

Queenstown Lakes District Proposed District Plan – Stage 1

Section 42A Hearing Report
For Hearing commencing: 13 March 2017

Report dated: 15 February 2017

Report on submissions and further submissions
Entire Plan and General Comments

File Reference: Entire Plan & General Comments - S42A

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1. EXECUTIVE SUMMARY

- 1.1. This report assesses submission points that have been lodged against the entire Proposed District Plan (**PDP**) or summarised as general comments on the PDP, rather than against individual chapters, specific PDP provisions, maps or properties.
- 1.2. The majority of the general issues raised within the submission points have already been addressed (or addressed in part) within the s42A reports relating to the Stage 1 PDP chapters, which have already been presented to the Hearing Panel (**Panel**). As a result and where relevant, references to the s42A report addressing the relief sought have been included within **Appendices 1 and 2** to this report.
- 1.3 One minor change is recommended to Chapter 32 – Protected Trees, relating to the removal or significant trimming of a protected tree that is dead, diseased or damaged (Rule 32.4.5). This change is identified in **Appendix 3** and is supported in the section 32AA evaluation (**s32AA**), attached in **Appendix 4**.
- 1.4. Overall, I recommend that the notified PDP, except with the Queenstown Lakes District Council's (**Council**) recommended amendments to each chapter as set out in each of the Right of Replies for Hearing Streams 1 to 9, is more appropriate than the relief sought by the submissions.

2. INTRODUCTION

- 2.1. My name is Craig Alan Barr. I am employed by the Council as a senior planner and I am a full member of the New Zealand Planning Institute. I hold the qualifications of Bachelor of Science and Master of Planning from the University of Otago. I have been employed in planning and development roles in local authorities and private practice since 2006. I have been employed by the Council (including former regulatory provider Lakes Environmental Limited) since 2012, in both district plan administration and policy roles.

3. CODE OF CONDUCT

- 3.1. Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witness contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.
- 3.2. I am authorised to give this evidence on the Council's behalf.

4. SCOPE OF THIS EVIDENCE

- 4.1. My evidence addresses the submissions and further submissions that were lodged on the notified PDP that were summarised as points on the entire PDP Stage 1, and general comments on the notified PDP that were not allocated to a particular chapter or provision. The key issues raised in the submissions can be grouped under the following broad topics:
- a) General submissions regarding the PDP not satisfying the requirements of the RMA;
 - b) The staged approach to the District Plan review being undertaken by the Council;
 - c) Reduction of prescription and use of an effects based approach;
 - d) The extent of discretion provided by the PDP;
 - e) Qualifications and experience of authors submitting reports;
 - f) The default activity status for unlisted activities;
 - g) Avoidance of conflicts between water based activities and surrounding activities; and
 - h) Deletion of references to Council infrastructure costs.
- 4.2. This evidence analyses submissions for the benefit of the Panel, in order to assist it to make recommendations on the PDP. The tables in **Appendices 1** and **2** outline whether submissions were addressed in previous hearings, or if not, are recommended to be accepted, accepted in part, rejected, or considered to be out of scope of Stage 1 of the PDP.
- 4.3. In this evidence, I discuss the issues raised by submitters under broad issues and where I recommend substantive changes to the PDP, I assess those changes in terms of s 32AA of the RMA (as set out in **Appendix 4**).

5. ANALYSIS OF SUBMISSIONS

- 5.1. The PDP was notified on 26 August 2015. The submission period closed on 23 October 2015 and summaries of submissions were notified on 3 December and 28 January 2016. A total of 242 submission points including further submissions have been received that were summarised by Council staff under the 'entire PDP' and 152 submission points including further submissions were summarised under 'General Comments'.
- 5.2. The RMA, as amended in December 2013 no longer requires a report prepared under s42A or the Council decision to address each submission point, instead it requires a summary of the issues raised in the submissions.
- 5.3. Some submission points canvass more than one issue, and will be addressed where they are most relevant within this evidence. At times, where a submission encapsulates a range of issues, it will be discussed under a number of headings/ issues.

- 5.4. Submissions are generally considered by issue in this evidence and, where applicable are considered by provision or sub-issue. The summary of the submissions received on the notified chapter and recommendations of whether the submission should be rejected, accepted, or accepted in part is attached at **Appendices 1 and 2**. I have read and considered all of these submissions.
- 5.5. Many of the submission points summarised as 'Entire PDP' and 'General Comments' received raise issues, or are part of submissions that have already been addressed in the s42A reports, or right of replies for the chapters which have already been considered by the Panel. Where this is the case, I have identified the sections of the relevant reports that addressed the submission in **Appendices 1 and 2**. These submissions are not further discussed in this report. It is not considered necessary to re-litigate matters already addressed and the submitters have had the opportunity to present their case in the respective hearing. For clarification, the submitters in these circumstances have been served notice and there is the opportunity for them to appear.
- 5.6. For those issues that have not already been addressed in the preceding hearing streams, I have discussed the relief sought in submissions under the following issues in this evidence:
- a) Issue 1 – The PDP does not accord with the requirements of the RMA;
 - b) Issue 2 – Staged review;
 - c) Issue 3 – Reduction of prescription and use of an effects based approach;
 - d) Issue 4 – Extent of discretion;
 - e) Issue 5 – "Appropriately qualified or experienced" expert reports;
 - f) Issue 6 – Default activity status for unlisted activities;
 - g) Issue 7 – Avoidance of conflicts between water based activities and surrounding activities; and
 - h) Issue 8 – Cost of infrastructure to Council.
- 5.7. Under the abovementioned headings, an analysis of the key issues identified by submitters is provided. Where a submission is without any coherent basis, the submission point is unlikely to have been directly discussed within this report (although a recommendation for the latter is set out in **Appendices 1 and 2**).

6. ISSUE 1 – THE PDP DOES NOT ACCORD WITH THE REQUIREMENTS OF THE RMA

6.1. Multiple submissions¹ have been received opposing the PDP for reasons such as the following submitted by L Hamilton (670):

The submitter opposes the Proposed District Plan for the following reasons;

It does not accord with, or assist the territorial authority to carry out its functions to achieve the purpose of the Resource Management Act 1991 (the Act);

- i. It does not promote the sustainable management of resources;*
- ii. It does not meet section 32 of the Act;*
- iii. It is not consistent with Part II of Act;*
- iv. It does not represent integrated management or sound resource management practice;*
- v. It does not meet the reasonably foreseeable needs of future generations;*
- vi. It does not implement the most appropriate standards, rules or methods for achieving the objectives set out in the Proposed District Plan.²*

6.2. Other submissions were also received stating that the PDP should be put on hold (or withdrawn and re-notified) until a complete s32 analysis has been undertaken. Clark Fortune (414)³ seeks this in relation to Chapters 4 – Urban Development and 27 – Subdivision and Development. Submitters R & R Jones (850)⁴ and Middleton Family Trust (338)⁵ seek this in relation to Chapter 21 – Rural, Upper Clutha Environmental Society (UCES)⁶ (145) seek this in relation to Chapters 3 – Landscapes, 21 – Rural and 23 – Gibbston Character, and Submitter Hensman (361) seeks this in relation to the entire PDP.

6.3. All of the above submissions are general with respect to this opposition to the PDP and do not provide specific examples of where the s32 reports or PDP do not satisfy the requirements of the RMA. It is worth noting that the above points of opposition are expressed generally within the submissions and generally, the submissions then set out

1 L Hamilton (670), Jardine Family Trust and Remakables Station Limited (715) (supported by FS1145 and FS1277 and opposed by FS1073, FS1096, FS1103, FS1108, FS1114, FS1116, FS1192, FS1218, FS1219, FS1225, FS1227, FS1237, FS1247, FS1250, FS1252, FS1293, FS1299, FS1316, FS1321, FS1192, FS1283), M Scaife (811), G H Hylton, S Hensman & B H Robertson, Scope Resources Ltd, G H Hensman & N T van Wichen and Trojan Holdings Ltd (Hensman) (361) (supported by FS1118 and FS1229), Clark Fortune McDonald & Associates Ltd (Clark Fortune) (414) (supported by FS1255, FS1097 and opposed by FS1071)

2 It is noted that many other submissions will also include this relief as a general comment before stating what their specific relief is, however not all have been summarised as such.

3 Opposed by FS1071 and supported by FS1255 and FS1097

4 Opposed by FS1071

5 Supported by FS1270 and opposed by FS1289

6 Opposed by FS1155, FS1097, FS1162, FS1347 and FS1254

more specific relief, that has already been assessed (and a recommendation made by s42A report authors) in previous hearings.

- 6.4. These general submissions are fundamentally problematic in that it is not possible to understand what changes are likely to follow if the relief they seek were agreed. Although they are arguably "on" the plan in that they seek changes to the notified provisions/plan through deleting whole chapters, they raise important issues of fairness in that they are so unspecific as to any specific amendments to chapters except for withdrawing them in their entirety. That there is a real risk that people affected by any amendments that were made to provisions would be denied an effective opportunity to participate in the review process.⁷
- 6.5. I therefore refer to and rely on the more specific recommendations that have been made in the context of the more specific relief, which has been assessed in the context of specific Hearing Streams.

7. ISSUE 2 – STAGED REVIEW

- 7.1. Two submissions were received, opposing the staged review process that is being undertaken by Council. These are from Willowridge Developments Ltd (249)⁸ who seek that the entire District Plan review be put on hold or rejected until the remaining chapters are included in the review and Clark Fortune (414),⁹ who seek that the PDP is withdrawn and re-notified with a Transport chapter.
- 7.2. This is not a submission "on" the PDP. It relates instead to process, and is therefore not one I can make a recommendation on.
- 7.3. The staged review of the PDP has been addressed a number of times, including within the opening representation / legal submissions for QLDC for Hearing Streams 1A and 1B,¹⁰ but also more recently in a Memorandum of Counsel for QLDC dated 23 November 2016 (**Appendix 5**).
- 7.4. Notwithstanding the obvious advantage of notifying a district plan as a complete whole, I do not consider there is any requirement in the RMA that restricts the Council from initiating a partial or staged review. In fact, it is specifically contemplated through section 79(1) of the RMA. The abovementioned memo (**Appendix 5**) details that Council intends to notify the Stage 2 chapters by September 2017 with the transport and other district

7 Regarding what is required for a submission to be "on" the proposed plan, see Council's Opening Legal Submissions on Hearing Streams 1A and 1B dated 4 March 2016 at Part 7.

