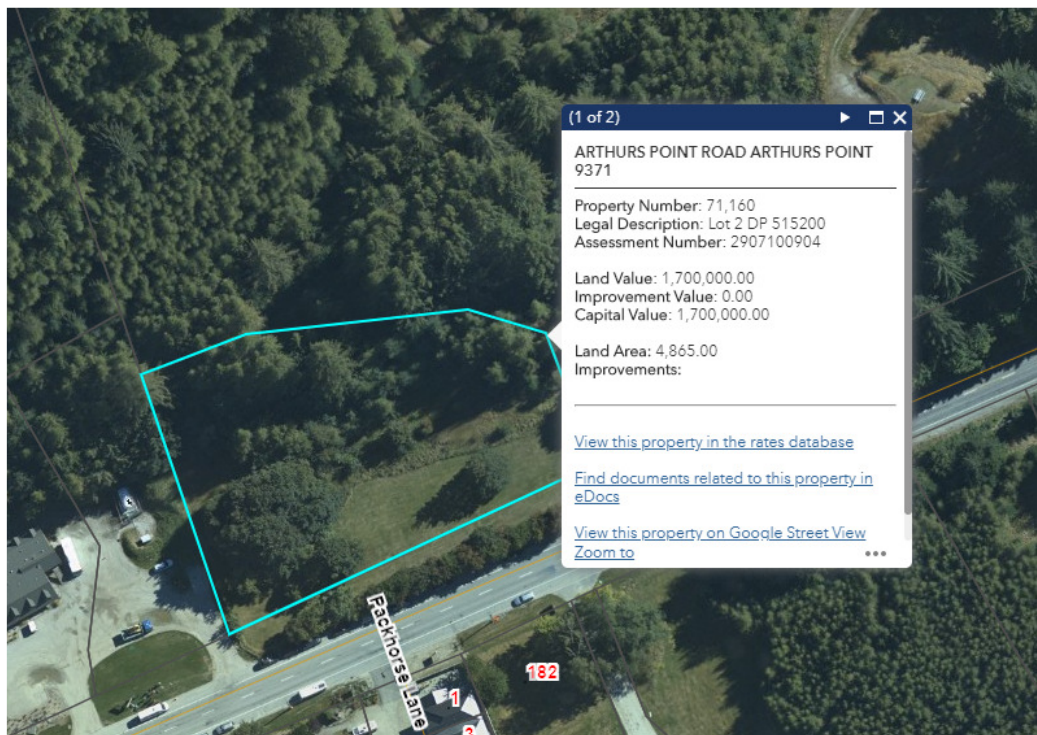


Figure 2 – Property 1.

2.3 And:

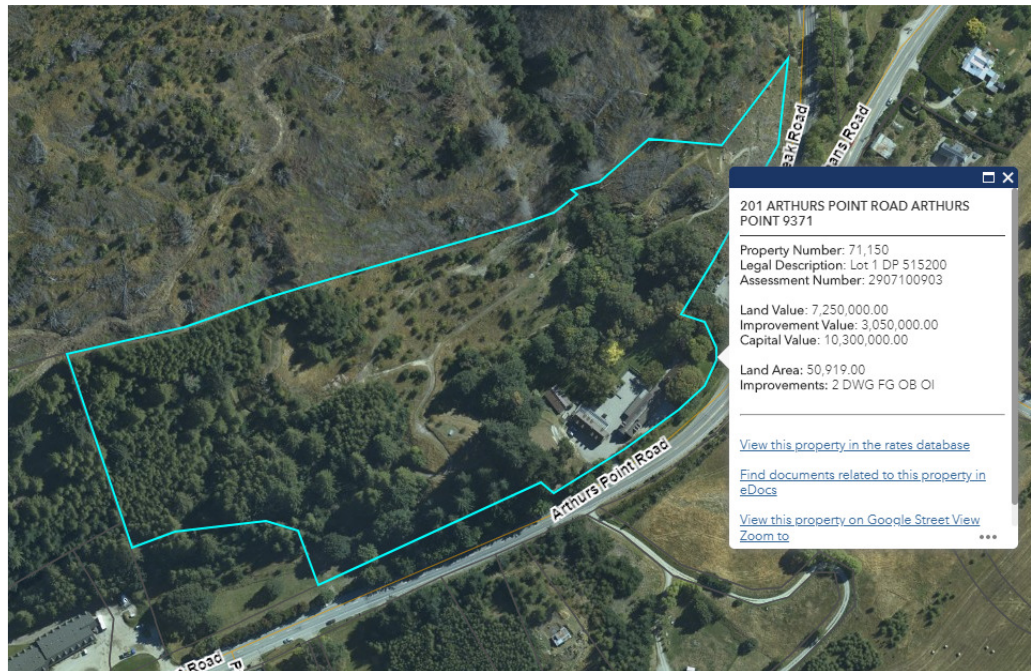


Figure 3 – Property 2.

2.4 Under the Operative District Plan (ODP) the majority of Mr Stewart's land was zoned Rural Visitor Zone (RVZ) and a small part (more recently acquired by boundary adjustment) Rural General Zone (RGZ), the latter presumably having an Outstanding Natural landscape (ONL) classification. This is shown in Figure 4 below:



Figure 4 – Extract from Planning Map 39a of the ODP

2.5 I understand the RVZ was in place when the now ODP was publicly notified in 1995. I also understand prior to the ODP, the subject site was zoned for Tourist 2 activities in the Transitional District Plan which dates back to the early 1970's.

2.6 I note that Mr Stewart's property boundaries have changed since Map 39a was produced. Figure 5 below shows the additional land Mr Stewart acquired from Mount Dewar Station to the north of the existing residences on the property (heritage item # 57) and the creation of a separate title in the south-eastern corner of the site.

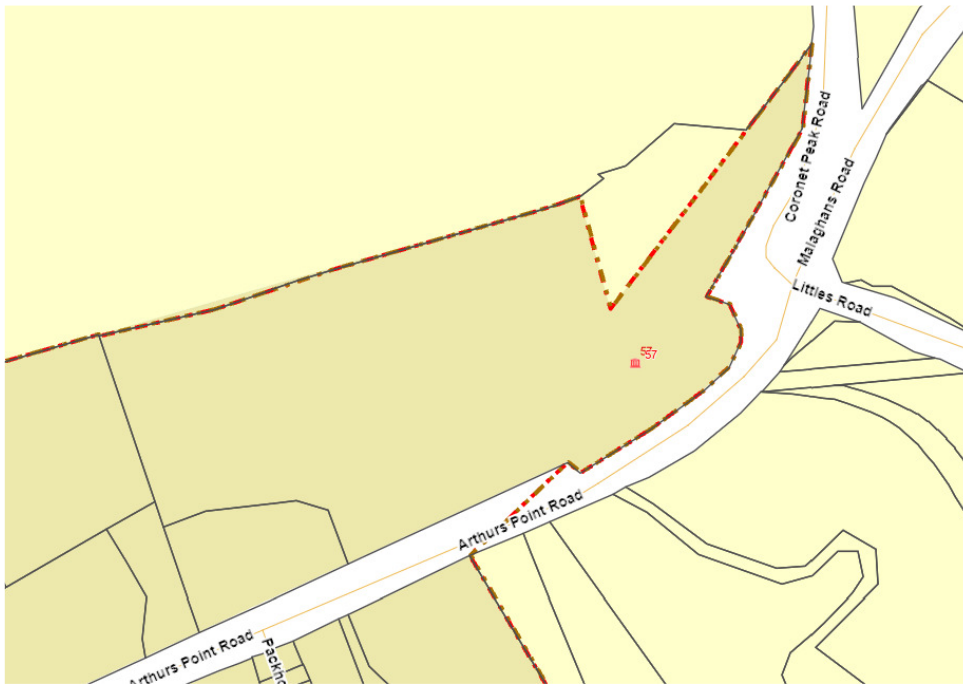


Figure 5 – updated property boundaries in relation to the ODP Rural Visitor zoning

2.7 Under the notified Proposed District Plan (**PDP**) (Stage 3), part of Mr Stewart's land was zoned for Medium Density Residential (**MDR**) (some with a visitor accommodation overlay and some with a building restriction overlay and part was zoned Rural (with a ONL classification) as shown in Figure 6 below:

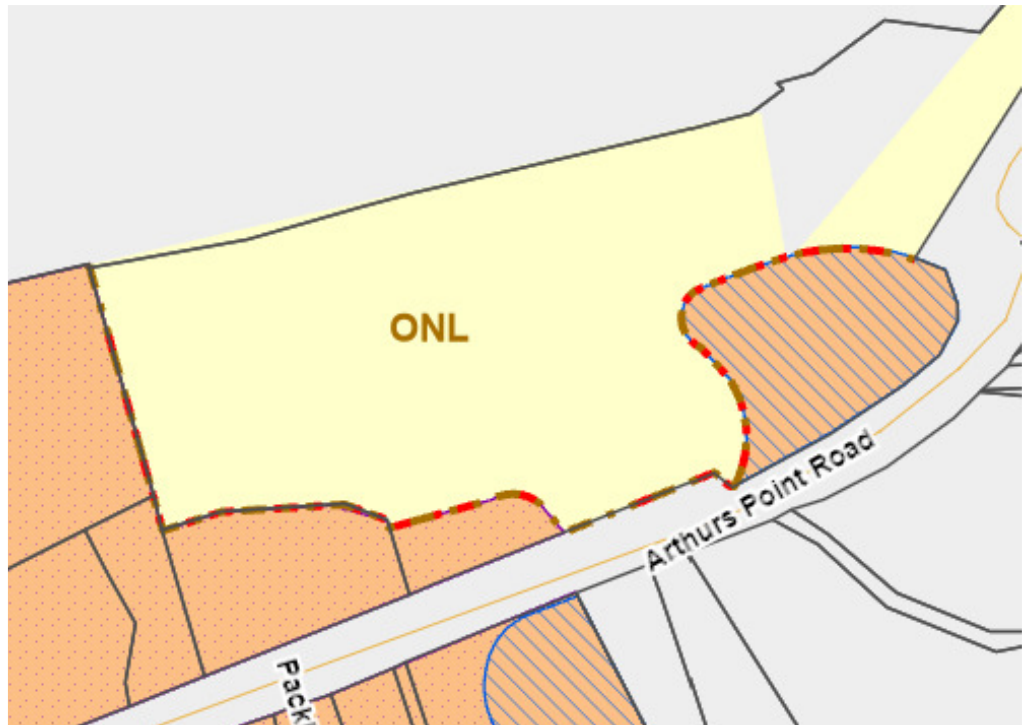


Figure 6 – Notified Stage 3 PDP Zoning

- 2.7 As noted in paragraph 7.1 of Ms Turner's report, Mr Stewart requested that Lot 1 DP 515200 be included in the Urban Growth Boundary (**UGB**) and be rezoned MDR with Visitor Accommodation Sub-Zone (**VASZ**) or ODP Rural Visitor Zone (**RVZ**) or PDP RVZ.
- 2.8 Ms Turner, in her section 42A report, recommends Mr Stewart's submission is rejected in total. However, she does recommend a strip of notified MDZ along Arthurs Point Road be changed from the notified MDR to High Density Residential (**HDR**) as shown in Figure 7 below:

