

**BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL**

**IN THE MATTER OF**

the Resource Management Act 1991

**AND**

**IN THE MATTER OF**

of proposed Plan Change 50:  
Queenstown Town Centre Zone

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**CLOSING SUBMISSIONS**

Dated: 4 March 2015

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**GREENWOOD ROCHE CHISNALL**  
LAWYERS  
CHRISTCHURCH  
Solicitor: L J Semple  
(Lauren@grclegal.com)

Level 5  
83 Victoria Street  
P O Box 139  
Christchurch  
Phone: 03 353 0574

- 1 IHG Queenstown Ltd and Carter Queenstown Ltd (the Submitters) are submitters to the Plan Change. The Submitters have called evidence with respect to their submission and participated in mediation and conferencing.
- 2 On 9 and 10 February 2015 Mr Edmonds, on behalf of the Submitters attended the Commissioner directed expert conferencing at the Copthorne Hotel. A Joint Witness Statement was subsequently circulated on 12 February 2015.
- 3 Item 6 on page 8 of that Joint Witness Statement records that Mr Edmonds, Mr Williams for Submitters Zaki and Holt and Mr Kyle and Mr Bryce for the Council were agreed that the inclusion of the entire lower half of the Beach Street block within the Town Centre zone could be supported. Further, the relevant experts accepted that the area should remain subject to the current height profile as included in the Appendices to the District Plan.
- 4 Mr Edmonds for the Submitter and Mr Kyle and Mr Bryce for the Council also agreed that the balance of the block should be included in the Town Centre Zone and that the issue of height for that part of the block should be addressed as a Site Standard.
- 5 It remains the position of the Submitter that zoning the block in this manner best meets the purpose of the Act. That position is supported by the evidence and confirmed by the expert conferencing.
- 6 Mr Kyle on behalf of the Council has now circulated a revised set of provisions dated 23 February based on matters agreed at expert conferencing.
- 7 Rule 10.6.3.2A (iii) of those provisions provides:

*Commercial activities with a gross floor area of more than 400m<sup>2</sup> in the Lakeview sub-zone and Commercial Activities and Visitor Accommodation within land bounded by Hay, Beach, Lake and Man Streets.*

*Council's discretion is restricted to the following matter:*

- (a) *To manage effects on the transportation network: an integrated transport assessment, including a comprehensive travel, access and parking plan shall be provided to address manage transport impacts related to the activity, and may include directional street map signage to assist pedestrian and vehicle movements to the site.*
- 8 The effect of this provision would be to render all Visitor Accommodation or Commercial Activity on the Submitters' land a Restricted Discretionary Activity.
- 9 As outlined in the evidence of Mr Edmonds, under the provisions of the operative plan the site is zoned High Density Residential. Within this zoning, Visitor Accommodation is a Controlled Activity. The notified Town Centre provisions also provided for buildings as a Controlled Activity.
- 10 The Submitter does not, and would not, have supported any amendment in zoning had it considered that such amendment would alter the activity status to its detriment. There is no foundation in the Joint Witness Statement or the evidence to support such an "11<sup>th</sup> hour" amendment.
- 11 It is noted that matters to which this rule may relate were raised during expert conferencing but only with respect to the Lakeview sub-zone. As such the extension of the rule to the Submitters land may be an error.
- 12 The record of these matters is provided at page 5 of the Joint Conferencing Statement at heading 1 (iii) and states:
- (a) *John Kyle and Nigel Bryce - Rule 10.6.3.2A (as amended in John Kyle's Supplementary evidence dated December 2014, amended provisions) proposes RDA activity status in the Lakeview sub zone for; convention centre; visitor accommodation; greater than 400m<sup>2</sup> of commercial and requiring consideration of effects on the transport network, by way of an integrated transport assessment ('ITA'). John and Nigel both consider that this method will be effective in managing transport effects.*

- 13 As previously stated, the inclusion of land outside of the Lakeview sub-zone is clearly at odds with the Joint Witness Statement and is not supported by the evidence.
- 14 The Submitters seek the deletion of this rule insofar as it applies to the submitters land.

**DATED** this 4<sup>th</sup> day of March 2015



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L Semple

For IHG Queenstown Limited/Carter Queenstown Limited