8 Opposed by FS1090 and FS1136.

9 Opposed by FS1071 and supported by FS1255 and FS1097.

10 Paragraphs 5.1 – 5.4.

wide chapters being notified earlier to inform the mapping hearings. This notification timeframe will ensure that the Hearings Panel are informed of the 'full picture' of the PDP at the time that they finalise their decision on Stage 1. At this point it is considered to be the optimum way to further advance the District Plan review.

Exclusion of the Remarkables Park Zone (RPZ)

- 7.5. Remarkables Park Limited (**RPL**) (807) supports the exclusion of the RPZ from the PDP and the submitter requests that the PDP is amended to clarify this exclusion.
- 7.6. This has been clarified in some of the relevant s42A reports as they have been presented to the Panel, such as Chapter 27 – Subdivision and Development. However, the subdivision chapter was the only district-wide chapter notified in Stage 1, that was explicit about it not applying to the RPZ. I understand from Council's legal submissions, that as a matter of law, the other Stage 1 district wide chapters apply across the RPZ. Subsequent to Stage 1 notification, the Council has resolved to exclude the RPZ from the district plan review, and this is confirmed in the abovementioned Memorandum of Counsel for QLDC dated 23 November 2016 (**Appendix 5**), at paragraph 10. I also understand from the Council's memorandum, that there is a need to withdraw (under clause 8D of Schedule 1 of the RMA) those other Stage 1 district-wide chapters as they apply to the RPZ.¹¹ This is currently being progressed.
- 7.7. Notwithstanding the above, although the RPZ chapter provisions and land, as well as the district-wide chapters as they apply to the RPS are excluded from the plan review, the Strategic Directions of the PDP (Chapters 3 to 6 inclusive) apply across the entire District and therefore also apply to the RPZ. I refer again to the Council's Memorandum, confirming this approach and outcome.

8. ISSUE 3 – REDUCTION OF PRESCRIPTION AND USE OF AN EFFECTS BASED APPROACH

- 8.1. Submitter RPL (807) seek the following relief in their submission:

Reduce prescription and enables {sic} effects based assessments of activities. In particular, the "direct and control" approach to tourism, commercial, residential and industrial activities is not appropriate and is not supported.

- 8.2. I do not consider that the PDP takes a 'direct and control' approach to tourism, commercial, residential and industrial activities. I acknowledge that the drafting style and

11 Memorandum of Counsel for Queenstown Lakes District Council regarding approach to Stage 2 and Stage 2 dated 23 November 2016, at paragraph 10.

in particular the activity tables and rule frameworks of many of the chapters are more prescriptive and activity-based than a purely effects based regime. However, the Strategic Direction overall framework of objectives, policies and assessment matters encourages effects based assessments of land use activities. By its nature, a 'strategic direction' chapter and associated planning framework would be expected to be more guiding and strategic in nature than first generation district plans that tended to simply list values and resources of a district and suggest that effects on them be managed.

8.3. The PDP seeks to promote a more tactical and forward planned approach to the use of natural and physical resources within the District and the result is more prescriptive provisions, including greater activity-based rules. I consider that this still fits squarely within the overall thrust and philosophy of Part 2 and section 5 of the RMA. If done correctly, this approach can make the plan easier to use and administer, and provide greater certainty. The submitter has not provided any additional reasoning as to why a more activity based, specific and tactical approach is not supported and consequently I recommend that the submission is rejected.

8.4. Quality Planning¹² detail the different types of plans that can be drafted and using these explanations, the PDP would be best described as a 'hybrid plan', as some issues are dealt with by issue (for example Chapter 30 – Energy & Utilities) and others by zone, with issues and management solutions being dealt with via zone. Quality Planning lists the following advantages of this plan approach:¹³

Advantages

- *Easy to ensure consistency and integration within the plan through having all issues dealt with in the same document, with cross-referencing between chapters or sections as necessary.*
- *Less repetitious than self-contained zone plans as issues and management solutions common to the whole district or region can be placed in specific or region-wide issues chapters.*
- *Rules that apply to certain activity types are found more quickly than in effects-based plans (more friendly for people who read and use plans on an irregular basis).*
- *Provides greater clarity for most uses than purely effects-based plans (as activities that are permitted or that require resource consent are often named).*
- *More capable of dealing with interface issues than zone-based plans or area-management plans.*

12 <http://www.qualityplanning.org.nz/index.php/plan-steps/structuring-plans/plan-structure-common-first-generation-types>

13 <http://www.qualityplanning.org.nz/index.php/plan-steps/structuring-plans/plan-structure-common-first-generation-types>

Disadvantages

- *Relies on cross-referencing to be thorough and accurate to avoid issues and effects being missed.*
- *Needs rigour applied to its structure and order to avoid it becoming a confused mix of styles.*

8.5. I consider that this approach to the PDP is superior to a purely effects based approach for the reasons outlined. Furthermore, effects based plans require people to have a good knowledge of the entire plan in order to determine whether consent is required or not and they are difficult for lay people to interpret. On this basis, I support the approach utilised within the PDP.

8.6. With regard to the submitter's concern about the level of prescription provided within the PDP, I note that where specific submissions have been received in relation to the activity status for individual activities or standards, these have been addressed in the relevant s42A reports (and right of replies) and in some cases, the activity status has been amended. I consider that these assessments on the individual chapters and provisions are the best place to consider whether too much or too little prescription is occurring.

9. ISSUE 4 – EXTENT OF DISCRETION

9.1. C Byrch (243)¹⁴ and M Scaife (811)¹⁵ have both submitted stating that the PDP allows for too much discretion. More specifically, C Byrch (243)¹⁶ states that there is too much that is discretionary within the PDP, which provides too little certainty for the community and that this also leads to inconsistency, expense and increased work for those involved.

9.2. M Scaife (811)¹⁷ states:

It (PDP) does not have sufficiently firm and clear rules that regulate activities and set standards, and relies excessively on official's s [sic] discretion to arbitrarily regulate activities on a case by case basis. My view is that an approach to planning in which Council officials and independent commissioners have discretion to approve activities and breaches of planning standards has served both the community and the environment poorly. It has led to ad-hoc and

14 Opposed by FS1224 and supported by FS1117

15 Opposed by FS1224

16 Opposed by FS1224 and supported by FS1117

17 Opposed by FS1224

inconsistent planning decisions and to a state of confusion about what the planning provision signify or what their relevance is.

- 9.3. Section 77A of the RMA gives local authorities the power to make rules that categorise activities as permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited. In drafting the PDP, the identification of an activity status for an activity or performance standard for an activity is based upon the resources and land uses contemplated within an identified zone, the breadth and potential effects on the environment that could occur, and a s32 evaluation.
- 9.4. Throughout the hearings on text on Stage 1 of the PDP, the association between rules and the objectives and policies has also been traversed and there has been ample opportunity to interrogate the policy framework and rules of the PDP text to ensure that the activity status of rules is appropriate, and that there is ample guidance associated with non-compliance of rules.
- 9.5. The use of the non-complying or discretionary class of resource consent is not considered to result in a lack of certainty for developers or the wider community. It allows assessment of all of the potential effects upon the environment and people, particularly if the activity could have a wide range of adverse effects on the environment.
- 9.6. For example, the 'discretionary regime' associated with residential activity and non-farming buildings in the Rural Zone¹⁸ was primarily the outcome of a landscape based response to managing residential activity in the Rural Zone and the effects on rural character and amenity. However, the discretionary activity status is suited to the wide range of adverse effects that could arise, such as reverse sensitivity effects on established and permitted farming activities, reverse sensitivity effects on lawfully established commercial activities such as aircraft operations or quarries, or natural hazards. The discretionary activity status affords the Council and wider community the ability to fully assess the effects of applications.
- 9.7. Quality Planning provides the following reasons as to why an activity or standard may be classed as discretionary in a plan:¹⁹
1. *Where it is not suitable in all locations in a zone*
 2. *Where the effects of the activity are so variable that it is not possible to prescribe standards to control them in advance*
 3. *Where an activity defaults to discretionary because it cannot meet all the standards for a permitted activity*
 4. *Where activities are not suitable in most locations in a zone or part of a zone but may be suitable in a few locations.*

18 Chapter 21 Rural Zone Rules 21.4.5 and 21.4.9.

19 <http://www.qualityplanning.org.nz/index.php/plan-steps/writing-plans/writing-effective-and-enforceable-rules>

9.8. For non-complying activities, Quality Planning states:

This activity status is often reserved for those activities where the potential adverse effects are great but do not necessarily warrant prohibition.

9.9. These principles have been utilised in the drafting of the PDP provisions and in the recommendations made in the s42A reports and right of replies. In particular, a non-complying activity status is often used for activities that are not contemplated within a zone. This activity status is preferred in these instances because it requires applications to be considered in terms of s104D of the RMA and this is considered appropriate to ensure that the effects of land uses that are not contemplated are suitably interrogated through the resource consent process.

9.10. Notwithstanding the points raised by Submitters Byrch (243) and Scaife (811), I consider that the PDP, being more a hybrid of an activity based and effects based district plan alleviates the concerns raised, when compared to the Operative District Plan (**ODP**).

9.11. An example is again found in the Rural Zone (Chapter 21) where the first rule in the chapter (Rule 21.4.1) identifies that any activity not listed in tables 1 to 10 is a non-complying activity. By comparison, the more effects based nature of the ODP Rural General Zone states in Rule 5.3.3.1 that any activity not identified as a prohibited, non-complying, discretionary or controlled activity and that complies with the site and zone standards shall be a permitted activity. For these unspecified activities, the only rule that applies is Rule 5.3.5.1.ii 'Scale and Nature of Activities' that restricts activities other than farming, factory farming, forestry, and residential activities to 100m² gross floor area of buildings, no goods or equipment stored outside and manufacturing and dismantling shall be carried out inside a building.

9.12. For example therefore, activities such as a civil construction contractors yard, or an industrial activity are permitted in the ODP Rural General Zone (but subject to ODP Rule 5.3.5.1.iii (a) – (c)). While in the PDP Rural Zone a civil construction contractors yard is non-complying (Rule 21.4.1) as is industrial activity (Rule 21.4.33).

9.13. I consider that the PDP provides a satisfactory level of certainty as to the status of activities and the likelihood of an activity being appropriate. I recommend that the submissions of C Byrch (243) and M Scaife (811) are rejected.

10. ISSUE 5 – "APPROPRIATELY QUALIFIED OR EXPERIENCED" EXPERT REPORTS

10.1. Four submissions²⁰ have been received requesting deletion of all provisions that require "a report from an appropriately qualified and experienced" person, or alternatively, to amend the provisions to clarify precisely what "appropriately qualified and experienced" entails.