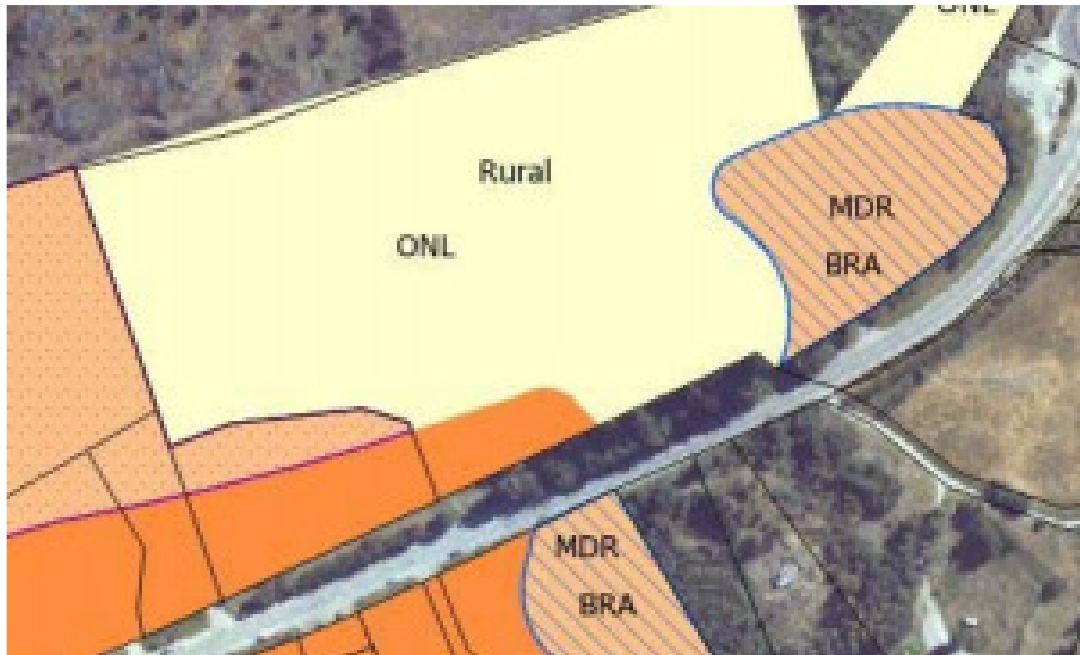


Figure 7 – Ms Turner's recommended Stage 3 PDP Zoning

- 2.9 I support Ms Turner's recommendation for a strip of MDR and HDR as shown in Figure 7 above. I consider her recommendation is well justified in terms of section 32 of the RMA.
- 2.10 The purpose of this evidence is to consider the appropriate location of the ONL boundary and the zoning of Mr Stewart's land above the recommended HDR and MDR zone which adjoins Arthurs Point urban area to the west. I adopt the planner's recommendation with respect to the recommended HDR and MDR zones (including building restriction area) over Mr Stewart's land as shown in Figure 7 above.

### 3. Specific Changes Sought

- 3.1 This evidence supports the location of the ONL boundary, UGB and rezoning of Mr Stewart's land as shown on Figure 8 below:



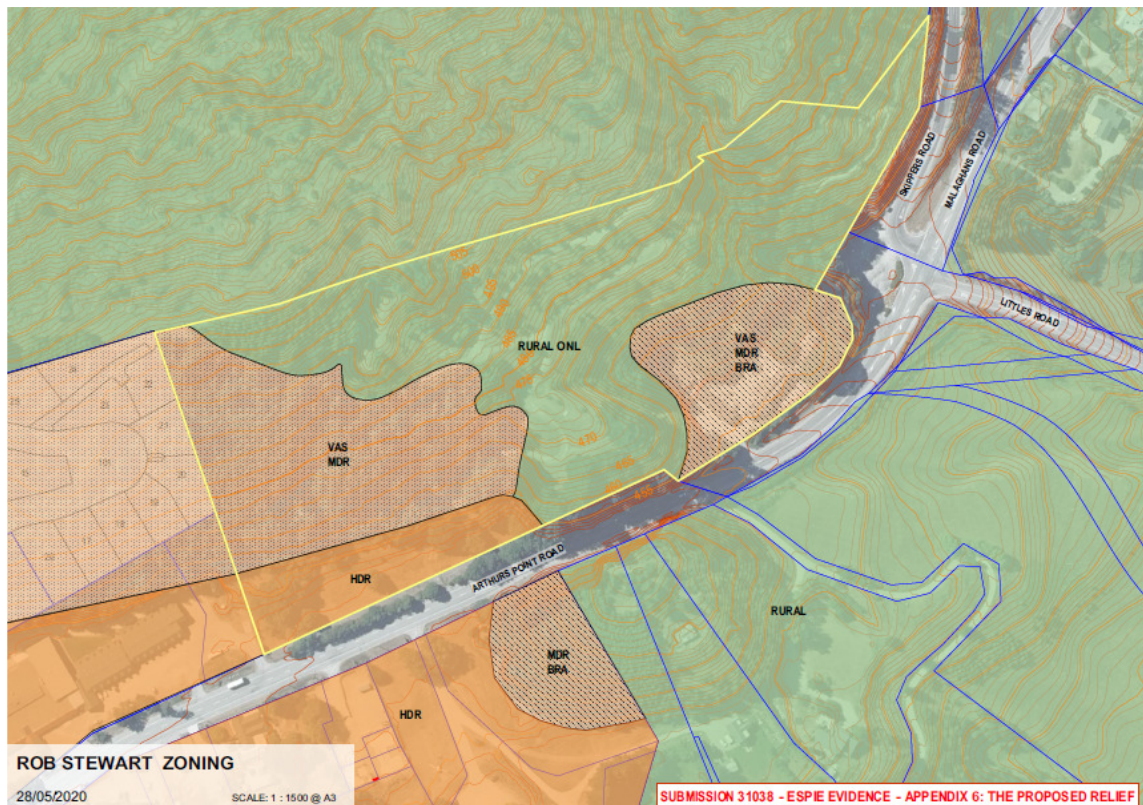


Figure 8 – Mr Espie’s recommended ONL and UGB boundaries and MDR zoning.

3.2 I also recommend in this evidence that a new rule be inserted into the MDRZ as follows:

8.4.11A	<p>All buildings within the Medium Density Residential Zone at Arthurs Point within Lot 1 DP 515200 restricted to:</p> <ul style="list-style-type: none"> <li>(i) the nature and degree of risk the natural hazard(s) pose to people and property;</li> <li>(ii) whether the proposal will alter the natural hazard risk to any site; and</li> <li>(iii) the extent to which such risk can be avoided or sufficiently mitigated.<sup>2</sup></li> </ul>	RD
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3.3 I refer to Figure 8 and my recommended Rule 8.4.11A as the “**amended proposal**” herein.

## 4. 42A Report

4.1 Ms Turner considers Mr Stewart’s submission throughout her section 42A report.

<sup>2</sup> I have adapted this list of discretions from Rule 8.4.10.3(j) by adding the word “natural” before “hazard” in (i) and (ii).

- 4.2 At paragraph 3.20 Ms Turner considers Mr Stewart's request to delete the Building Restriction Area (BRA) 4 over a small area of Lot 1. Ms Turner notes that Ms Mellsop's evidence is that the level of development this would enable would be inappropriate for this site from a landscape point of view. Ms Turner notes that on the BRA portion of the site the activity status is non-complying for new buildings, and as the site already has existing built form, the notified BRA prevents further built development on the site to protect effects on the landscape. Ms Turner also notes that this portion of the site also contains a heritage building and therefore the BRA has a dual purpose of also protecting the heritage values of the building.
- 4.3 I have not been instructed to address this issue, other than confirm Mr Stewart will accept Ms Turner's recommendation for MDR with a BRA overlay, his key concern being the zoning for the remainder of the site. I do note however that Mr Stewart's submission seeks a VASZ over this area as well. This recognises the historic use of the site for visitor accommodation and the fact that the buildings have been restored for this purpose.

#### **Natural Hazards**

- 4.4 In paragraphs 4.16 to 4.20 Ms Turner discusses natural hazards. She notes that the hazards identified at the Arthurs Point North area are shown in Figure 7 of her report. She notes that the whole of the Arthurs Point North area is considered to have nil to low risk of liquefaction and the northern part of the subject area is affected by active schist debris landslides. She considers the debris landslide risks are relevant to submissions seeking rezoning of the whole zone and requests from Arthurs Point Woods Limited, Robert Stewart, QRC Shotover Limited and Coronet Peak Properties Limited for the land adjoining the zone boundary north of Arthurs Point Road. She notes that none of the submissions requesting rezoning have provided an assessment of natural hazards.
- 4.5 At paragraph 4.17 Ms Turner notes that the management of significant risk from natural hazards is a matter of national importance and the PORPS seeks that risks that natural hazards pose to Otago's communities are minimised. A consideration for assessing activities for natural hazard risk to people, property and communities in the PORPS is measures to avoid, remedy or mitigate those risks. The PORPS also seeks to minimise the increase in natural hazards risk by avoiding activities that result in significant risk from natural hazard and reduce existing natural hazard risk by discouraging activity that increases risk or increases community vulnerability.
- 4.6 Ms Turner also notes that natural hazards provisions are contained in PDP Chapter 28. The Chapter 28 objectives seek that risk to people and the built environment posed by natural hazards is managed to a level

tolerable to the community, and that development on land subject to natural hazards only occurs where the risks to the community and the built environment are appropriately managed.

- 4.7 At paragraph 4.18 Ms Turner notes that Natural Hazards considerations of this type and risk can be considered at the stage of subdivision and to an extent can rely on section 106 of the RMA, provided the rezoning does not create an unrealistic expectation about potential to develop. Ms Turner noted in this regard that the extent of the area proposed for rezoning is outside of the steeper land that surrounds Arthurs Point.
- 4.8 At paragraph 4.19 Ms Turner states that management of natural hazards risk is comparable in both the MDRZ and HDRZ as both sets of provisions allow for residential development without a consent. However, HDRZ and MDRZ do provide for consideration of natural hazards when developing 4 or more residential units per site as an RD activity. In the Rural Zone all residential development requires a consent and there is a greater ability to consider all aspects of natural hazard risk on the land.
- 4.9 At paragraph 4.20 Ms Turner states that in the absence of any information to the contrary in Council's records or from the submitter, she considers that while there is some consideration of natural hazards for residential development in the MDRZ and HDRZ when above a certain threshold, the Rural Zone is the most appropriate zone for managing the effects and risks of natural hazards on the steeper land to the north of the existing urban area of Arthurs Point where the debris landslide risk appears to be more evident.
- 4.10 With respect to natural hazards, annexed to my evidence as **Appendix A** is a Preliminary Geotechnical Appraisal report prepared by Dr Forrest of GCL Ground Consulting Limited. Dr Forrest finds:
- The most significant feature of the site is its position within the natural hazard zoning of an 'Active Schist Landslide', which has influenced the site's ground conditions and perceived stability.
  - The upper sections of the site are anticipated to be underlain by colluvium overlying glacial till with disturbed schist bedrock anticipated at relatively shallow depth. The lower section of the site lying below the access road is anticipated to comprise alluvial gravels.
  - Groundwater will be significantly below the levels of foundations and earthworks, but local seepages and/or springs can be expected.
  - The risk associated with liquefaction on site is considered to be nil.
  - Geotechnical parameters and conditions are likely to be unfavourable for standard foundation design. As such further investigation is recommended to develop an appropriately detailed ground model so that concept foundations, retention and earthworks design/parameters can be provided.