10.2. The notified version of the PDP contains multiple variations of the abovementioned phrase, as follows:

PDP Chapter 26 Heritage;

- *qualified and experienced Conservation / Landscape Architect*²¹
- *suitably qualified Conservation Architect*²²
- *suitably qualified and experienced Archaeologist*²³

PDP Chapters; Low Density Residential, Medium Density Residential, High Density Residential, Arrowtown Residential Historic Management Zone, Queenstown Town Centre, Wanaka Town Centre, Arrowtown Town Centre, Local Shopping Centre Zone, Business Mixed Use Zone, Energy and Utilities, Temporary Activities and Relocated Buildings, and Waterfall Park Zone;

- *suitably qualified person*²⁴

PDP Chapters; Low Density Residential, Medium Density Residential, Airport Zone, Rural Zone and Noise;

- *person suitably qualified in acoustics*²⁵,

PDP Chapters; Noise Chapter;

- *appropriately qualified acoustics engineer*²⁶ and

PDP Chapter 32 Protected Trees;

20 Te Anau Developments Ltd (607) (supported by FS1160), Cardrona Alpine Resort Ltd (615) (supported by FS1105 and FS1137), Real Journeys Ltd (621) and D & M Columb (624)

21 PDP Notified Rule 26.2

22 PDP Rule 26.2

23 PDP Rule 26.2

24 PDP Rules 7.4.10, 7.4.22 (Withdrawn), 8.4.11, 8.4.23 (Withdrawn), 8.4.25 (Reply version 8.4.21), 8.4.28 (withdrawn), 9.4.4, 9.4.9 (withdrawn), 9.4.10 (withdrawn), 9.5.2 (Reply version 9.5.3), 9.5.8 (Reply version 9.5.7), 10.4.4, 12.4.6, 13.4.4, 14.4.4, 15.4.3, 16.4.2, 30.4.4 (Reply version 30.4.17), 30.4.11 (Reply version 30.4.34), 30.4.13, 30.4.15, 35.4.3 (Reply version 35.4.2), 35.4.4, 42.4.4, 42.4.5 and 42.4.6

25 PDP Rules 7.5.3, 7.5.4, 8.5.2, 17.5.8, 21.5.12, 21.5.13 and 36.6.1

26 PDP Rules 36.5.13 and 36.5.14

- *qualified arborist*²⁷.

- 10.3. Many of these terms have been discussed in the respective S42A reports and hearings and consequently have been recommended to be amended through the recommended reply versions of the various chapters. I return to those recommendations, shortly.
- 10.4. I consider that the component relating to being suitably experienced is troublesome and adds uncertainty to administration of the provisions. A qualification related to the area of discipline the report requires is the easiest measure to assess. A required level of expertise is more difficult to define and assess. Furthermore, where a report is submitted as part of a resource consent that the Council considers it needs to check, a peer review of the report may be undertaken under s92(2) of the RMA.
- 10.5. In the s42A report on Chapter 26 – Heritage, the Council's planner Ms Jones recommended amendment to 26.2 to delete the words "*and experienced*" within the three paragraphs in the section so that they all now only state "*qualified*" and the name of the expert. I support Ms Jones' recommendation and consider that this is the most practical way to specify who can submit a report to satisfy a requirement of the PDP.
- 10.6. Notwithstanding the above, I note that the other PDP provisions including the abovementioned phrases have all been recommended within the respective s42A reports (and right of replies) to be altered to remove 'experience' or deleted in their entirety for other reasons with the exception of within Chapter 32 – Protected Trees.
- 10.7. In the s42A for Chapter 32 – Protected Trees, the Council's planner Ms Law recommended accepting²⁸ the QLDC Parks (809) submission that the wording of Rules 32.4.4, 32.4.5, 32.4.20 and 32.4.21 be amended from "*qualified arborist*" to "*qualified and experienced arborist*". This recommendation is at odds with the approach undertaken throughout the remainder of the s42A reports and for the abovementioned reasons is not supported.
- 10.8. As a result, I recommend that the notified wording be retained in Chapter 32, for the reasons set out above and to ensure consistency in approach across the PDP. I have consequently identified this within the attached **Appendix 3** and the change has been assessed in the s32AA attached in **Appendix 4**.

27 PDP Rules 32.4.4 and 32.4.5, and reply Rules 32.4.20 and 32.4.21

28 Paragraphs 13.3 – 13.5.

11. ISSUE 6 – DEFAULT ACTIVITY STATUS FOR UNLISTED ACTIVITIES

- 11.1. Arcadian Triangle Ltd (836)²⁹ has submitted in relation to the non-complying activity status applied to unlisted activities in many of the zones seeking that the PDP be amended to maintain the ODP permitted activity "default" consent status for any activity not otherwise specified or listed for the following reason:

The Operative District Plan provides for permitted activity status as the 'default' consent status for any activity not otherwise classified as controlled, restricted discretionary, discretionary, non-complying or prohibited. That approach has worked very well for the last 20 years. No difficulties with that approach have been identified in the s32 Analysis carried out by the Council, whether generally or specifically. The Proposed District Plan makes a significant change to a 'default' consent activity status which is generally non-complying. That change in approach is not justified, and is contrary to the general enabling approach of the RMA.

- 11.2. As mentioned earlier, both permitted activity status and non-complying activity status are utilised in different chapters across the Stage 1 PDP chapters. The Residential³⁰ and Rural³¹ chapters, as well as Chapter 30 – Energy and Utilities and Chapter 42 – Waterfall Park identify any activities not listed within the activity table as non-complying activities. Conversely, the Business³² chapters and Chapters 41 – Jacks Point and 43 – Millbrook Resort identify activities not listed within the activity table as permitted.
- 11.3. In the Rural Chapters Hearing³³ I addressed the 'default' non-complying activity status for unlisted activities in the s42A report for Chapter 21 – Rural³⁴ and stated:

The framework of the Rural Zone chapter establishes through Rule 21.4.1 that any activity not identified shall be a non-complying activity..... I consider this method provides certainty to plan users in terms of the outcome sought and where an activity stands in terms of permitted status and will provide certainty in terms of plan administration. The ODP is structured on the presumption that activities not otherwise specified are permitted and I consider this makes the ODP Rural General Zone in particular cumbersome and complicated.

29 Supported by FS1341, FS1342 and FS1097.

30 PDP Chapters 7 – 11.

31 PDP Chapters 21 – 23.

32 PDP Chapters 12 – 17.

33 Hearing Stream 2 Rural Zone (21), Rural Residential and Rural Lifestyle Zones (22), Gibbston Character Zone (23), Indigenous Vegetation and Biodiversity (33) and Wilding Exotic Trees (34).

34 Craig Barr Section 42A Hearing Report for Hearing Commencing 2 May 2016. Report dated 7 April 2016: Rural Zone: Paragraph 8.4.

11.4. This statement is further reinforced by the discussion and examples of the activity status of activities in Paragraphs 9.9 – 9.12 above. I consider that the need to obtain a resource consent for unspecified activities in the Rural zones is appropriate and I recommend the relief sought by Arcadian Triangle on this matter is rejected.

11.5. The use of permitted activity status for unlisted activities in the Business zones has been addressed in paragraphs 2.1 – 2.6 of the legal right of reply in relation to Hearing Stream 8.³⁵ This approach was considered to be suitable for these zones and it was the Council's position that the potential effects of unlisted activities establishing in these areas will be less than in other zones. I continue to support this approach and recommend this submission be rejected.

12. ISSUE 7 – AVOIDING CONFLICTS BETWEEN WATER BASED ACTIVITIES AND SURROUNDING USES

12.1. Real Journeys Limited (**RJL**) (621) seek that a new policy be inserted into either the Rural chapter or within a new Water chapter to avoid surface water activities that conflict with adjoining land uses of key tourism activities. RJL (621) seek the following wording:

Avoid activities on the surface or bed of lakes and rivers that conflict with:

- i. Adjoining land use or*
- ii. Visitor attraction activities or*
- iii. Water transport activities*

12.2. In the Rural Hearing s42A report³⁶ and Right of Reply³⁷ in relation to Chapter 21 – Rural, I addressed RJL's (621) submission in relation to the application of a separate water chapter and also the submitter's other submission points seeking additional policies relating to water activities and effects. The above requested policy however was not directly considered or addressed (as it had been summarised as a general comment on the PDP).

12.3. Consistent with my previous recommendations, I do not agree that the above new policy is necessary as the PDP already includes policies which address the effects of water based activities on adjoining land and other water users. This issue is addressed in the suite of notified policies and in particular the following:³⁸

35 Legal submissions on behalf of Queenstown Lakes District Council as part of the Council's right of reply. Hearing Stream 8 Business. 13 December 2016. <http://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Hearings-Page/Hearing-Stream-8/Council-Right-of-Reply/QLDC-08-Business-Legal-Reply.pdf>

36 Craig Barr Section 42A Hearing Report for Hearing Commencing 2 May 2016. Report dated 7 April 2016: Rural Zone Paragraphs 17.2 – 17.3

37 Reply of Craig Barr Chapter 21 – Rural 3 June 2016. Paragraphs 3.1 – 3.6.

38 These policies are not recommended to be modified in the Council's reply version, except for Policy 21.2.12.5.

- 21.2.12.3 *Avoid or mitigate the adverse effects of frequent, large-scale or intrusive commercial activities such as those with high levels of noise, vibration, speed and wash, in particular motorised craft in areas of high passive recreational use, significant nature conservation values and wildlife habitat.*
- 21.2.12.5 ~~Protect, maintain or enhance~~ Preserve *the natural character and nature conservation values of lakes, rivers, and their margins, from inappropriate activities with particular regard to places with nesting and spawning areas, the intrinsic value of ecosystem services and areas of indigenous fauna habitat and recreational values.*³⁹
- 21.2.12.6 *Recognise and provide for the maintenance and enhancement of public access to and enjoyment of the margins of the lakes and rivers.*
- 21.2.12.9 *Take into account the potential adverse effects on nature conservation values from the boat wake of commercial boating activities, having specific regard to the intensity and nature of commercial jet boat activities and the potential for turbidity and erosion.*
- 21.2.12.10 *Ensure that the nature, scale and number of commercial boating operators and/or commercial boats on waterbodies do not exceed levels where the safety of passengers and other users of the water body cannot be assured.*

12.4. I have revisited the submission of Fiona Black⁴⁰ and the planning evidence of Ben Farrell for Real Journeys Ltd (621) filed at the Rural Hearing. Ms Black submits that the PDP and Rural Zone text (Chapter 21) in particular focuses too heavily on the terrestrial environment and does not give adequate protection to water. Ms Black states:⁴¹

The District's waterways confer considerable benefits to the District and the wider Otago Region through the provision of water for: irrigation, snow making, drinking, downstream hydroelectric power generation and enabling numerous tourism activities.

39 Chapter 21 right of reply version

40 Statement of evidence of Fiona Black on Proposed Chapter 21, 33 and 34 for Real Journeys (621/1341) and Te Anau Developments limited (607/1342). <http://www.gldc.govt.nz/assets/Uploads/Planning/District-Plan/Hearings-Page/Hearing-Stream-2/Pre-Lodged-and-Pre-Tabled-Evidence/S0621-Realjourney-T02-BlackF-Evidence..pdf>

41 Ibid at 6.

12.5. While I acknowledge that part of the function of the Council is the integrated management of natural and physical resources,⁴² I consider Ms Black's submission and the relief requested leans more toward the function of regional councils⁴³ associated with the provision of water for irrigation, snow making, and drinking. Therefore I consider it would be inappropriate for the Council to impose rules or have a policy framework that results in direct intervention of the 'provision' of these resources. In my view the Reply version of the Rural Zone Chapter provides an appropriate policy and rule framework for managing land use and the relationship with water, within the framework of where the respective functions of the territorial and regional authorities sit. I recommend that the submission of Ms Black is rejected.

12.6. Mr Farrell's evidence at the Rural Hearing requested:⁴⁴

Extract provisions relating to the protection, use and development of the surface of lakes and rivers and their margins, and insert them into a specific chapter that focuses on development and activities carried out on the surface of water and within the margins of waterways.

12.7. The subsequent rules requested by Mr Farrell appear to elevate activities associated with the TSS Earnslaw and do not in my view, provide a more comprehensive or appropriate resource management framework for activities on the surface of water and margins than what is provided for in the PDP. This is with the clear exception of bespoke provisions for tourism based activities, in particular the TSS Earnslaw.

12.8. While acknowledging that Mr Farrell has recommended a number of changes to the provisions of Chapter 21 (Rural Zone), neither Ms Black or Mr Farrell have provided a revised chapter or comprehensive 'surface of water' chapter package that would be expected to comprise a purpose statement, objectives, policies, rules and other methods. It is also my view that Mr Farrell's suggested changes provide an imbalance in favour of tourism based development. In my view, this does not sufficiently manage both passive and active recreational activities and the effects of commercial land uses on recreational activities.

12.9. On this basis I maintain that the breadth and location of the objectives, policies and rules for activities on the surface of water are appropriate as zoned Rural. I also note that keeping the surface of water zoned Rural, and with the Rural Chapter text, provides a

42 Section 31 (1) (a) of the RMA.

43 Section 30 (1) (e) taking, use, damming, diversion, quantity, level and flow of water, (f) control of discharges to water.

44 Supplementary planning evidence of Ben Farrell Real Journeys et.. Rural Hearing 2. 21 April 2016.
<http://www.gldc.govt.nz/assets/Uploads/Planning/District-Plan/Hearings-Page/Hearing-Stream-2/Pre-Lodged-and-Pre-Tabled-Evidence/C0621-S0515-Wakatipu-Equities-T02-Ben-Farrell-Evidence.pdf>

seamless integration between the physical surface of water and the margins and in most cases the surrounding area. In this regard I consider that the spatial application of the Rural Zone for water is appropriate, as is the location of the policy and rule framework within the Rural Zone Chapter. I consequently do not support the suggestion made by Mr Farrell in his evidence for the Strategic Hearing⁴⁵ that a 'Water Zone' should be provided for in the PDP or as part of the alternative structure suggested.

12.10.I do not consider that the additional policy recommended by RJL (621) offers any added value and therefore recommend rejection of this submission point.

13. ISSUE 8 – COST OF INFRASTRUCTURE TO COUNCIL

13.1. RPL (807) seek that all references to the cost of infrastructure to Council in the PDP be deleted for the following reason:

The infrastructure cost burden to the Council is a matter that can and should be addressed under the Local Government Act 2002. The Council has levied development contributions for many years. Those contributions should have been applied to the maintenance and upgrade of existing infrastructure and the provision of new infrastructure;

13.2. A search of the notified text of the PDP and also the recommended provisions in the respective right of reply versions of the chapters has found only one reference to the cost of infrastructure to Council. Notified Objective 3.2.2.1 of the Strategic Direction Chapter states:

Objective – *Ensure urban development occurs in a logical manner:*

- *to promote a compact, well designed and integrated urban form;*
- *to manage the cost of Council infrastructure; and*
- *to protect the District's rural landscapes from sporadic and sprawling development.*

13.3. Mr Matthew Paetz in his right of reply on Chapter 3 – Strategic Direction has recommended amendment to the above objective, including the removal of the word 'Council' in the second bullet point so that the point is now recommended to read:

- ~~*To that manages*~~ *the cost of Council infrastructure; and*

45 Evidence of Ben Farrell for Real Journeys et. al. at 11. Strategic Hearing. 29 February 2016. <http://www.gldc.govt.nz/assets/Uploads/Planning/District-Plan/Hearings-Page/Hearing-Stream-1b/Pre-Lodged-Evidence-and-Legal-Submissions/0621-1341-Real-Journeys-Limited-T01B-Ben-Farrell-Evidence-C-16-03-23.pdf>

13.4. This recommendation is considered to address the relief sought by the submitter.

14. CONCLUSION

14.1. On the basis of the above, the only change recommended to the PDP text is in Chapter 32 – Protected Trees, to remove the Council's recommendation to include a reference to "experienced arborist". I do not recommend any other changes to the notified chapters of the PDP as a result of the submissions received.

A handwritten signature in blue ink, appearing to read 'Craig Barr', with a long horizontal flourish extending to the right.

Craig Barr
Senior Planner
15 February 2017

Appendix 1. Entire Plan List of Submitters, Summary of Submissions and Recommended Decisions

Appendix 1 to the Section 42A report for "Entire Plan"

Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
9.9		Terry Drayon	Other	To ban the use of chemical control in Lake Wanaka and introduce an environmentally sustainable approach.		Out of scope outside TLA/DP function		
9.9	FS1160.1	Otago Regional Council	Oppose	Opposes to the ban to use chemical in order to control in Lake Wanaka because it is a permitted activity. QLDC is a member of the Lake Wanaka management group with has recently approved a ten year plan for the management of lagarosiphon in Lake Wanaka, which includes the continued use of chemical, as well as other methods.		Out of scope outside TLA/DP function		
38.1		Stewart Mahon	Support	Supports the provisions.	Accept in Part		All	
124.1		Bruce & Alison Hebbard	Other	Supports the concept of a simplified district plan, but concerned that an important rule of the operative district plan has been dropped, therefore submitter wishes to make a further submission or be heard at a later date if necessary.	Accept in Part		All	
145.6		Upper Clutha Environmental Society (Inc)	Not Stated	The rural provisions of the Operative District Plan, meaning all of Parts 4, 5 and 15 that relate to subdivision and/or development in rural areas and any other part or provision in the Operative District Plan that relates to or has any bearing whatsoever on subdivision and/or development in the rural areas, are retained in their exact current form except where set out in the submission.	Reject		Streams 1 and 2	Issue addressed in Section 32 Report: Landscape, Rural Zone and Gibbston Character Zone, paragraph 12.100 of Chapter 3 - Strategic Direction s42A, paragraphs 9.6 - 9.13, 9.39 - 9.53 of Chapter 6 - Landscape s42A and paragraphs 11.13 of Chapter 21 - Rural s42A
145.6	FS1090.1	Jardine Family Trust and Remarkables Station Limited	Oppose	Disallow. The proposed district plan has been prepared following Council's district plan review. It addresses issues that have arisen for the district and requires a review of the objectives, policies and rules to occur. The proposed plan includes new objectives, policies and rules that address the issues identified. A simple "roll over" of the operative plan would not adequately address these issues.	Accept		Streams 1 and 2	
145.6	FS1162.6	James Wilson Cooper	Oppose	Believes that the relief sought in the submission does not result in sound resource management planning. Seeks that all of the relief sought be declined.	Accept		Streams 1 and 2	
145.6	FS1347.3	Lakes Land Care	Oppose	Opposes in particular their views on objectives/policies and assessment matters in the Rural Section. Don't accept farming activity as important, yet the farming community over a very long period of time have pioneered, managed and maintained the rural values that the rest of the community treasure so highly. The landscape, which is a working environment, provides the economy important export earnings, but it needs careful continued management to maintain these rural values which farmers provide. Assures that the farming activity needs the flexibility to change, expand and grow in order to maintain their responsibility for managing their land. States that farmers are in direct conflict with protection groups and individuals e.g.UCES demanding landscape protection for public benefit without compensation in the District Plan. The farmers or landowners inherit the cost of that benefit, which interfere with their property rights through imposed rules, restricting activities and opportunities that can be carried out on their investment by the District Council. Believes that the land needs to be managed in a balanced way to be maintained for the future. Councils (which largely represent urban communities) who impose restrictions on landowners have no investment, no expertise in land management and it is easy for them to deliver the public benefit without any cost as there is no compensation under the RMA. Agrees that the farming community needs to be supported and encouraged by council to maintain and manage their land in a sustainable way in order to preserve the rural values the community values so highly.	Accept		Streams 1 and 2	
145.6	FS1097.28	Queenstown Park Limited	Oppose	Oppose retention of the provisions of the Operative Plan being retained in their current form.	Accept		Streams 1 and 2	
145.6	FS1313.65	Darby Planning LP	Oppose	Seek that the part of this submission relating to Chapter 21 (Rural) be disallowed. DPL opposes the relief sought in this submission seeking to retain the rural area objectives, policies rule and assessment matters in the exact form that they appear in the operative District Plan, except as otherwise amended through separate submissions. DPL oppose for this relief for the reason that the operative District Plan Structure would not match with that adopted within eth PDP, including the recasting of the 5 landscape categories into 3 categories and the redundancy of the existing policies relating to the identification of site specific building restrictions, the life supporting capacity of water, and the life supporting capacity of soils. The relief sought would be an inappropriate outcome having regard to the relative effectiveness and efficiency of the proposed methods.	Accept		Streams 1 and 2	
145.22,		Upper Clutha Environmental Society (Inc)	Other	The name of the Outstanding Natural Landscape (Wakatipu Basin) landscape category is changed to Outstanding Natural Landscape. It seeks that all of the provisions in the Operative District Plan that apply or in any way relate to Outstanding Natural Landscape (Wakatipu Basin), meaning the objectives, policies, assessment matters and rules and any other matters, are retained in the District Plan in the exact same form as in the Operative District Plan and that these provisions are applied to the new single Outstanding Natural Landscape category throughout the District.	Reject		Stream 1	Issue addressed in paragraphs 9.10 - 9.13 of the Chapter 6 - Landscape s42A
145.22	FS1097.39	Queenstown Park Limited	Oppose	Submitter seeks retention of ONL- WB, which is opposed.	Accept		Stream 1	
145.22	FS1162.22	James Wilson Cooper	Oppose	Believes that the relief sought in the submission does not result in sound resource management planning. Seeks that all of the relief sought be declined.	Accept		Stream 1	
145.22	FS1313.73	Darby Planning LP	Oppose	Seek that the part of this submission relating to Chapter 3 (Strategic Directions) Landscapes (Chapter 6), Rural Zone (Chapter 21) and Subdivision and Development (Chapter 27) be disallowed. DPL opposes the relief sought in this submission to retain all of the objectives, policies and rules and assessment matters relating to the Visual Amenity Landscapes in the exactly the same form as in the operative District Plan. The reason for opposing this relief is that the PDP seeks to reduce the current 5 landscape classifications into 3, including most importantly combining VAL and ORL into a new Rural Landscape Classification. The values of the natural and physical resources which underpin the existing policies cannot be therefore applied to a new RLC classification which applies to a different area. The outcome would be to create an inappropriate level of protection over landscape values.	Accept		Stream 1	