- The overall risk for the site is considered moderate to high and typical for sites of this nature within this topographical and geological setting.
- There are a number of risks based on the desk study information that require further substantiation through investigation before understanding the geotechnical constraints that may or may not influence the partial residential development from a geotechnical perspective.

4.11 Dr Forrest's findings are consistent with the geotechnical appraisal undertaken for the adjoining sites, west of Mr Stewart's land. RM180844 approved the subdivision of Lot 3 DP 331294 (which is immediately to the west of Mr Stewart's land) into 23 residential lots. The application was supported by a geotechnical assessment of Dr Bell, who found:

"Investigations to date have confirmed that construction of dwelling units on the Coronet Alpine site is geotechnically feasible, subject to further site specific investigation and design of foundations once the layout is agreed: the development is planned on the toe of the Coronet Peak Landslide, which is a 1,000Mm<sup>3</sup> feature that is presently marginally stable, and the thickness of the landslide deposits at this site is of the order of 50m."

4.12 Council's consultant engineer accepted this position, the decision stating:

"Records held at Council show that the liquefaction risk to the site is considered to be nil-low risk. The application has included a geotechnical report provided by Bell Geoconsulting Limited which includes an assessment of a "dormant pre-existing schist debris landslide" which is a 1,000,000,000m<sup>3</sup> landslide. Mr Hewland accepts that the author of this geotechnical report is an expert with regard to this landslide having considerable published papers on the subject."

4.13 RM180844 was replaced with a 35-lot residential subdivision last month (RM190926). With respect to natural hazards, that decision finds:

"Records held at Council show that the liquefaction risk to the site is considered to be nil-low risk. The application has included a geotechnical report provided by Bell Geoconsulting Limited which includes an assessment of a "dormant pre-existing schist debris landslide" which is a 1,000,000,000m<sup>3</sup> landslide. "

With regard to this, Mr Hewland has commented the following:

*"As discussed in the geotechnical section of the report above this hazard has been assessed by David Bell to be a dormant feature in regards to "practical engineering purposes", advising that there is no evidence of any movement within the last 10,000 years. There is also no evidence of any damage to other roading or buildings constructed within the zone including the Coronet Peak road and its base buildings, or the residential dwellings further downslope.*

*To prevent any instability within the landslide Bell recommends measures to prevent water infiltration, and to prevent instability of dwellings recommends specific investigations for each site and associated specific foundation design. I recommend a consent notice is registered on each lot advising of the requirement to undertake specific foundation designs and that there must not be any stormwater discharge to ground. I note these requirements may also form part of the geotechnical completion report.”*

Mr Hewland’s findings are accepted. The application has demonstrated effects relating to natural hazards can be minimised and mitigated.

Based on the above, it is assessed that effects arising from natural hazards on the development will have a no more than minor effect on the wider environment.”

- 4.14 Above Mr Stewart’s land are the slope of Mt Dewar. RM181638 approved a 55-lot subdivision, with the identification of thirty building platforms, to Treescape Queenstown Limited in November last year.

“Mr David Bell explained that he had been involved in geotechnical and hydrogeological projects related to the Coronet Peak Landslide since 1988 with respect to a number of projects in the Arthurs Point area. He said the site was located on this ancient landslide which formed as a result of undercutting during historic periods of glaciation. He said that there had been no movement on this feature for the last 20,000 years. He was satisfied that subject to stormwater management, and specific design of foundations and earthworks, the front faces area was geotechnically suitable for the proposed development. He was confident that groundwater sources could be accessed and utilised if required, as it is at the nearby Coronet Peak Skifield.”

- 4.15 Dr Forrest’s preliminary geotechnical appraisal appears, in my understanding, to be consistent with the geotechnical assessments for consented subdivision above and to the west of Mr Stewart’s land. In my understanding, Mr Stewart’s land is part of the same hazard and if a satisfactory engineering solution can be found for those sites, then there is no reason why an engineering solution cannot be found for Mr Stewart’s site. If an engineering solution cannot be found, then the Council have the discretion under the various rules (including my proposed 8.4.11A) to decline the consent application. I therefore rely on Dr Forrest’s expert opinion in support of the requested MDR zone extension.<sup>3</sup>

- 4.15 As stated in paragraph 3.2 above, I consider it is appropriate to insert a new rule that captures the construction of buildings that do not require consent under Rule 8.4.10 (i.e. three or fewer individual buildings). I therefore recommend that a new rule be inserted into the MDRZ as follows:

8.4.11A	All buildings within the Medium Density Residential Zone at Arthurs Point within Lot 1 DP 515200 restricted to:	RD
	(iv) the nature and degree of risk the natural hazard(s) pose to people and property;	

<sup>3</sup> I note that Dr Forrest has not provided evidence, however can be made available to answer any questions should the Commission have any.

- (v) whether the proposal will alter the natural hazard risk to any site;  
and
- (vi) the extent to which such risk can be avoided or sufficiently mitigated.

4.16 This rule ensures that natural hazards are considered for all built development in the requested MDR zone, either as part of a comprehensive building development pursuant to Rule 8.4.10, as an individual building pursuant to my Rule 8.4.11A or as a subdivision. Accordingly, I see no reason to retain Rural zoning for natural hazard reasons.

#### **Urban Growth Boundaries and the ONL**

4.17 At paragraph 7.2 Ms Turner discusses Urban Growth Boundaries (UGBs). She notes they are a strategic tool to manage urban development – in terms of both its extent and timing. She also notes that UGBs also provide greater protection of rural landscapes, greater certainty about the location of strategic infrastructure, and greater certainty to productive rural land uses.

4.18 Ms Turner notes that the Stage 1 decisions report from the Panel on Chapter 3, 4 and 6 notes the reason for having UGBs is that they reduce the cumulative effects of small urban growth where the urban areas within the district increase incrementally through the resource consent process. As such, Chapters 3 and 4 of the PDP contain objectives and policies that establish a framework for the appropriate application of UGBs across the district. Ms Turner states that while moving the UGB does not have any critical implications from a strategic point of view, in her opinion aligning the UGB and the ONL boundary on Lot 1 as notified creates a distinct and defensible urban edge. Ms Turner further states, that in her view, the UGB location should be aligned with the decisions on the location of the ONL to best protect the landscape values from potential development anticipated within the UGB.

4.19 Mr Espie addresses this issue in his landscape evidence and recommends that, on Mr Stewart's land, the ONL and UGB be in the same place however this is a slightly different position to what is recommended by Ms Turner. I do note however, that there are many examples in the PDP where the UGB and the ONL do not line up. An example is Planning Map 37 for Kelvin Heights where the UGB and the ONL boundary are separated by a strip of foreshore Rural land. However, in relation to Mr Stewart's land, I rely on Mr Espie's evidence.

4.20 In paragraph 7.3, Ms Turner states that to enable the appropriate protection of the ONL (as discussed in her para. 3.3), that she recommends that the zone remains as Rural Zone. She considers it would be inconsistent to extend the UGB and rezone Rural ONL land with an urban zone when the provisions for ONL (for example

21.21 assessment matters) are only applied to the Rural Zone. Therefore, she considers the Rural Zone best manages the effects of development on ONLs.

4.21 In relation to landscape character Mr Espie finds:

- the south and south-west facing slopes within the site that are proposed by the sought relief to be MDRZ VASZ, are perceived as being part of the contained landform unit that is characterised by the development of Arthurs Point North. This unit is dominated by built development and is not perceived as being part of the broad, vast mountainous ONL landscape that extends away to the north and east. I therefore support the ONL boundary line as is shown in his Appendix 6 (my Figure 8).
- The sought relief would mean that the broad surrounding mountainous ONL landscape (that is distinct from Arthurs Point North) is managed so as to as to maintain its natural character, while Arthur's Point north itself (including the area of south and southwest facing slopes within the site) is managed to provide residential and/or visitor accommodation at urban density. It would also mean that a logical, attractive, landform-related eastern edge is created for the Arthurs Point North area. I consider that this outcome is appropriate.

4.22 With respect to the requested MDR zone extension, Mr Espie finds that in relation to views and visual amenity, that once that part of the site is developed in accordance with those zones, the south and southwest facing slopes of the subject site that have been described will be very difficult or impossible to see. In Mr Espies opinion, built form on these slopes will be visible to some degree behind and through other dense built development. He considers that this will not degrade views or visual amenity as an observer in the Arthurs Point North area will have the visual experience of being in a small but dense urban area that has a logical and legible end point at the topographically prominent headland landform that sits within the subject site.

4.23 I agree with Mr Espie's overall conclusion, that in relation to landscape character and visual amenity, that the relief that is sought is appropriate.

### **Overall Recommendation**

4.24 Ms Turner finds, overall, when considering the costs and benefits of the economic, social, cultural, and environmental effects of the rezoning of Arthurs Point North, that:

- (a) rezoning using a multiple zones approach is the most efficient and effective way to achieve the

Strategic Objectives of Chapters 3, 4 and 6.

- (b) the Arthurs Point North Zone has the ability to absorb greater densities than the notified zoning.
- (c) a multiple zone approach of MDRZ, HDRZ and Rural Zone (her Figure 9) is most appropriate at this point in time and with the information available to consider.
- (d) the relevant submission points for these submissions be accepted and rejected accordingly.

4.25 I agree with Ms Turner that the multiple zone approach is the most efficient and effective way to achieve the Strategic Objectives of Chapter 3, 4 and 6. I also agree that Arthur's Point North area has the ability to absorb greater densities than the notified zoning. However, I disagree with her finding, as to the extent of the MDRZ in relation to the western boundary of Mr Stewart's land for the reasons expressed above and following.

## 5. Mandatory Assessment Criteria

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

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

5.2 I discuss each of these criteria below.

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

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



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

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

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

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

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

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

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

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

**(i) Operative Regional Policy Statement**

- 5.8 The Operative Regional Policy Statement 1998 (ORPS) has nearly been completely revoked by the Partially Operative RPS. That parts that are not revoked are shown in a document prepared by the ORC.<sup>4</sup>
- 5.9 The chapters of the ORPS most relevant to the amended proposal are Chapters 5 (Land) and Chapter 9 (built Environment).
- 5.10 Objective 5.4.3 seeks to protect Otago's outstanding natural features and landscapes from inappropriate subdivision, use and development. The objective closely mirrors section 6(b) of the RMA. Mr Espie has determined the location of the ONL boundary in his evidence. The proposed MDR zone extension does not adversely affect this wider ONL.
- 5.11 Overall, the amended proposal gives effect to the relevant Operative RPS objectives and policies.

**(ii) Proposed Otago Regional Policy Statement (PORPS)**

- 5.12 The ORC notified its PORPS on 23 May 2015. Decisions were released on 1 October 2016. The ORC received 26 notices of appeal and mediation on those appeals continues. Some Consent Orders have been issued and parts of the PRPS have now been made fully operative.
- 5.13 The following Chapters of the PORPS are relevant to the amended proposal:
- o Chapter 2 Kai Tahu Values and Interests
  - o Chapter 3 Otago has high quality natural resources and ecosystems
  - o Chapter 4 Communities in Otago are resilient, safe and healthy
  - o Chapter 5 People are able to use and enjoy Otago's natural and built environment
- 5.14 The relevant Chapter 2 objectives and policies are 2.1 to 2.2 (Kai Tahu values and interests). The PORPS requires that Kai Tahu values and interests are recognised and kaitiakitaka is expressed. The amended proposal, in my opinion, does not affect this from occurring at the time of development.
- 5.15 Chapter 3 of the PRPS is titled "Otago has high quality natural resources and ecosystems" and relates to natural resources, including ONLs.
- 5.16 Policy 3.2.4 relates to managing ONLs, stating

*Protect, enhance and restore outstanding natural features, landscapes and seascapes, by all of the following:*

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<sup>4</sup> <https://www.orc.govt.nz/media/6355/orc-1998-rps-revoked-provisions.pdf>

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

5.17 And Policy 3.26 seeks to protect or enhance highly valued natural landscapes by all of the following:

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

5.18 Chapter 4 is titled “Communities in Otago are resilient, safe and healthy” and relates to natural hazards and infrastructure. Objective 4.1 seeks that the risk that natural hazards pose to Otago’s communities are minimised. Policy 4.1.4 is to assess activities for natural hazard risk, by considering all of the following:

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

5.19 And Policy 4.1.5 is to manage natural hazard risk to people and communities, with particular regard to all of the following:

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

5.20 Dr Forrest has addressed the natural hazard issues in his preliminary Geotechnical Appraisal annexed to my evidence as **Attachment A**. Dr Forrest considers the overall risk for the site is moderate to high and

typical for sites of this nature within this topographical and geological setting. I have addressed this matter above and have recommended a new Rule 8.4.11A in response.

- 5.21 With regard to Policy 4.1.6, this policy seeks to manage natural hazard risk to people and communities by avoiding activities that significantly increase risk including displacement of risk off-site. To address this policy, I have recommended a new Rule 8.4.11A which effectively means any development will be required to undergo a natural hazard assessment before proceeding.
- 5.22 Policy 4.1.8 relates to the precautionary approach. The policy is that where natural hazard risk to people and communities is uncertain or unknown, but potentially significant or irreversible, to apply a precautionary approach to identifying, assessing and managing that risk. The risk at Arthurs Point is well-known and my recommended new Rule 8.4.11A which effectively means any development will be required to undergo a natural hazard assessment before proceeding.
- 5.23 Overall, the amended proposal gives effect to objectives and policies of the PORPS.

**(iii) Regional Plan: Air and Water**

- 5.24 The Regional Plans: Air and Water may be of relevance if the amended proposal is approved.

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

- 5.25 In my opinion there are no other management plans or strategies prepared under other acts relevant to the consideration of the amended proposal.

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

- 5.26 The Kai Tahu ki Otago Resource Management Plan was prepared in 2005 and is the principal planning document for Kāi Tahu ki Otago. It was developed over a 2-year period through extensive consultation with the four Papatipu Rūnaka of Otago as well as consultation with, and input from, the Otago whānau and rōpū groups and Southland and South Canterbury Rūnaka.
- 5.27 At Section 2.5.6 the Plan states that '*Kāi Tahu ki Otago values have been incorporated, to varying extents, in the following Regional and District Plans and Policy Statements*'. Key issues identified in the Plan relate to wai maori, wahi tapu, mahika kai and biodiversity, cultural landscapes, air and atmosphere, coastal environment.
- 5.28 The Whakatipu Basin is located within the Clutha-Mata-au Catchment, and this is described at Section 10.1 as:

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

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

...

**Land Use:**

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

...

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

...

**Land use:**

9. *To encourage the adoption of sound environmental practices, adopted where land use intensification occurs.*
10. *To promote sustainable land use in the Clutha/Mata-au Catchment.*
11. *To encourage all consents related to subdivision and lifestyle blocks are applied for at the same time including, land use consents, water consents, and discharge consents.*
12. *To require reticulated community sewerage schemes that have the capacity to accommodate future population growth*

...

**10.3 WÄHI TAPU**

**10.3.1 Wähi Tapu in the Clutha/Mata-au Catchments**

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

...

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

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

5.29 With respect to 10.2 the development enabled by the amended proposal will be in accordance with sound environmental management and promote sustainable land use practices.

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

**(f) Does not have regard to trade competition.**

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

## 6. Section 32AA evaluation

- 6.1 Section 32AA of the RMA aims to ensure that any changes to plan provisions during the hearing process are subject to a similarly high level of analytical rigour and transparency as the original evaluation. A further evaluation under section 32AA must include all the matters in section 32, but only in relation to the changes that have been made to the proposal since the evaluation report for which it was completed.
- 6.2 A further evaluation is for the changes sought (the amended proposal) is attached to my evidence as **Attachment B**. This further evaluation examines the extent to which the proposed objectives and policies of the plan are, or are not, the most appropriate way to achieve the purpose of the RMA.
- 6.3 I conclude from this evaluation that the amended proposal is the most appropriate zoning for the subject site.

## 7. Part II of the RMA

### Section 7

- 7.1 The following other matters to which particular regard must be given are relevant to the consideration of Mr Stewart's submission:
- (b) the efficient use and development of natural and physical resources;
  - (c) The maintenance and enhancement of amenity values;
  - (f) the maintenance and enhancement of the quality of the environment.
- 7.2 The approval of the amended proposal will, in my opinion, lead to efficient use and development of natural and physical resources given their strategic location adjoining an established urban area. The MDRZ provisions will ensure the amenity values of the site, and surrounding environment, are maintained and enhanced. The approval of the amended proposal is not likely to result in any adverse effects on the amenity values of the area. The approval of the amended proposal would also assist in maintaining and enhancing the quality of this environment by ensuring development does not adversely affect the wider ONL values.

### Section 6

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

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

7.4 The amended proposal is located adjacent to the district wide ONL. Mr Espie has determined the boundary of that ONL and is of the opinion that the amended proposal has capacity to absorb change without adversely affecting the wider ONL. The amended proposal is therefore not an inappropriate use or development in relation to 6(b) of the RMA.

**Section 5**

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

# Attachment A – Preliminary Geotech Appraisal



Queenstown Office  
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27 May 2020

**Mr Robert Stewart**

c/o Vivian & Espie  
Queenstown

Ref: L6252-1A

By Email

**Attn: Mr Carey Vivian**

Dear Carey

**RE: PRELIMINARY GEOTECHNICAL APPRAISAL FOR LOT 1 DP 515200, 201 ARTHURS POINT ROAD, ARTHURS POINT**

## Summary

- 201 Arthurs Point Road is subject to rezoning with the owner wishing to create an extended Medium Density Residential Zone (MDR) in the western half of the property, with the balance of the lot (excluding the current dwellings and Title) designated as Rural Zone with Outstanding Natural Landscape classification (RZ, ONL).
- This report details a preliminary geotechnical appraisal, with particular cognisance of the natural hazards on site.
- The most significant feature of the site is its position within the natural hazard zoning of an 'Active Schist Landslide', which has influenced the site's ground conditions and perceived stability.
- The upper sections of the site are anticipated to be underlain by colluvium overlying glacial till with disturbed schist bedrock anticipated at relatively shallow depth. The lower section of the site lying below the access road is anticipated to comprise alluvial gravels.
- Groundwater will be significantly below the levels of foundations and earthworks, but local seepages and or springs can be expected.
- The risk associated with liquefaction on site is considered to be nil.
- Geotechnical parameters and conditions are likely to be unfavourable for standard foundation design. As such further investigation is recommended to develop an appropriately detailed ground model so that concept foundations, retention and earthworks design/parameters can be provided.
- The **overall risk** for the site is considered **moderate to high** and typical for sites of this nature within this topographical and geological setting.



- There are a number of risks based on the desk study information that require further substantiation through investigation before understanding the geotechnical constraints that may or may not influence the partial residential development from a geotechnical perspective.

## Introduction

GCL has been requested to provide a geotechnical assessment in the form of a desk top study for the purpose of supporting a change in zone application of Lot 1 DP 515200, 201 Arthurs Point Road, Arthurs Point, Queenstown on behalf of the owner Mr Robert Stewart. The assessment is based on publicly available data held on the GIS and databases of QLDC, ORC and GNS as well as drawing on GCL's knowledge of the site and area. There has been no intrusive investigation of the ground for the purpose of this study.

## Site Details

The site is located within Arthurs Point adjacent to and west of Coronet Peak ski field access road, with Arthurs Point Road forming the southern boundary. The site is approximately 5.5km north north-east of central Queenstown.

The site is currently undeveloped land with the exception of the existing dwellings (under separate Title) situated in the south east corner of the wider property. The site is partially covered by mature pine and deciduous trees, the remaining open grass and scrub. A number of previously cut tracks run through the site.

The site is roughly rectangular in shape and situated on moderate to steep south east facing slopes. The south western corner of the site is a relatively low lying flat section. The central southern section along Arthurs Point Road forms an embankment to the road before becoming relatively flat around the existing dwellings.

A steep incised gully occupied by a overland water course cuts the very eastern section of the property, with the gully and stream being culverted in the car park area at the base of the ski field access road.

The legal details for the site are as follows:

- Valuation No: 2907100903
- Location: 201 Arthurs Point Road, RD1 Queenstown 9731
- Legal Description: Lot 1 DP 515200 - CT 803168
- Area: 5.1 Ha

## Previous Investigations

With reference to QLDC's EDocs facility, there appears to be no geotechnical investigation data for this specific site. However, the adjacent site (155 Arthurs Point Road) was subject to investigation and preliminary feasibility assessment for a residential subdivision development. The report was produced by Bell Geoconsulting Limited (BGL) in December 2007. The proposed development for which the report was prepared included multiple residential units, with parking, retaining and significant earthworks. In addition to the similarity of development being proposed, the geological and geotechnical constraints are also considered suitably similar for the report to be considered pertinent for review. The conclusions from this report (which to an extent can be extrapolated to the current site of interest) are as follows:

*1) Investigations to date have confirmed that construction of dwelling units on the Coronet Alpine site is geotechnically feasible, subject to further site-specific investigation and design of foundations once the layout is agreed: the development is planned on the toe of the Coronet Peak Landslide, which is a 1,000Mm<sup>3</sup> feature that is presently marginally stable, and the thickness of the landslide deposits at this site is of the order of 50m.*

*2) A realistic layout has been developed for the site, with 20-25 dwelling units being considered as possible, and the identification of roading alignments is critical to building site location: each dwelling unit will require specific design of foundations using Scala penetrometer and other techniques, close engineering supervision of earthworks, and drainage measures (especially in the north-west of the site where springs are present).*

*3) The 20 test-pits completed to date have shown that the full postglacial weathering profile is present at this site to a depth of approximately 1.0m, and this confirms that significant slope movements have not occurred in the last 10,000 years: however, further test-pits will be required to assist with design of road access patterns for the site, and detailed engineering geology assessment is necessary for subdivision layout and planning.*

## Site Geology and Groundwater Regime

With reference to the GNS Map Client database and the Geological Map of New Zealand, Sheet 18 (Wakatipu), at a scale of 1:250,000, the site is underlain by two geological horizons. The lower south west portion of site, adjacent to Arthurs Point Road, comprises late Pleistocene outwash deposits comprising generally unweathered, well sorted, loose, sandy to bouldery gravel forming large terraces and outwash plains.