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
145.31	FS1162.31	James Wilson Cooper	Oppose	Believes that the relief sought in the submission does not result in sound resource management planning. Seeks that all of the relief sought be declined.	Accept		Stream 1	
145.31	FS1313.75	Darby Planning LP	Oppose	Seek that the part of this submission relating to the entire Proposed District Plan be disallowed. DPL opposes the relief sought in this submission seeking that the rural provisions of the operative District Plan relating to subdivision and development within the rural areas are retained in their current form, with certain stated exemptions. DPL disagrees that the operative provisions are working well and after 20 years (from notification) of the first generation District Plan, including the significant growth in population and related infrastructure the Rural Zones need to be reviewed to address the significant and current resource management issues facing the rural areas of the District.	Accept		Stream 1	
145.31	FS1313.80	Darby Planning LP	Oppose	Seek that the part of this submission relating to the entire Proposed District Plan be disallowed. DPL opposes the relief sought to the submission seeking to retain the rural provisions of the operative District Plan, except that the cumulative effects assessment matters should be elevated to a test. DPL considers that this change is inconsistent with the proposed policies and would result in an inappropriate level of protection beyond that necessary to sustainably manage the landscape resource.	Accept		Stream 1	
145.31	FS1347.17	Lakes Land Care	Oppose	Opposes in particular their views on objectives/policies and assessment matters in the Rural Section. Don't accept farming activity as important, yet the farming community over a very long period of time have pioneered, managed and maintained the rural values that the rest of the community treasure so highly. The landscape, which is a working environment, provides the economy important export earnings, but it needs careful continued management to maintain these rural values which farmers provide. Assures that the farming activity needs the flexibility to change, expand and grow in order to maintain their responsibility for managing their land. States that farmers are in direct conflict with protection groups and individuals e.g. UCES demanding landscape protection for public benefit without compensation in the District Plan. The farmers or landowners inherit the cost of that benefit, which interfere with their property rights through imposed rules, restricting activities and opportunities that can be carried out on their investment by the District Council. Believes that the land needs to be managed in a balanced way to be maintained for the future. Councils (which largely represent urban communities) who impose restrictions on landowners have no investment, no expertise in land management and it is easy for them to deliver the public benefit without any cost as there is no compensation under the RMA. Agrees that the farming community needs to be supported and encouraged by council to maintain and manage their land in a sustainable way in order to preserve the rural values the community values so highly.	Accept		Stream 1	
145.34		Upper Clutha Environmental Society (Inc)	Other	The society seeks that all provisions relating to the Open Space Zone - Landscape Protection are retained in the District Plan in the exact same form as they appear in Part 20 of the Operative District Plan and in the exact same form as the Open Space Zone-Landscape Protection areas are delineated on maps in the Operative District Plan.		Out of scope not within Stage 1 of the PDP		
145.34	FS1336.3	Peninsula Bay Joint Venture	Oppose	That all provisions relating to the Open Space Zone-Landscape Protection are retained in the District Plan in the exact same form as they appear in Part 20 of the Operative District Plan and in the exact same form as Open Space Zone-Landscape Protection areas are delineated on maps in the Operative District Plan.		Out of scope not within Stage 1 of the PDP		
145.34	FS1162.34	James Wilson Cooper	Oppose	Believes that the relief sought in the submission does not result in sound resource management planning. Seeks that all of the relief sought be declined.		Out of scope not within Stage 1 of the PDP		
179.1		Vodafone NZ	Oppose	Amend objectives, policies and rules to better support th eprovision of infrastructure.	Accept in Part		Stream 5	Issue addressed in paragraphs 10.1 - 10.4 of Chapter 30 - Energy & Utilities s42A
179.2		Vodafone NZ	Oppose	Amend objectives to record outcomes or end points, rather than processes.	Accept		All streams	The objectives which did not outline the outcome sought have been recommended to be amended through each hearing stream
183.1		James & Jeanette Cullen	Other	That any development in the Lakes District adhere to principles that keep Old Frankton unique.	Reject		Stream 6	Issue addressed in paragraphs 10.57 - 10.63 of Chapter 7 - Low Density Residential s42A
191.1		Spark Trading NZ Limited	Other	Amend objectives, policies and rules to better support the provision of infrastructure.	Accept in Part		Stream 5	Issue addressed in paragraphs 10.1 - 10.4 of Chapter 30 - Energy & Utilities s42A
208.1		Pounamu Body Corporate Committee	Other	The Body Corporate supports some aspects of the proposed plan, however for the most part opposes the proposed plan, in particular the proposed High Density Zone provisions. The Body Corporate seeks the following decision from the Council: (a) That the amendments to the High Density Residential Zone contained in the Proposed Plan be disallowed, and the Operative Zone provisions be retained, or equivalent provisions included in the Proposed Plan (i.e. status quo), including retention of the urban design panel and associated urban design considerations; and (b) That the amendments to the Low Density Residential Zone contained in the Proposed Plan in relation to the removal of the Operative Plan rule 7.5.2(xix) relating to Height and Elevation Restrictions along Frankton Road, be disallowed, and the Operative Zone provision be retained, or equivalent provisions included in the Proposed Plan (i.e. status quo); and (c) That amendments be made to the Strategic Direction provisions to manage the form of urban development within UGBs by ensuring developments continue to be of a high quality and that adverse effects of development on nearby properties are appropriately avoided, remedied or mitigated; and (d) That amendments be made to the Urban Boundary provisions to ensure adverse effects of development are appropriately avoided, remedied or mitigated; and (e) That amendments be made to the Subdivision provisions to ensure lot sizes are appropriate and comprehensive design is undertaken; or (f) That the relief in (a) - (e) above be allowed in relation to Lot 5 and the Pounamu Apartments site only (i.e. status quo for Lot 5 and Pounamu Apartments site); or (g) That the Proposed Plan include a requirement (for example, by way of a Structure Plan with associated rules or the creation of a Special Zone, or similar) that Lot 5 be developed in a manner that has regard to and is integrated with development on the Pounamu Apartments site, to address the concerns of the Body Corporate outlined in this submission; or (h) That the Proposed Plan be amended in the manner set out in the attached table (Annexure A); or (i) That the Proposed Plan be amended in a similar or such other way as may be appropriate to address the matters raised in the Body Corporate's submission; and (j) any consequential decisions required to address the matters raised in the Body Corporate's submission.	Reject		Stream 6	Issues addressed in paragraphs 8.1 - 8.27 of Chapter 9 - High Density Residential s42A, paragraph 26.1 of Chapter 7 - Low Density Residential right of reply and paragraphs 11.1 - 11.7 of Chapter 9 - High Density Residential right of reply and Appendix 2 of Ms Kim Banks' Summary of Evidence for Chapter 9 - High Density Residential Zone
208.1	FS1242.2	Antony & Ruth Stokes	Oppose	Believes that the proposed High Density Residential Objectives, Policies and Rules will provide a development framework that supports appropriate residential and visitor accommodation activities in the zone. The submitter seeks submission be disallowed.	Accept		Stream 6	
243.1		Christine Byrch	Oppose	1. Too much discretion - there is too much that is discretionary in the Plan, 2. Editorial comments - Plan is not well written and needs professional editing, 3. Favours growth over residential living - the Plan favours noise, growth, business, commercial development over residential living, 4. Inconsistencies, 5. Provision to deal with omissions, inconsistencies, errors - provision needs to be made to quickly resolve these problems / issues if they are still there when the plan comes into use	Reject		All	Refer Issue 3 relating to the extent of discretion. Editing of PDP will occur during the s42A and right of replies for each chapter and also administratively when the Panel issues its decision. Favouring of groth over residential living - refer to the s42A and right of reply in relation to Chapter 3 - Strategic Direction. Inconsistencies will be addressed via the s42A and right of replies as well as by the Panel in its decision.