The upper slopes of the site (approximately 95% of the site) comprises Rakaia terrane pelitic schist consisting of very well segregated and laminated; abundant pelitic & subordinate psammitic greyschist; minor greenschist & metachert; TZ4. This geology is the parent material associated with the regional scale landslide on which the site is located.

Given the nature and topography of the slope, and with reference to the BGL report for the site at the same topographical height and relative position on the wider hillside, the following description of the geology encountered from 155 Arthurs Point Road is summarised below. The summary is considered to be the best representation of the likely geological conditions on site in the absence of any site-specific investigation of the project site.

- The landslide debris is highly variable, ranging from matrix-supported blocks >2m in size to dominantly fine-grained silty and sandy gravels.
- The schist blocks are dominantly pelitic in origin, and therefore weak to moderately weak, with rare stronger grey and green schist boulders.
- The full postglacial weathering profile is developed across the site, with brown oxidised clayey silts and gravels to ~1.0m in depth with topsoil.
- No evidence exists for ongoing or recent slope instability within the landslide deposits, although the ground is hummocky and locally steep.

The groundwater levels for the site are anticipated to be well below any earthworks and or foundation level, although local seepage and perched groundwater can be expected at the interface of the glacial till and underlying schist bedrock.

## Geohazards and Geotechnical Risks Associated with the Site

In 2012, T&T published their Queenstown Lakes District liquefaction hazard assessment report, a summary of which is usually attached to the LIM for any property. The report indicates that the site's location within the Arthurs Point area is not zoned for liquefaction (LIC1) i.e. there is no perceived risk. Good engineering practice does however promote site investigation to satisfy the requirements of NZS3604 and determine 'good ground' is available and that there are no saturated fine-grained soils present that are prone to liquefaction.

The ORC hazard mapping now refers to the recent GNS authored report "Assessment of liquefaction hazards in the Queenstown Lakes, Central Otago, Clutha and Waitaki Districts, Otago (2019)". According to this report, the project site is classified as Domain A. This classification suggests that the ground is predominantly underlain by rock or firm sediments, with a low to zero liquefaction potential.

The ORC GIS does not associate the site with any form of alluvial landform or active alluvial process.

With further reference to the ORC hazard data and mapping, site sub soil classes B (rock) and D (deep soils) in accordance to NZS1170.5 has been assigned to the site. This reflects the site geology comprising 'soft' sediments to depth associated with the outwash deposits at the foot of slope and the rock mass for the remainder of the site.

The GNS active fault database does not identify the site to lie within a zone of active faulting. However, the region is potentially prone to significant and strong ground shaking associated with the rupture of the Alpine fault, located approximately 50km to the west on the West Coast of the South Island. There currently exists the high probability of this fault rupturing generating an earthquake of magnitude 8 or greater within the next 50 years. The ground shaking associated with the reactivation of this fault (based on the 1:2500 year return) is reported to be MMIX (violent), which has the following description:

*"Damage considerable in specially designed structures; well-designed frame structures thrown out of plumb. Damage great in substantial buildings, with partial collapse. Buildings shifted off foundations."*

The ORC GIS states the site is not affected by flooding.

The most pertinent risk associated with the site is ORC's classification of the site as an 'Active Schist Landslide'. This is discussed by BGL in some detail in the report, with David Bell considered to be a respected expert on the matter having published manner technical papers on the subject. The report reads as follows:

*The Coronet Peak Landslide extends for 9km around the valley side from the Shotover River towards Arrowtown, with an estimated volume of 1,000Mm<sup>3</sup>, and from the crest of the north-western ridge to the valley floor over most of this distance. Virtually the whole of the Coronet Peak Skifield (and associated infrastructure) is located on landslide deposits, and the headscarp is often located at or even through the ridge crest.*

*The dominant schist type is pelitic (i.e. original mudrock); the failure is translational on foliation shear zones dipping downslope at 15-30° and most probably retrogressive over time. Initial sliding was a consequence of slope toe removal by ice excavation during the Penultimate Glaciation (135-150ka), with reactivation of the south-western part during the Old Ben Lomond Station advance at the Last Glaciation Maximum (c.20-25,000 years).*

## **Preliminary Geotechnical Risk Assessment**

Based on the readily available information for the site, the geotechnical risk associated with the site for the purpose of building a residential dwelling(s) is considered to be **Moderate to High** and typical for a moderately steep site of this nature in the district.

The most significant risk to the site is its situation within a landmass considered to be an 'active landslide' in terms of Regional Council definition and classification. However, as demonstrated by BGL, there is sufficient evidence to suggest that the landslide is dormant, in a state of equilibrium and as such, presents no geotechnical constraint to residential development beyond that of specific design to meet ground conditions and local stability issues. In terms of the project site specifically, our extrapolation of the same conclusions of BGL can only be considered preliminary until such times that ground investigation is undertaken to prove the ground conditions and weathering profile are indeed similar to the 155 Arthurs Point Road site.

The potential for liquefaction has been determined as nil based on the geological model for the area. However, the Queenstown lakes area is subject to seismic activity and as such, any design should take into consideration the various building parameters applied to mitigate or reduce the effects of such an event occurring.

The geotechnical parameters of the ground in terms of building platform stability foundation design and batter angles for earthworks are likely to be outside the scope of the usual building code range, such that specifically engineered foundation and retention solutions will be required. Consequently, development of the site is expected to be achievable from a geotechnical perspective but will likely attract higher development costs. Further investigation and assessment are essential to develop a detailed the geological and geotechnical ground model to enable detailed design of the proposed development.

The incidence of steep banks along the property boundary to the south also present a potential risk to the development in that a geotechnical set back of some 5 to 20m may have to be imposed. The actual set back would have to be determined through site specific slope stability assessment assuming a standard light weight timber framed two storey building is to be constructed in that zone. What acts in favour of the lesser set back distance is the fact that the current slope is currently stable and has been subject to some cut to form the road corridor for Arthurs Point Road without apparent detrimental effect.

## **Residual Risk to be Considered**

When considering the rezoning of the western portion of the site to MDR, and subsequently subdivision consent approval any development of the site should be cognisant of the following:

- A more specific and robust assessment of the natural hazards impacting the site should be undertaken to satisfy the Resource Management Act Section 106. This would include intrusive investigations within the area of the site identified to be MDR to confirm the nature of the ground and to confirm some of the extrapolation and assumptions adopted from the reporting for the adjacent site (155 Arthurs Point Road).
- Geotechnical investigations must be sufficient to prove that the ground is a) sufficiently stable to promote development and b) be robust enough to allow for commensurate foundation and infrastructure design that can mitigate instability or poor ground conditions.
- The infrastructure costs required to stabilise the site to allow development may be prohibitive. Such costs could be attributed to drainage, retention features, earthworks, ground improvement and specifically engineered foundation solutions.
- Outside of this specific report but to be considered is the long-term management of stormwater to ensure that peak greenfield pre-development rate of run off is at least maintained or bettered post development.

In this particular case, introducing excess water to the soils is considered inappropriate as any increase in soil pore pressures could induce localised slope instability.

We trust that the above provides some clarity around the likely ground conditions and geotechnical risks associated with the site, but should you require further information, please do not hesitate to contact us.

Regards,

A handwritten signature in black ink, appearing to read 'P. Forrest'.

**Peter Forrest**

Principal Engineering Geologist  
BSc PhD CGeol FGS

Enc Site Plan with Planning Information

## Attachment B – S32AA Evaluation

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

The changes I have assessed below are detailed in Part 3 of my evidence.

The relevant objectives can be found in following chapters of the PDP:

- Chapter 3 – Strategic Directions
- Chapter 4 – Urban development
- Chapter 5 – Tangata Whenua
- Chapter 6 – landscapes
- Chapter 8 – Medium Density Residential
- Chapter 29 – Subdivision and Development

### **Chapter 3 – Strategic Direction (updated to take account of Env Court interim decisions)**

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

- a. distinctive lakes, rivers and high country landscapes free of inappropriate development;
- b. clean air and pristine water;
- c. vibrant and compact town centres;
- d. compact and connected settlements that encourage public transport, biking and walking;
- e. diverse, resilient, inclusive and connected communities;
- f. a district providing a variety of lifestyle choices;
- g. an innovative and diversifying economy based around a strong visitor industry;
- h. a unique and distinctive heritage;
- i. distinctive Ngāi Tahu values, rights and interests;
- j. indigenous biodiversity and ecosystems.

3.2.1 The development of a prosperous, resilient and equitable economy in the District (addresses Issue 1)

3.2.1.1 The significant socioeconomic benefits of well designed and appropriately located visitor industry places, facilities and services are realised across the District.

3.2.17 Agricultural land uses are enabled provided those uses are consistent with:

- a. the protection of the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes;
- b. the maintenance of the landscape character of Rural Character Landscapes and the maintenance or enhancement of their visual amenity values; and
- c. The maintenance of significant nature conservation values.

3.2.18 Diversification of land use in rural areas beyond traditional activities, including farming is enabled provided that:

- a. the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are protected;
- b. the landscape character of Rural Character Landscapes is maintained and their visual amenity values are maintained or enhanced; and
- c. significant nature conservation values and Ngai Tahu values, interests and customary resources, are maintained.

**[Updated to take account of Env Court interim decisions – Topic 1 & 2]**

<i>Efficiency &amp; Effectiveness</i> <sup>(a)</sup>	<i>Benefits</i> <sup>(b)</sup>	<i>Costs</i> <sup>(b)</sup>	<i>Risk Acting/Not Acting</i> <sup>(c)</sup>
<p>The amended proposal:</p> <ul style="list-style-type: none"> <li>o occurs in a logical manner;</li> <li>o represents compact and integrated urban form;</li> <li>o can be serviced by reticulated infrastructure.</li> </ul> <p>The MDR provisions will ensure subdivision and development is well designed.</p> <p>The location of the requested MDR ensures development does not sprawl into rural areas (i.e. it is well contained).</p>	<p>As per <i>Efficiency and Effectiveness</i>.</p> <p>The requested MDR:</p> <ul style="list-style-type: none"> <li>o has good connection to existing the existing LDRZ;</li> <li>o Can be integrated with the existing HDR and MDR zones;</li> <li>o is serviced with public transport.</li> </ul> <p>Ensures UGB of Arthur's Point contains sufficiently suitable zoned land for future growth and a diversity of housing types.</p>	<p>Nil.</p>	<p>There is no uncertain or insufficient information as about the subject matter of the provisions.</p>

3.2.2. Urban growth is managed in a strategic and integrated manner. (addresses Issue 2)

3.2.2.1 Urban development occurs in a logical manner so as to:

- a. promote a compact, well designed and integrated urban form;
- b. build on historical urban settlement patterns;
- c. achieve a built environment that provides desirable, healthy and safe places to live, work and play;
- d. minimise the natural hazard risk, taking into account the predicted effects of climate change;
- e. protect the District's rural landscapes from sporadic and sprawling development;
- f. ensure a mix of housing opportunities including access to housing that is more affordable for residents to live in;
- g. contain a high quality network of open spaces and community facilities; and

h. be integrated with existing, and planned future, infrastructure. (also elaborates on S.O. 3.2.3, 3.2.5 and 3.2.6 following)  
 3.2.3 A quality built environment taking into account the character of individual communities. (addresses Issues 3 and 5)  
 3.2.3.1 The District's important historic heritage values are protected by ensuring development is sympathetic to those values.

**[Not subject to the Env Court interim decisions – Topic 3]**

Efficiency & Effectiveness <sup>(a)</sup>	Benefits <sup>(b)</sup>	Costs <sup>(b)</sup>	Risk Acting/Not Acting <sup>(c)</sup>
<p>The amended proposal:</p> <ul style="list-style-type: none"> <li>○ occurs in a logical manner;</li> <li>○ represents compact and integrated urban form;</li> <li>○ can be serviced by reticulated infrastructure;</li> <li>○ is zoned for urn development under the ODP.</li> </ul> <p>The MDRZ provisions will ensure subdivision and development is well designed.</p> <p>The location of the amended proposal ensures development does not sprawl into rural areas (i.e. it is well contained).</p>	<p>As per <i>Efficiency and Effectiveness</i>.</p> <p>The amended proposal:</p> <ul style="list-style-type: none"> <li>○ has good connection to existing the existing MDRZ;</li> <li>○ Can be integrated with the existing HDRZ and MDRZ;</li> <li>○ is serviced with public transport.</li> </ul> <p>Ensures UGB of Arthur's Point contains sufficiently suitable zoned land for future growth and a diversity of housing types.</p> <p>Retains the majority of the subject site in Rural with an ONL classification.</p>	<p>Nil.</p>	<p>There is no uncertain or insufficient information as about the subject matter of the provisions.</p>

3.2.4 The distinctive natural environments and ecosystems of the District are protected. (addresses Issue 4)  
 3.2.4.1 Development and land uses that sustain or enhance the life-supporting capacity of air, water, soil and ecosystems, and maintain indigenous biodiversity.  
 3.2.4.2 The spread of wilding exotic vegetation is avoided.  
 3.2.4.3 The natural character of the beds and margins of the District's lakes, rivers and wetlands is preserved, or enhanced where possible, and protected from inappropriate subdivision, use and development.  
 3.2.4.4 The water quality and functions of the District's lakes, rivers and wetlands are maintained or enhanced.  
 3.2.4.5 Public access to the natural environment is maintained or enhanced.  
 3.2.4.6 The values of significant indigenous vegetation and significant habitats of indigenous fauna are protected.  
 3.2.4.7 The survival chances of rare, endangered, or vulnerable species of indigenous plant or animal communities are maintained or enhanced.

**[Not subject to the Env Court interim decisions – Topic 4]**

Efficiency & Effectiveness <sup>(a)</sup>	Benefits <sup>(b)</sup>	Costs <sup>(b)</sup>	Risk Acting/Not Acting <sup>(c)</sup>

The amended proposal is a logical extension to the existing urban area which does not impact on the wider ONL values.	Retains the majority of the subject site in Rural with an ONL classification.	Nil.	There is no uncertain or insufficient information as about the subject matter of the provisions.
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3.2.5 The retention of the District's distinctive landscapes. (addresses Issues 2 and 4)

3.2.5.x The District's Outstanding Natural Features and Outstanding Natural Landscapes and their landscape values and landscape capacity are identified.

3.2.5.xx Within the Rural Zone, new subdivision, use and development is inappropriate on Outstanding Natural Features or in Outstanding Natural Landscapes unless:

- a. where the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are specified in Schedule 21.22, those values are protected;
- b. where the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are not specified in Schedule 21.22, the values identified according to SP [x.x.x.y] [the intended new SP on assessment methodology] are protected.

3.2.5.xxx In locations other than in the Rural Zone, the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are protected from inappropriate subdivision, use and development.

3.2.5.1 The landscape and visual amenity values and the natural character of Outstanding Natural Landscapes and Outstanding Natural Features are protected from adverse effects of subdivision, use and development that are more than minor and/or not temporary in duration.

3.2.5.1A In each Exception Zone located within Outstanding Natural Features and Outstanding Natural Landscapes, any application for subdivision, use and development is provided for:

- a. to the extent anticipated by that Exception Zone;
- b. on the basis that any additional subdivision, use and development not provided for by that Exception Zone protects landscape values.

**[Updated to take account of Env Court interim decisions – Topic 1 & 2]**

<i>Efficiency &amp; Effectiveness</i> <sup>(a)</sup>	<i>Benefits</i> <sup>(b)</sup>	<i>Costs</i> <sup>(b)</sup>	<i>Risk Acting/Not Acting</i> <sup>(c)</sup>
Based on the evidence of Mr Espie, the ONL values of the subject site and wider landscape are protected from inappropriate subdivision use and development.	The amended proposal ensures the ONL values of the subject site are protected from inappropriate subdivision use and development.	Nil.	There is no uncertain or insufficient information as about the subject matter of the provisions.

3.2.6 The District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety. (addresses Issues 1 and 6)

**[Updated to take account of Env Court interim decisions – Topic 1]**

<i>Efficiency &amp; Effectiveness</i> <sup>(a)</sup>	<i>Benefits</i> <sup>(b)</sup>	<i>Costs</i> <sup>(b)</sup>	<i>Risk Acting/Not Acting</i> <sup>(c)</sup>
The amended proposal ensures the owner is able to provide for their own economic wellbeing.	The requested MDR (and corresponding movement of the proposed UGB) will send a clear direction of where residential expansion is appropriate in Arthurs Point.	Nil.	There is no uncertain or insufficient information as about the subject matter of the provisions.



Urban Development 3.3.13 Apply Urban growth Boundaries (UGBs) around the urban areas in the Wakatipu Basin (including Jack’s Point), Wanaka and Lake Hawea Township. (relevant to S.O. 3.2.2.1) 3.3.14 Apply provisions that enable urban development within the UGBs and avoid urban development outside of the UGBs. (relevant to S.O. 3.2.1.8, 3.2.2.1, 3.2.3.1, 3.2.5.1 and 3.2.5.2)			
<b>[Not subject to the Env Court interim decisions – Topic 3]</b>			
<i>Efficiency &amp; Effectiveness</i> <sup>(a)</sup>	<i>Benefits</i> <sup>(b)</sup>	<i>Costs</i> <sup>(b)</sup>	<i>Risk Acting/Not Acting</i> <sup>(c)</sup>
The amended proposal includes an UGB as recommended by Mr Espie.	The amended UGB occurs in a logical manner.	Nil.	There is no uncertain or insufficient information as about the subject matter of the provisions.

Natural Environment 3.3.17 Identify areas of significant indigenous vegetation and significant habitats of indigenous fauna, referred to as Significant Natural Areas (SNAs). (relevant to S.O. 3.2.1.7, 3.2.1.8, 3.2.4.1, 3.2.4.3 and 3.2.4.4) 3.3.18 Protect SNAs and encourage enhanced indigenous biodiversity outcomes. (relevant to S.O. 3.2.1.7, 3.2.1.8, 3.2.4.1, 3.2.1.2, 3.2.4.3 and 3.2.4.4) 3.3.19 Manage subdivision and / or development that may have adverse effects on the natural character and nature conservation values of the District’s lakes, rivers, wetlands and their beds and margins so that their life-supporting capacity is safeguarded; and natural character is maintained or enhanced as far as practicable. (relevant to S.O. 3.2.1.8, 3.2.4.1, 3.2.4.3, 3.2.4.4, 3.2.5.1 and 3.2.5.2)			
<b>[Not subject to the Env Court interim decisions – Topic 4]</b>			
<i>Efficiency &amp; Effectiveness</i> <sup>(a)</sup>	<i>Benefits</i> <sup>(b)</sup>	<i>Costs</i> <sup>(b)</sup>	<i>Risk Acting/Not Acting</i> <sup>(c)</sup>
No significant vegetation or values exist on the site.	Urban development would result in wilding pine tree removal.	Nil.	There is no uncertain or insufficient information as about the subject matter of the provisions.

Rural Activities 3.3.20 Enable continuation of existing farming activities and evolving forms of agricultural land use in rural areas except where those activities conflict with: significant nature conservation values or degrade the existing character of rural landscapes. (relevant to S.O. 3.2.1.7, 3.2.5.1 and 3.2.5.2) a. protection of the landscape values of Outstanding Natural Features or Outstanding Natural Landscapes; b. maintenance of the landscape character and maintenance or enhancement of the visual amenity values of Rural Character Landscape; or c. maintenance of significant conservation values or Ngai Tahu values, interests or customary resources.			
3.3.24 Ensure that the effects of cumulative subdivision and development for the purposes of Rural Living does not compromise: a. the protection of the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes; b. the maintenance of the landscape character of Rural Character Landscapes; and c. the maintenance or enhancement of the visual amenity values of Rural Character Landscapes.			

3.3.26 That subdivision and / or development be designed in accordance with best practice land use management so as to avoid or minimise adverse effects on the water quality of lakes, rivers and wetlands in the District. (relevant to S.O. 3.2.1.8, 3.2.4.1 and 3.2.4.3)

**[Updated to take account of Env Court interim decisions – Topic 1]**

<i>Efficiency &amp; Effectiveness (a)</i>	<i>Benefits (b)</i>	<i>Costs (b)</i>	<i>Risk Acting/Not Acting (c)</i>
<p>Based on the evidence of Mr Espie, the ONL values of the subject site and wider landscape are protected from inappropriate subdivision use and development.</p> <p>The majority of the subject site will retain Rural zoning and be managed accordingly.</p> <p>Any subdivision or development within the proposed MDR zone will need to be in accordance with best practice land use management.</p>	<p>Removing this seed source would assist the Wakatipu Control Group help reach goals set out in their strategy (which main goal is to remove mature seed sources).</p>	<p>Nil.</p>	<p>There is no uncertain or insufficient information as about the subject matter of the provisions.</p>

**Landscapes**  
3.3.29 Identify the District's Outstanding Natural Features Landscapes and Outstanding Natural Landscapes Features on the District Plan maps. (relevant to S.O.3.2.5.1)  
3.3.30x Avoid adverse effects on the landscape values of the District's Outstanding Natural Features and Outstanding Natural Landscapes from residential subdivision, use and development where there is little capacity to absorb change.

**[Updated to take account of Env Court interim decisions – Topic 1]**

<i>Efficiency &amp; Effectiveness (a)</i>	<i>Benefits (b)</i>	<i>Costs (b)</i>	<i>Risk Acting/Not Acting (c)</i>
<p>Based on the evidence of Mr Espie, the ONL values of the subject site and wider landscape are protected from inappropriate subdivision use and development.</p>	<p>The amended proposal ensures the ONL values of the subject site are protected from inappropriate subdivision use and development.</p>	<p>Nil.</p>	<p>There is no uncertain or insufficient information as about the subject matter of the provisions.</p>

**Cultural Environment**  
3.3.33 Avoid significant adverse effects on wāhi tūpuna within the District. (relevant to S.O.3.2.7.1)

3.3.34 Avoid remedy or mitigate other adverse effects on wāhi tūpuna within the District. (relevant to S.O.3.2.7.1)			
3.3.35 Manage wāhi tūpuna within the District, including taonga species and habitats, in a culturally appropriate manner through early consultation and involvement of relevant iwi or hapū. (relevant to S.O.3.2.7.1 and 3.2.7.2)			
<b>Not subject to appeal.</b>			
<i>Efficiency &amp; Effectiveness</i> <sup>(a)</sup>	<i>Benefits</i> <sup>(b)</sup>	<i>Costs</i> <sup>(b)</sup>	<i>Risk Acting/Not Acting</i> <sup>(c)</sup>
The requested LDRZ is not within an area of proposed Wahi Tupuna.	Nil.	Nil.	There is no uncertain or insufficient information as about the subject matter of the provisions.