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
243.1	FS11224.1	Matakauri Lodge Limited	Oppose	The submitter opposes this submission and considers that the Proposed District Plan and Visitor Accommodation Sub-zone is an appropriate method to recognise and enable visitor accommodation on Lot 2 DP 27037. Seeks it to be disallowed.	Accept			Refer Issue 3 relating to the extent of discretion. Editing of PDP will occur during the s42A and right of replies for each chapter and also administratively when the Panel issues its decision. Favouring of growth over residential living - refer to the s42A and right of reply in relation to Chapter 3 - Strategic Direction. Inconsistencies will be addressed via the s42A and right of replies as well as by the Panel in its decision.
243.1	FS1117.16	Remarkables Park Limited	Support	Support for the reasons given in the submission and the reasons in RPL's primary submission.	Reject			Refer Issue 3 relating to the extent of discretion. Editing of PDP will occur during the s42A and right of replies for each chapter and also administratively when the Panel issues its decision. Favouring of growth over residential living - refer to the s42A and right of reply in relation to Chapter 3 - Strategic Direction. Inconsistencies will be addressed via the s42A and right of replies as well as by the Panel in its decision.
249.1		Willowridge Developments Limited	Oppose	Opposes the Proposed District Plan. The entire District Plan review should be put on hold or rejected until such a time as the remaining chapters are included in the review.	Reject			Refer Issue 2
249.1	FS1090.6	Jardine Family Trust and Remarkables Station Limited	Oppose	Disallow. The proposed district plan has been prepared in response to the issues facing the district. The proposed plan establishes new objectives, policies and rules to address current issues. Placing the proposed plan "on hold" or rejecting it would not achieve this.	Accept in Part			Refer Issue 2
249.1	FS1136.1	Ian Percy	Oppose	Oppose Whole Part	Accept in Part			Refer Issue 2
271.1		Board of Airline Representatives of New Zealand (BARNZ)	Other	Contains inadequate protection for the Queenstown airport, as a regionally significant piece of infrastructure, from the risks of reverse sensitivity. There are four key changes requested by BARNZ to strengthen the protection of Queenstown Airport from reverse sensitivity: - The addition of specific protection of regionally significant infrastructure from reverse sensitivity in the economic objectives and policies contained in the Strategic Directions chapter - The strengthening of the objectives and associated policies in the Urban Development chapter limiting urban development to areas which will not create reverse sensitivities or otherwise detrimentally impact on regionally significant infrastructure - Maintaining the current maximum site density of new development in the Outer Control Boundary at one dwelling per 450m2. (as per the operative plan - Maintaining the current minimum allotment size of 600m2 within the Low Density Residential Zone and the OCB (as per the operative plan).	Accept in Part		Streams 1 and 6	Issues addressed in Chapter 3 - Strategic Direction s42A and right of reply and in Chapter 7 - Low Density Residential s42A
271.1	FS1117.21	Remarkables Park Limited	Oppose	The Queenstown Airport is adequately protected from reverse sensitivity effects under the operative District Plan and Plan Change 50. Queenstown Airport should strive to minimise the adverse effects generated by it. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.	Accept in Part		Streams 1 and 6	
271.1	FS1211.34	New Zealand Defence Force	Support	Agrees that it is appropriate to provide for regionally significant infrastructure, including Queenstown Airport, and also defence facilities on the definition for regionally significant infrastructure.	Accept		Streams 1 and 6	
271.1	FS1097.104	Queenstown Park Limited	Oppose	The Queenstown Airport is adequately protected from reverse sensitivity effects under the operative District Plan and Plan Change 50. Queenstown Airport should strive to minimise the adverse effects generated by it. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.	Accept in Part		Streams 1 and 6	
289.21		A Brown	Other	Any other subsequent changes required to give relief to the matters and the relief sought in the submission.	Accept in Part		Stream 1	Primary relief addressed in Chapter 3 - Strategic Direction s42A
295.1		John Coe	Other	Supports the Upper Clutha Environmental Society's Summary and requests that Council implement its submission which seeks the following: •That all of Parts 4, 5 and 15 that relate to subdivision and or development in rural areas are retained in their exact current form except for the following: •Delete the Outstanding Natural Landscape landscape category and all provisions relating to it in the Operative District Plan. •Change the name of the Outstanding Natural Landscape (Wakatipu Basin) landscape category to Outstanding Natural Landscape and retain in the Operative District Plan apply all of the existing provisions to the new category. This category is to apply district wide. •Delete the Other rural Landscape category. Delete the Visual Amenity Landscape category. Replace these with a new Rural Landscape Category. Retain all of the provisions for the Visual Amenity Landscape and apply to the new category •Delete Part 3: Sustainable Management in the Operative District Plan and replace with the new Part 1.1 Purpose in the Proposed District Plan. •Include the Urban Growth Boundaries of the Proposed District Plan into the Operative District Plan replacing policy 4.2.5.7 - Urban Edges. •Amalgamate Other Factors and Positive Effects into one section that applies to all three proposed landscape categories. •Delete all text in Parts 4 and 5 of the Operative District Plan relating to 'Explanation and Principal Reasons for Adoption' and 'Implementation Methods'. •Change the cumulative effects assessment matter (5.4.2.2.3(d) in the Operative District Plan to a test. •Add assessment matters to the Operative District Plan for RLC which require clustering design and density assessment matter and a spatial development tool based on the existing 500m and 1.1km assessment matter. •Change policy 5.2.1.5 in the Operative District Plan to make more explicit the primacy of landscape outcomes (Glentworth decision).	Reject		Stream 1	Issue addressed in paragraphs 9.10 - 9.13 of the Chapter 6 - Landscape s42A
295.1	FS1097.137	Queenstown Park Limited	Oppose	Oppose the submitter's support of UCES's submission that requests unnecessary strengthening of landscape provisions.	Accept		Stream 1	
296.3		Royal New Zealand Aero Club Inc/Flying NZ	Other	Extend the protection afforded to Wanaka and Queenstown airports to include Glenorchy and Makarora and to other future CAA recognised public use airfields;	Reject		Stream 2	Issue addressed in paragraphs 16.37 - 16.38 of Chapter 21 - Rural s42A
296.3	FS1345.12	Skydive Queenstown Limited	Support	To extend the protection afforded to Wanaka and Queenstown airports to include Glenorchy and Makarora and other CAA-recognised public use airfields.	Reject		Stream 2	
361.2		Grant Hylton Hensman, Sharyn Hensman & Bruce Herbert Robertson, Scope Resources Ltd, Granty Hylton Hensman & Noel Thomas van Wichen, Trojan Holdings Ltd	Other	Amend Chapter 11 of the operative district plan Business Zones, objectives, policies and rules to include the Industrial B Coneburn zone.		Deferred to the hearing on mapping		

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
361.2	FS1118.2	Robins Road Limited	Support	Seeks that the whole of the submissions be allowed. Even though the Robins Road and Huff Street High Density Residential Zone has not yet been notified these transitional areas should be considered along with, and in the context of, the other nearby areas of similar character such as the southern end of Gorge Road.		Deferred to the hearing on mapping		
361.2	FS1229.2	NXSKI Limited	Support	NZSKI Limited supports submission 361 in its entirety and agrees with the conclusions in the submitters Section 32 Report that the issues identified and options taken forward are the most appropriate way to achieve the purpose of the RMA. NZSKI Limited seeks that this submission be accepted by QLDC.		Deferred to the hearing on mapping		
361.2	FS1277.2	Jacks Point Residents and Owners Association	Oppose	Opposes. Believes that the rezoning will have cumulative adverse effects on landscape and visual values, including light spill, and the character of the area. Seeks that the submission be disallowed.		Deferred to the hearing on mapping		
361.2	FS1275.89	"Jacks Point" (Submitter number 762 and 856)	Oppose	Opposes in part. Believes that the rezoning of Rural General to Industrial as requested is opposed on the basis that it will have cumulative adverse effects on landscape and visual values, and the character of the area. Seeks that the submission be disallowed.		Deferred to the hearing on mapping		
361.4		Grant Hylton Hensman, Sharyn Hensman & Bruce Herbert Robertson, Scope Resources Ltd, Granty Hylton Hensman & Noel Thomas van Wichen, Trojan Holdings Ltd	Oppose	The Plan Review should be withdrawn and re-notified for consideration once a complete and thorough document has been prepared. The submitter considers the omission of a complete Section 32 Analysis is a fundamental flaw in the plan review documentation, and that the Council cannot continue to process the Plan Review in the absence of this information.	Reject			Refer Issue 1
361.4	FS1118.4	Robins Road Limited	Support	Seeks that the whole of the submissions be allowed. Even though the Robins Road and Huff Street High Density Residential Zone has not yet been notified these transitional areas should be considered along with, and in the context of, the other nearby areas of similar character such as the southern end of Gorge Road.	Reject			Refer Issue 1
361.4	FS1229.4	NXSKI Limited	Support	NZSKI Limited supports submission 361 in its entirety and agrees with the conclusions in the submitters Section 32 Report that the issues identified and options taken forward are the most appropriate way to achieve the purpose of the RMA. NZSKI Limited seeks that this submission be accepted by QLDC.	Reject			Refer Issue 1
400.5		James Cooper	Other	That the District Plan is made more "user friendly" for farming within the District.	Reject		Stream 2	Issue addressed in paragraphs 8.1 - 8.39 of Chapter 20 - Rural s42A. It is noted that Farming is a permitted activity in the Rural zone
400.5	FS1117.52	Remarkables Park Limited	Oppose	For the reasons outlined in RPL's primary submission.	Reject		Stream 2	
400.5	FS1097.256	Queenstown Park Limited	Oppose	Oppose for the reasons outlined in QPL's primary submission.	Reject		Stream 2	
410.3		Alps Investment Limited	Other	Seeks alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions (which relate to the High Density Zoning of the subject site (Secs 2 Pt 1 Blk XXXVII) Queenstown).		Deferred to the hearing on mapping		
414.1		Clark Fortune McDonald & Associates Ltd	Oppose	Opposes the proposed district plan generally and in particular seeks: <ul style="list-style-type: none"> •That it be withdrawn and re-notified with the transport Chapter to the District Plan; and •That the Urban Growth Chapter of the Plan Review be withdrawn and re-notified once a complete S 32 analysis has been undertaken •That the Subdivision Chapter (27) of the Plan Review be withdrawn and re-notified once a complete S 32 analysis has been undertaken 	Reject			Refer Issue 1
414.1	FS1255.10	Arcadian Triangle Limited	Support	Allow the submission.	Reject			Refer Issue 1
414.1	FS1071.104	Lake Hayes Estate Community Association	Oppose	That the entire submission is disallowed and the existing zoning remains in place	Accept in Part			Refer Issue 1
414.1	FS1097.276	Queenstown Park Limited	Support	Support submitters request that the subdivision section is withdrawn once a complete S32 assessment is undertaken. Concur that the S32 is inadequate.	Reject			Refer Issue 1
421.1		Two Degrees Mobile Limited	Oppose	Amend objectives, policies and rules to better support the provision of infrastructure. Requests that the proposed plan objectives are amended to record outcomes or end points rather than processes.	Accept in Part		Stream 5	Issue addressed in paragraphs 10.1 - 10.4 of Chapter 30 - Energy & Utilities s42A. PDP objectives have been amended in each hearing stream to be outcome statements
438.1		New Zealand Fire Service	Not Stated	Requests that Council amend the proposed Plan to adequately recognise and provide for the operational requirements of the Commission and the associated infrastructure in a way that enables the safety and wellbeing of Queenstown as set out in this submission and specifically set out in Attachment 1. The core areas of the Proposed Plan which the Commission requests amendments to are: <ul style="list-style-type: none"> - The NZFS Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 (Code of Practice) should be included within the District Plan to ensure that an adequate water supply is available if there is a fire attended by NZFS; - Certain standards proposed may restrict the NZFS towers which it requires at fire stations. The NZFS towers should be exempt from the standards; Emergency services should be expressly enabled and provided for throughout the urban environment including in residential areas; - The efficient operation of emergency services within the district should be added as a strategic direction; and - fire stations should be exempt from gross floor area and hard standing area standards, as the specific operational requirements of fire stations means that they will not be able to meet these standards. 	Accept in Part		Streams 1, 4 and 6	Issues addressed in paragraphs 25.1 - 25.7 of the Chapter 27 - Subdivision & Development s42A, paragraphs 11.25 - 11.28 of the Chapter 7 - Low Density Residential s42A and paragraphs 13.8 - 13.9 of right of reply, paragraphs 10.108 and 10.117 of Chapter 8 - Medium Density Residential s42A, paragraphs 10.7, 12.2 - 12.3, 14.7 of Chapter 9 - High Density Residential s42A, paragraphs 9.1 - 9.2 of Chapter 10 - Arrowtown Residential Historic Management Zone s42A and 5.1 - 5.3 of right of reply and paragraphs 5.27 - 5.28 of the Chapter 3 - Strategic Direction right of reply
438.1	FS1160.3	Otago Regional Council	Support	Supports the NZ Fire Service submission as this requirement would provide for emergency services and critical infrastructure, giving effect to the Regional Policy Statements and the Resource Management Act 1991. Requests that Council amend the proposed Plan to adequately recognise and provide for the operational requirements of the Commission and the associated infrastructure in a way that enables the safety and wellbeing of Queenstown.	Accept in Part		Streams 1, 4 and 6	
438.1	FS1097.419	Queenstown Park Limited	Not Stated	Neutral. Recognise the importance of providing fire fighting supply but question the need to refer to the Code of Practice within the District Plan.	Accept in Part		Streams 1, 4 and 6	
580.1		Contact Energy Limited	Other	Retain the provisions, except to the extent that specific changes are made in accordance with the relief sought by Contact in the balance of this submission and any further submission that contact may make.	Accept		Stream 5	Primary submission points addressed in Chapter 30 - Energy & Utilities s42A
592.1		Wanaka Kiwi Holiday Park & Motels Ltd	Not Stated	Council intend to develop rules of the VA sub-zone as part of the District Plan review, Stage 2. Until then, applicants and landowners have to rely on the ODP provisions that relate to the VA sub-zones. This approach is inefficient as if the PDP becomes operative before Stage 2 is progressed the submitter will be required to seek a non-complying activity consent for development on their sites which is inconsistent with the relevant objectives and policies.	Reject		Stream 6	Issue addressed in paragraphs 14.1 - 14.3 of Chapter 7 - Low Density Residential s42A
600.1		Federated Farmers of New Zealand	Other	Council review the use of the words 'avoid', 'prevent' or 'require' within the RPS in light of King Salmon and the implications for the region's resource use.	Accept in Part		All	The use of such words have been addressed in this vein throughout the hearings streams to date
600.1	FS1034.1	Upper Clutha Environmental Society (Inc.)	Oppose	The Society OPPOSES the entire submission and seeks that the entire submission is DISALLOWED.	Reject		All	
600.1	FS1160.5	Otago Regional Council	Support	Supports the terms referenced by the submitter being used in the district plan to ensure the district plan gives effect to the Regional Policy Statement. Requests that the Council review the use of the words 'avoid', 'prevent' or 'require' within the RPS in light of King Salmon and the implications for the region's resource use.	Accept in Part		All	
600.1	FS1209.1	Richard Burdon	Support	Support entire submission	Accept in Part		All	

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
600.1	FS1097.534	Queenstown Park Limited	Support	Support the intent of the suggested changes.	Accept in Part		All	
600.1	FS1117.234	Remarkables Park Limited	Support	For the reasons outlined in RPL's primary submission.	Accept in Part		All	
600.2		Federated Farmers of New Zealand	Not Stated	Adopt the plan with specific changes sought in our submission	Accept in Part		Streams 1, 2, 3, 4, 5	Submission points have been addressed within the preceding hearing streams. Submissions relating to definitions are being addressed in the Chapter 2 - Definitions s42A
600.2	FS1034.2	Upper Clutha Environmental Society (Inc.)	Oppose	The Society OPPOSES the entire submission and seeks that the entire submission is DISALLOWED.	Reject		Streams 1, 2, 3, 4, 5	
600.2	FS1209.2	Richard Burdon	Support	Support entire submission	Accept in Part		Streams 1, 2, 3, 4, 5	
607.1		Te Anau Developments Limited	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Accept in Part	Deferred to the hearing on mapping	Streams 1, 2, 5, 8	Submission points have been addressed within the preceding hearing streams. Submissions relating to definitions are being addressed in the Chapter 2 - Definitions s42A. Some submission points have been deferred to mapping hearings.
607.2		Te Anau Developments Limited	Not Stated	That all provisions not amended in response to this submission be retained as notified unless it duplicates another provision in which case it should be deleted.	Accept in Part		Streams 1, 2, 5, 8	
607.3		Te Anau Developments Limited	Not Stated	Delete provisions where they duplicate or repeat other provisions.	Accept in Part		All	This has been addressed via the preceding hearings
607.4		Te Anau Developments Limited	Not Stated	Delete all provisions which require "a report from an appropriately qualified and experienced", or amend provisions to clarify precisely what "appropriately qualified and experienced" entails.	Accept in Part			Refer Issue 5
607.4	FS1160.6	Otago Regional Council	Support	Partial Support. Recognises it is important to clarify what qualified expertise will be required.	Accept in Part			Refer Issue 5
607.9		Te Anau Developments Limited	Not Stated	Amend rules as required to ensure: (i) Tourism activities outside or not affected by a value protected by s6 of the RMA are enabled via the permitted, controlled, or restricted discretionary activity status; (ii) Tourism activities within or affected by a value protected by section 6 of the RMA are provided for as a restricted discretionary or discretionary activity; (iii) Tourism activities are not classified as a non-complying or prohibited activity.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
607.9	FS1097.547	Queenstown Park Limited	Support	Support the intent of the submission for the reasons stated in QPL's original submission.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
607.9	FS1117.242	Remarkables Park Limited	Support	For the reasons outlined in RPL's primary submission.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
615.1		Cardrona Alpine Resort Limited	Oppose	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Accept in Part	Deferred to the hearing on mapping	Streams 1, 2 and 5	Primary relief addressed in preceding chapters. Submissions relating to definitions are being addressed in the Chapter 2 - Definitions s42A. Some submission points have been deferred to the mapping hearings.
615.1	FS1105.1	Cardrona Valley Residents and Ratepayers Society Inc	Support	Support all aspects of the Cardrona Alpine Resort Limited submission and seek that the relief sought by Cardrona Alpine Resort Limited is allowed by the Council, to ensure: • The resort is able to continue to cater for guests of all abilities and disciplines so that it remains the most diverse ski-field in New Zealand and remains a premier resort for snow sports in Australasia. • The resort is able to develop, operate, maintain and upgrade its network of infrastructure, accommodation, food and beverage service, retail and mountain based tourism activities. • The resort is able to operate year round and continue to invest in and grow new four season visitor attractions activities, with significant growth in the provision of summer activities.	Accept in Part		Streams 1, 2 and 5	
615.1	FS1137.2	Kay Curtis	Support	Seeks that the relief sought by Cardrona Alpine Resort Limited is accepted by the Council. Has an interest in the proposal that is greater than the interest the general public has.	Accept in Part		Streams 1, 2 and 5	
615.2		Cardrona Alpine Resort Limited	Oppose	That all provisions not amended in response to this submission be retained as notified unless it duplicates another provision in which case it should be deleted.	Accept in Part		Streams 1, 2 and 5	
615.2	FS1105.2	Cardrona Valley Residents and Ratepayers Society Inc	Support	Support all aspects of the Cardrona Alpine Resort Limited submission and seek that the relief sought by Cardrona Alpine Resort Limited is allowed by the Council, to ensure: • The resort is able to continue to cater for guests of all abilities and disciplines so that it remains the most diverse ski-field in New Zealand and remains a premier resort for snow sports in Australasia. • The resort is able to develop, operate, maintain and upgrade its network of infrastructure, accommodation, food and beverage service, retail and mountain based tourism activities. • The resort is able to operate year round and continue to invest in and grow new four season visitor attractions activities, with significant growth in the provision of summer activities.	Accept in Part		Streams 1, 2 and 5	
615.2	FS1137.3	Kay Curtis	Support	Seeks that the relief sought by Cardrona Alpine Resort Limited is accepted by the Council. Has an interest in the proposal that is greater than the interest the general public has.	Accept in Part		Streams 1, 2 and 5	
615.3		Cardrona Alpine Resort Limited	Oppose	Delete provisions where they duplicate or repeat other provisions.	Accept		All	This has been addressed via the preceding hearings
615.3	FS1105.3	Cardrona Valley Residents and Ratepayers Society Inc	Support	Support all aspects of the Cardrona Alpine Resort Limited submission and seek that the relief sought by Cardrona Alpine Resort Limited is allowed by the Council, to ensure: • The resort is able to continue to cater for guests of all abilities and disciplines so that it remains the most diverse ski-field in New Zealand and remains a premier resort for snow sports in Australasia. • The resort is able to develop, operate, maintain and upgrade its network of infrastructure, accommodation, food and beverage service, retail and mountain based tourism activities. • The resort is able to operate year round and continue to invest in and grow new four season visitor attractions activities, with significant growth in the provision of summer activities.	Accept		All	
615.3	FS1137.4	Kay Curtis	Support	Seeks that the relief sought by Cardrona Alpine Resort Limited is accepted by the Council. Has an interest in the proposal that is greater than the interest the general public has.	Accept		All	
615.4		Cardrona Alpine Resort Limited	Oppose	Delete all provisions which require "a report from an appropriately qualified and experienced", or amend provisions to clarify precisely what "appropriately qualified and experienced" entails.	Accept in Part			Refer Issue 5
615.4	FS1105.4	Cardrona Valley Residents and Ratepayers Society Inc	Support	Support all aspects of the Cardrona Alpine Resort Limited submission and seek that the relief sought by Cardrona Alpine Resort Limited is allowed by the Council, to ensure: • The resort is able to continue to cater for guests of all abilities and disciplines so that it remains the most diverse ski-field in New Zealand and remains a premier resort for snow sports in Australasia. • The resort is able to develop, operate, maintain and upgrade its network of infrastructure, accommodation, food and beverage service, retail and mountain based tourism activities. • The resort is able to operate year round and continue to invest in and grow new four season visitor attractions activities, with significant growth in the provision of summer activities.	Accept in Part			Refer Issue 5
615.4	FS1137.5	Kay Curtis	Support	Seeks that the relief sought by Cardrona Alpine Resort Limited is accepted by the Council. Has an interest in the proposal that is greater than the interest the general public has.	Accept in Part			Refer Issue 5