#### **Chapter 4 – Urban Development**

The purpose of this Chapter is to set out the objectives and policies for managing the spatial location and layout of urban development within the District. This chapter forms part of the strategic intentions of this District Plan and will guide planning and decision making for the District’s major urban settlements and smaller urban townships. This chapter does not address site or location specific physical aspects of urban development (such as built form) - reference to zone and District wide chapters is required for these matters.

The District experiences considerable growth pressures. Urban growth within the District occurs within an environment that is revered for its natural amenity values, and the District relies, in large part for its social and economic wellbeing on the quality of the landscape, open spaces and the natural and built environment. If not properly controlled, urban growth can result in adverse effects on the quality of the built environment, with flow on effects to the impression and enjoyment of the District by residents and visitors. Uncontrolled urban development can result in the fragmentation of rural land; and poses risks of urban sprawl, disconnected urban settlements and a poorly coordinated infrastructure network. The roading network of the District is under some pressure and more low-density residential development located remote from employment and service centres has the potential to exacerbate such problems.

The objectives and policies for Urban Development provide a framework for a managed approach to urban development that utilises land and resources in an efficient manner, and preserves and enhances natural amenity values. The approach seeks to achieve integration between land use, transportation, services, open space networks, community facilities and education; and increases the viability and vibrancy of urban areas.

Urban Growth Boundaries are established for the key urban areas of Queenstown-Frankton, Wanaka, Arrowtown and Lake Hawea Township, providing a tool to manage anticipated growth while protecting the individual roles, heritage and character of these areas. Specific policy direction is provided for these areas, including provision for increased density to contribute to more compact and connected urban forms that achieve the benefits of integration and efficiency and offer a quality environment in which to live, work and play.

4.2.1 Objective - Urban Growth Boundaries used as a tool to manage the growth of larger urban areas within distinct and defensible urban edges. (from Policies 3.3.12 and 3.3.13)
4.2.1.1 Define Urban Growth Boundaries to identify the areas that are available for the growth of the main urban settlements.
4.2.1.2 Focus urban development on land within and at selected locations adjacent to the existing larger urban settlements and to a lesser extent, accommodate urban development within smaller rural settlements.
4.2.1.3 Ensure that urban development is contained within the defined Urban Growth Boundaries, and that aside from urban development within existing rural settlements, urban development is avoided outside of those boundaries.
4.2.1.4 Ensure Urban Growth Boundaries encompass a sufficient area consistent with:

- a. the anticipated demand for urban development within the Wakatipu and Upper Clutha Basins over the planning period assuming a mix of housing densities and form;
  - b. ensuring the ongoing availability of a competitive land supply for urban purposes;
  - c. the constraints on development of the land such as its topography, its ecological, heritage, cultural or landscape significance; or the risk of natural hazards limiting the ability of the land to accommodate growth;
  - d. the need to make provision for the location and efficient operation of infrastructure, commercial and industrial uses, and a range of community activities and facilities;
  - e. a compact and efficient urban form;
  - f. avoiding sporadic urban development in rural areas;
  - g. minimising the loss of the productive potential and soil resource of rural land.
- 4.2.1.5 When locating Urban Growth Boundaries or extending urban settlements through plan changes, avoid impinging on Outstanding Natural Landscapes or Outstanding Natural Features and minimise degradation of the values derived from open rural landscapes.
- 4.2.1.6 Review and amend Urban Growth Boundaries over time, as required to address changing community needs.
- 4.2.1.7 Contain urban development of existing rural settlements that have no defined Urban Growth Boundary within land zoned for that purpose.

<i>Efficiency &amp; Effectiveness</i> <sup>(a)</sup>	<i>Benefits</i> <sup>(b)</sup>	<i>Costs</i> <sup>(b)</sup>	<i>Risk Acting/Not Acting</i> <sup>(c)</sup>
<p>The amended proposal:</p> <ul style="list-style-type: none"> <li>o occurs in a logical manner;</li> <li>o represents compact and integrated urban form;</li> <li>o can be serviced by reticulated infrastructure;</li> <li>o is zoned for urn development under the ODP.</li> </ul> <p>The MDR zone provisions will ensure subdivision and development is well designed.</p> <p>The location of the amended proposal ensures development does not sprawl into rural areas (i.e. it is well contained).</p>	<p>The requested LDRZ:</p> <ul style="list-style-type: none"> <li>o is adjacent to a major urban settlement where there is a focus for urban development;</li> <li>o can integrate with existing public infrastructure;</li> <li>o has convenient access to public recreation facilities, reserves, open space and active transport networks.</li> </ul>	<p>Nil.</p>	<p>There is no uncertain or insufficient information as about the subject matter of the provisions.</p>

**4.2.2.B Objective - Urban development within Urban Growth Boundaries that maintains and enhances the environment and rural amenity and protects Outstanding Natural Landscapes and Outstanding Natural Features, and areas supporting significant indigenous flora and fauna. (From Policy 3.3.13, 3.3.17, 3.3.29)**

- 4.2.2.1 Integrate urban development with the capacity of existing or planned infrastructure so that the capacity of that infrastructure is not exceeded and reverse sensitivity effects on regionally significant infrastructure are minimised.
- 4.2.2.2 Allocate land within Urban Growth Boundaries into zones which are reflective of the appropriate land use having regard to:
- a. its topography;
  - b. its ecological, heritage, cultural or landscape significance if any;
  - c. any risk of natural hazards, taking into account the effects of climate change;

d. connectivity and integration with existing urban development;  
 e. convenient linkages with public transport;  
 f. the need to provide a mix of housing densities and forms within a compact and integrated urban environment;  
 g. the need to make provision for the location and efficient operation of regionally significant infrastructure;  
 h. the need to provide open spaces and community facilities that are located and designed to be safe, desirable and accessible;  
 i. the function and role of the town centres and other commercial and industrial areas as provided for in Chapter 3 Strategic Objectives 3.2.1.2 - 3.2.1.5 and associated policies; and  
 j. the need to locate emergency services at strategic locations.

4.2.2.3 Enable an increased density of well-designed residential development in close proximity to town centres, public transport routes, community and education facilities, while ensuring development is consistent with any structure plan for the area and responds to the character of its site, the street, open space and surrounding area.

4.2.2.4 Encourage urban development that enhances connections to public recreation facilities, reserves, open space and active transport networks.

4.2.2.5 Require larger scale development to be comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.

4.2.2.6 Promote energy and water efficiency opportunities, waste reduction and sustainable building and subdivision design.

4.2.2.7 Explore and encourage innovative approaches to design to assist provision of quality affordable housing.

4.2.2.8 In applying plan provisions, have regard to the extent to which the minimum site size, density, height, building coverage and other quality controls have a disproportionate adverse effect on housing affordability.

4.2.2.9 Ensure Council-led and private design and development of public spaces and built development maximises public safety by adopting “Crime Prevention Through Environmental Design”.

4.2.2.10 Ensure lighting standards for urban development avoid unnecessary adverse effects on views of the night sky.

4.2.2.11 Ensure that the location of building platforms in areas of low density development within Urban Growth Boundaries and the capacity of infrastructure servicing such development does not unnecessarily compromise opportunities for future urban development.

4.2.2.12 Ensure that any transition to rural areas is contained within the relevant Urban Growth Boundary.

4.2.2.14 Define the Urban Growth Boundaries for the balance of the Wakatipu Basin, as shown on the District Plan Maps that:

a. are based on existing urbanised areas;  
 b. identify sufficient areas of urban development and the potential intensification of existing urban areas to provide for predicted visitor and resident population increases over the planning period;  
 c. enable the logical and sequenced provision of infrastructure to and community facilities in new areas of urban development;  
 d. avoid Outstanding Natural Features and Outstanding Natural Landscapes;  
 e. avoid sprawling and sporadic urban development across the rural areas of the Wakatipu Basin.

4.2.2.21  
 Rural land outside of the Urban Growth Boundaries is not used for urban development until further investigations indicate that more land is needed to meet demand for urban development in the Wakatipu Basin and a change to the Plan amends the urban Growth boundary and zones additional land for urban development purposes.

<i>Efficiency &amp; Effectiveness</i> <sup>(a)</sup>	<i>Benefits</i> <sup>(b)</sup>	<i>Costs</i> <sup>(b)</sup>	<i>Risk Acting/Not Acting</i> <sup>(c)</sup>
As per Objective 4.2.1 above.	As per Objective 4.2.1 above.	Nil.	There is no uncertain or insufficient information as about the subject matter of the provisions.

## Chapter 5 – Tangata Whenua

Queenstown Lakes District Council will recognise and provide for Ngāi Tahu as a partner in the management of the District’s natural and physical resources through the implementation of this District Plan. The Council will actively foster this partnership through meaningful collaboration, seeking formal and informal advice, providing for Ngāi Tahu’s role as kaitiaki, and protecting its values, interests and customary resources. Ngāi Tahu’s values, interests and customary resources in this context do not extend to the commercial interests of companies owned or controlled by Ngāi Tahu.

5.4.1 Objective - Consultation with tangata whenua occurs through the implementation of the Queenstown Lakes District Plan Policies			
5.3.1.1 Ensure that Ngāi Tahu Papatipu Rūnanga are engaged in resource management decisionmaking and implementation on matters that affect Ngāi Tahu values, rights and interests, in accordance with the principles of the Treaty of Waitangi.			
5.3.1.2 Actively foster effective partnerships and relationships between the Queenstown Lakes District Council and Ngāi Tahu Papatipu Rūnanga.			
5.3.1.3 When making resource management decisions, ensure that functions and powers are exercised in a manner that takes into account 5 iwi management plans.			
5.3.1.4 Recognise that only tangata whenua can identify their relationship and that of their culture and traditions with their ancestral lands, water sites, wāhi tapu, tōpuni and			
Efficiency & Effectiveness <sup>(a)</sup>	Benefits <sup>(b)</sup>	Costs <sup>(b)</sup>	Risk Acting/Not Acting <sup>(c)</sup>
The requested UGB is adjacent to a major urban area and its proposed boundary is distinct and defensible.	The requested UGB is of a scale and form consistent with anticipated residential demand.  The requested UGB is appropriate in terms of urban development.	Nil.	There is no uncertain or insufficient information as about the subject matter of the provisions.

5.4.5 Objective - Wāhi tūpuna and all their components are appropriately managed and protected.			
5.4.5.1 Identify wāhi tūpuna and all their components on the District Plan maps and protect them from the adverse effects of subdivision, use and development.			
5.4.5.2 Identify threats to wāhi tūpuna and their components in this District Plan.			
5.4.5.3 Enable Ngai Tahu to provide for its contemporary uses and associations with wāhi tūpuna.			
5.4.5.4 Avoid where practicable, adverse effects on the relationship between Ngāi Tahu and the wāhi tūpuna.			
Efficiency & Effectiveness <sup>(a)</sup>	Benefits <sup>(b)</sup>	Costs <sup>(b)</sup>	Risk Acting/Not Acting <sup>(c)</sup>
No wāhi tūpuna have been identified in on the subject site.	Nil.	Nil.	There is no uncertain or insufficient information as about the subject matter of the provisions.

## Chapter 6 – Landscapes

The purpose of this chapter is to provide greater detail as to how the landscape, particularly outside urban settlements, will be managed in order to implement the strategic objectives and policies in Chapter 3. This chapter needs to be read with particular reference to the objectives in Chapter 3, which identify the outcomes the policies in this chapter are seeking to achieve.

The relevant Chapter 3 objectives and policies are identified in brackets following each policy. Landscapes have been categorised to provide greater certainty of their importance to the District, and to respond to regional policy and national legislation.

Categorisations of landscapes will provide decision makers with a basis to consider the appropriateness of activities that have adverse effects on those landscapes.

Managing Activities in the Rural Zone, the Gibbston Character Zone, the Rural Residential Zone and the Rural Lifestyle Zone			
6.3.4 Avoid urban development and subdivision to urban densities in the rural zones. (3.2.2.1, 3.2.5.1, 3.2.5.2, 3.3.13-15, 3.3.23, 3.3.30, 3.3.32).			
6.3.5 Ensure that the location and direction of lights does not cause excessive glare and avoids unnecessary degradation of views of the night sky and of landscape character, including of the sense of remoteness where it is an important part of that character. (3.2.5.1, 3.2.5.2, 3.3.19, 3.3.20, 3.3.30, 3.3.32).			
<i>Efficiency &amp; Effectiveness</i> <sup>(a)</sup>	<i>Benefits</i> <sup>(b)</sup>	<i>Costs</i> <sup>(b)</sup>	<i>Risk Acting/Not Acting</i> <sup>(c)</sup>
The majority of the subject site will retain Rural zoning and be managed accordingly.	Any development within the Rural zone will need to go through a very rigorous assessment before proceeding.	Nil.	There is no uncertain or insufficient information as about the subject matter of the provisions.

Managing Activities in Outstanding Natural Landscapes and on Outstanding Natural Features			
6.3.3.1 Recognise that subdivision and development is inappropriate in almost all locations in Outstanding Natural Landscapes and on Outstanding Natural Features, meaning successful applications will be exceptional cases where the landscape or feature can absorb the change and where the buildings and structures and associated roading and boundary changes will be reasonably difficult to see from beyond the boundary of the site the subject of application. (3.2.1.1, 3.2.5.1, 3.3.21, 3.3.30). ...			
<i>Efficiency &amp; Effectiveness</i> <sup>(a)</sup>	<i>Benefits</i> <sup>(b)</sup>	<i>Costs</i> <sup>(b)</sup>	<i>Risk Acting/Not Acting</i> <sup>(c)</sup>
The majority of the subject site will retain Rural zoning and be managed accordingly.	Any development within the Rural zone will need to go through a very rigorous assessment before proceeding.	Nil.	There is no uncertain or insufficient information as about the subject matter of the provisions.

## **Chapter 8 - Medium Density Residential**

The Medium Density Residential Zone has the purpose of providing land for residential development at greater density than the Lower Density Suburban Residential Zone. In conjunction with the High Density Residential Zone and Lower Density Suburban Residential Zone, this zone will play a key role in minimising urban sprawl and increasing housing supply. The zone will primarily accommodate residential land uses, but may also support limited non-residential activities where these enhance residential amenity or support an adjoining Town Centre, and do not impact on the primary role of the zone to provide housing supply. The zone is situated in locations in Queenstown, Frankton, Arrowtown and Wanaka that are within identified urban growth boundaries, and easily accessible to local shopping zones, town centres or schools by public transport, cycling or walking. The Medium Density Residential Zone provides for an increased density of housing in locations that are supported by adequate existing or planned infrastructure.

The zone will enable a greater supply of diverse housing options for the District. The main forms of residential development anticipated are terrace housing, semi-detached housing and detached townhouses on small sites of 250m<sup>2</sup> or greater. The zone will undergo changes to existing densities and built form characteristics over time to provide for the social, economic, cultural and environmental wellbeing of the District's community. In particular, the zone will provide a greater diversity of housing options for smaller households including single persons, couples, small young families and older people seeking to downsize. It will also enable more rental accommodation for the growing population of transient workers in the District.

8.2.1. Objective - Medium density development occurs close to employment centres which encourage travel via non-vehicular modes of transport or via public transport.			
8.2.1.1 Provide opportunities for medium density housing close to town centres, local shopping zones, activity centres and public transport routes.			
8.2.1.2 Provide for compact development forms that encourage a diverse housing supply and contribute toward containing the outward spread of residential growth away from employment centres.			
8.2.1.3 Enable increased densities where they are located within easy walking distance of employment centres and public transport routes, subject to environmental constraints including local topography, stability and waterways, that may justify a limitation in density or the extent of development.			
8.2.1.4 Enable medium density development through a variety of different housing forms including terrace, semi-detached, duplex, townhouse, or small lot detached housing.			
<i>Efficiency &amp; Effectiveness</i> <sup>(a)</sup>	<i>Benefits</i> <sup>(b)</sup>	<i>Costs</i> <sup>(b)</sup>	<i>Risk Acting/Not Acting</i> <sup>(c)</sup>
<p>The amended proposal:</p> <ul style="list-style-type: none"> <li>○ occurs in a logical manner;</li> <li>○ represents compact and integrated urban form;</li> <li>○ can be serviced by reticulated infrastructure;</li> <li>○ is zoned for urban development under the ODP.</li> </ul> <p>The MDR zone provisions will ensure subdivision and development is well designed.</p> <p>The location of the amended proposal ensures development does not sprawl into rural areas (i.e. it is well contained).</p>	<p>The requested LDRZ:</p> <ul style="list-style-type: none"> <li>○ is adjacent to a major urban settlement where there is a focus for urban development;</li> <li>○ can integrate with existing public infrastructure;</li> <li>○ has convenient access to public recreation facilities, reserves, open space and active transport networks.</li> </ul>	<p>Nil.</p>	<p>There is no uncertain or insufficient information as about the subject matter of the provisions.</p>

8.2.2. Objective - Development contributes to the creation of a new, high quality-built character within the zone through quality urban design solutions which positively respond to the site, neighbourhood and wider context.			
8.2.2.1 Ensure buildings address streets and other adjacent public space with limited presentation of unarticulated blank walls or facades to the street(s) or public space(s).			
8.2.2.2 Require visual connection with the street through the inclusion of windows, outdoor living areas, low profile fencing or landscaping.			
8.2.2.3 Ensure street frontages are not dominated by garaging through consideration of their width, design and proximity to the street boundary.			
8.2.2.4 Ensure developments reduce visual dominance effects through variation in facades and materials, roof form, building separation and recessions or other techniques.			
8.2.2.5 Ensure landscaped areas are well designed and integrated into the design of developments, providing high amenity spaces for residents, and to soften the visual impact of development, with particular regard to any street frontage(s).			
<i>Efficiency &amp; Effectiveness</i> <sup>(a)</sup>	<i>Benefits</i> <sup>(b)</sup>	<i>Costs</i> <sup>(b)</sup>	<i>Risk Acting/Not Acting</i> <sup>(c)</sup>
<p>The requested MDR Zone will be subject to all of the amenity standards that are proposed within the zone.</p>	<p>All applicable height, coverage and bulk and location standards will apply to the requested MDR zone.</p>	<p>Nil.</p>	<p>There is no uncertain or insufficient information as about the subject matter of the provisions.</p>



8.2.3 Objective - Development provides high quality living environments for residents and provides reasonable maintenance of amenity values enjoyed on adjoining sites taking into account the changed future character intended within the zone.			
8.2.3.1 Apply permitted activity and resource consent requirements based on recession plane, building height, setbacks and site coverage controls as the primary means of ensuring reasonable maintenance of neighbours' privacy and amenity values.			
8.2.3.2 Where a resource consent is required for new development, reasonably minimise the adverse effects of the new development on the amenity values enjoyed by occupants of adjoining sites, and have particular regard to the maintenance of privacy for occupants of the development site and neighbouring sites through the application of setbacks, offsetting of habitable room windows from one another, screening or other means.			
<i>Efficiency &amp; Effectiveness</i> <sup>(a)</sup>	<i>Benefits</i> <sup>(b)</sup>	<i>Costs</i> <sup>(b)</sup>	<i>Risk Acting/Not Acting</i> <sup>(c)</sup>
As per Objective 8.2.2. above.	As per Objective 8.2.2. above.	Nil.	There is no uncertain or insufficient information as about the subject matter of the provisions.

Objective - Development efficiently utilises existing infrastructure and minimises impacts on infrastructure networks.			
8.2.5.1 Ensure access and vehicle parking is located and designed to optimise safety and efficiency of the road network and minimise adverse effects on on-street vehicle parking.			
8.2.5.2 Ensure development is designed consistent with the capacity of existing infrastructure networks and where practicable incorporates low impact approaches to stormwater management and efficient use of potable water.			
8.2.5.3 Integrate development with all transport networks and in particular, and where practicable, improve connections to public transport services and active transport networks (tracks, trails, walkways and cycleways).			
<i>Efficiency &amp; Effectiveness</i> <sup>(a)</sup>	<i>Benefits</i> <sup>(b)</sup>	<i>Costs</i> <sup>(b)</sup>	<i>Risk Acting/Not Acting</i> <sup>(c)</sup>
As per Objective 8.2.2. above.	As per Objective 8.2.2. above.	Nil.	There is no uncertain or insufficient information as about the subject matter of the provisions.

## **Chapter 27 Subdivision and Development**

Objective - Subdivision that will enable quality environments to ensure the District is a desirable place to live, visit, work and play.			
27.2.1.2 Require subdivision infrastructure to be constructed and designed so that it is fit for purpose, while recognising opportunities for innovative design.			
27.2.1.3 Enable urban subdivision that is consistent with the QLDC Subdivision Design Guidelines 2015, recognising that good subdivision design responds to the neighbourhood context and the opportunities and constraints of the application site.			
27.2.1.3 Require that allotments are a suitable size and shape, and are able to be serviced and developed for the anticipated land use under the applicable zone provisions.			
27.2.1.5 Recognise that there is an expectation by future landowners that the key effects of and resources required by anticipated land uses will have been resolved through the subdivision approval process.			
<i>Efficiency &amp; Effectiveness</i> <sup>(a)</sup>	<i>Benefits</i> <sup>(b)</sup>	<i>Costs</i> <sup>(b)</sup>	<i>Risk Acting/Not Acting</i> <sup>(c)</sup>

The requested MDR Zone will be subject to all of the amenity standards that are proposed within the zone.	The requested MDR Zone will be subject to all of the amenity standards that are proposed within the zone.	Nil.	There is no uncertain or insufficient information as about the subject matter of the provisions.
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