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
615.9		Cardrona Alpine Resort Limited	Oppose	Amend rules as required to ensure: (i) Tourism activities outside or not affected by a value protected by s6 of the RMA are enabled via the permitted, controlled, or restricted discretionary activity status; (ii) Tourism activities within or affected by a value protected by section 6 of the RMA are provided for as a restricted discretionary or discretionary activity; (iii) Tourism activities are not classified as a non-complying or prohibited activity.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
615.9	FS1105.9	Cardrona Valley Residents and Ratepayers Society Inc	Support	Support all aspects of the Cardrona Alpine Resort Limited submission and seek that the relief sought by Cardrona Alpine Resort Limited is allowed by the Council, to ensure: • The resort is able to continue to cater for guests of all abilities and disciplines so that it remains the most diverse ski-field in New Zealand and remains a premier resort for snow sports in Australasia. • The resort is able to develop, operate, maintain and upgrade its network of infrastructure, accommodation, food and beverage service, retail and mountain based tourism activities. • The resort is able to operate year round and continue to invest in and grow new four season visitor attractions activities, with significant growth in the provision of summer activities.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
615.9	FS1329.2	Soho Ski Area Ltd and Blackmans Creek Holdings No. 1 LP	Support	We seek that the part of the submission relating to the entire Proposed District Plan be allowed, to the extent it is consistent with the original submission from Soho. Soho supports the proposed additional and/or amendments to rules to provide for tourism activities as a permitted, controlled or discretionary activity.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
615.9	FS1330.2	Treble Cone Investments Limited	Support	seek that the part of the submission relating to the entire Proposed District Plan be allowed, to the extent it is consistent with the original submission from TC and for the reasons expressed within this further submission.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
615.9	FS1137.10	Kay Curtis	Support	Seeks that the relief sought by Cardrona Alpine Resort Limited is accepted by the Council. Has an interest in the proposal that is greater than the interest the general public has.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
615.9	FS1097.600	Queenstown Park Limited	Support	Support the intent of the submission for the reasons stated in QPL's original submission	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
615.9	FS1117.252	Remarkables Park Limited	Support	For the reasons outlined in RPL's primary submission.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
615.54		Cardrona Alpine Resort Limited	Other	Rename the Cardrona Ski Area Sub-Zone "Cardrona Alpine Resort Area" and include reference to "Cardrona Alpine Resort Area" alongside all references to "Ski Area Sub-Zone(s)" otherwise intended to apply to the "Cardrona Ski Area Sub-Zone" (e.g. landscape provisions 6.3.8.3, 6.4.1.3).		Deferred to the hearing on mapping		
615.54	FS1105.54	Cardrona Valley Residents and Ratepayers Society Inc	Support	Support all aspects of the Cardrona Alpine Resort Limited submission and seek that the relief sought by Cardrona Alpine Resort Limited is allowed by the Council, to ensure: • The resort is able to continue to cater for guests of all abilities and disciplines so that it remains the most diverse ski-field in New Zealand and remains a premier resort for snow sports in Australasia. • The resort is able to develop, operate, maintain and upgrade its network of infrastructure, accommodation, food and beverage service, retail and mountain based tourism activities. • The resort is able to operate year round and continue to invest in and grow new four season visitor attractions activities, with significant growth in the provision of summer activities.		Deferred to the hearing on mapping		
615.54	FS1137.55	Kay Curtis	Support	Seeks that the relief sought by Cardrona Alpine Resort Limited is accepted by the Council. Has an interest in the proposal that is greater than the interest the general public has.		Deferred to the hearing on mapping		
621.1		Real Journeys Limited	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Accept in Part	Deferred to the hearing on mapping	Streams 1, 2, 3, 5, 8	Primary relief addressed in preceding chapters. Submissions relating to definitions are being addressed in the Chapter 2 - Definitions s42A. Submissions in relation to natural hazards are addressed in the Chapter 28 - Natural Hazards s42A. Some submission points have been deferred to the mapping hearings.
621.2		Real Journeys Limited	Not Stated	That all provisions not amended in response to this submission be retained as notified unless it duplicates another provision in which case it should be deleted.	Accept in Part		Streams 1, 2, 3, 5, 8	
621.3		Real Journeys Limited	Not Stated	Delete provisions where they duplicate or repeat other provisions.	Accept		All	This has been addressed via the preceding hearings
621.4		Real Journeys Limited	Not Stated	Delete all provisions which require "a report from an appropriately qualified and experienced", or amend provisions to clarify precisely what "appropriately qualified and experienced" entails.	Accept in Part			Refer Issue 5
621.9		Real Journeys Limited	Not Stated	Amend rules as required to ensure: (i) tourism activities outside or not affected by a value protected by s6 of the RMA are enabled via the permitted, controlled, or restricted discretionary activity status; (ii) tourism activities within or affected by a value protected by section 6 of the RMA are provided for as a restricted discretionary or discretionary activity; (iii) tourism activities are not classified as a non-complying or prohibited activity.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
621.9	FS1152.5	Kawarau Jet Services Holdings Ltd	Support	That submissions requesting modifications to the PDP relating to "tourism activities" are adopted for the reasons set out in the original submission.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
621.9	FS1329.19	Soho Ski Area Ltd and Blackmans Creek Holdings No. 1 LP	Support	We seek that the part of the submission relating to the entire Proposed District Plan be allowed, to the extent it is consistent with the original submission from Soho. Soho supports the proposed additional and/or amendments to rules to provide for tourism activities as a permitted, controlled or discretionary activity.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
621.9	FS1330.12	Treble Cone Investments Limited	Support	seek that the part of the submission relating to the entire Proposed District Plan be allowed, to the extent it is consistent with the original submission from TC and for the reasons expressed within this further submission.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
621.9	FS1097.606	Queenstown Park Limited	Support	Support for the reasons outlined in QPL's primary submission.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
621.9	FS1117.259	Remarkables Park Limited	Support	For the reasons outlined in RPL's primary submission.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
624.1		D & M Columb	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Accept in Part	Deferred to the hearing on mapping	Streams 1 and 2	Primary relief addressed in preceding chapters. Submissions relating to definitions are being addressed in the Chapter 2 - Definitions s42A. Some submission points have been deferred to the mapping hearings.
		D & M Columb	Not Stated	That all provisions not amended in response to this submission be retained as notified unless it duplicates another provision in which case it should be deleted.	Accept in Part		Streams 1 and 2	

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
624.3		D & M Columb	Not Stated	Delete all provisions which require "a report from an appropriately qualified and experienced", or amend provisions to clarify precisely what "appropriately qualified and experienced" entails.	Accept in Part			Refer Issue 5
624.9		D & M Columb	Not Stated	Amend rules as required to ensure: (i) tourism activities outside or not affected by a value protected by s6 of the RMA are enabled via the permitted, controlled, or restricted discretionary activity status; (ii) tourism activities within or affected by a value protected by section 6 of the RMA are provided for as a restricted discretionary or discretionary activity; (iii) tourism activities are not classified as a non-complying or prohibited activity.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
627.1		HW Holdings Ltd	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Reject	Deferred to the hearing on mapping	Stream 6	Primary relief addressed in preceding chapters. One submission points have been deferred to the mapping hearings.
632.1		RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Reject		Streams 1, 4, 5, 7, 9	Primary relief addressed in preceding chapters. Submissions relating to definitions are being addressed in the Chapter 2 - Definitions s42A. Submission with regard to natural hazards will be addressed in the Chapter 28 - Natural Hazards s42A. Some submission points have been deferred to the mapping hearings.
632.1	FS1219.2	Bravo Trustee Company	Oppose	The submitter opposes this submission and considers that operative provisions as they relate to the Jacks Point zone provide the most appropriate and effective controls to provide for sustainable resource management within Jacks Point. The submitter considers the re-zoning of open space land referred to as OSCR in submission 632 is inappropriate and would result in significant adverse effects that have not been quantified or assessed. The submission does not promote or give effect to Part 2 of the Act. Matters raised in the submission do not meet section 32 of the Act. Are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Streams 1, 4, 5, 7, 9	
632.1	FS1252.2	Tim & Paula Williams	Oppose	The submitter opposes this submission and considers that operative provisions as they relate to the Jacks Point zone provide the most appropriate and effective controls to provide for sustainable resource management within Jacks Point. The submitter considers the re-zoning of open space land referred to as OSCR is inappropriate and would result in significant adverse effects that have not been quantified or assessed. The submission does not promote or give effect to Part 2 of the Act. Matters raised in the submission do not meet section 32 of the Act. Are not the most appropriate method for achieving the objectives. The submitter seeks the submission be disallowed.	Reject		Streams 1, 4, 5, 7, 9	
632.1	FS1277.5	Jacks Point Residents and Owners Association	Oppose	Opposes. Believes that the rezoning will have cumulative adverse effects on landscape values, creating potential lightspill effects in the absence of specific measures to avoid such effects, and will not maintain the character and amenity values of the residential environment. Seeks that the submission be disallowed.	Reject		Streams 1, 4, 5, 7, 9	
632.1	FS1316.1	Harris-Wingrove Trust	Oppose	Submission be disallowed	Reject		Streams 1, 4, 5, 7, 9	
632.1	FS1275.175	"Jacks Point" (Submitter number 762 and 856)	Oppose	Opposes. Agrees that the submission is opposed as it will not enable the efficient and effective development of the JPZ land in respect of which Jacks Point has an interest. Seeks that to the extent that the submission may inadvertently oppose the JPZ as notified as it affects land in which the submitter Jacks Point has an interest, and is inconsistent with submissions 762 and 856 in relation to land in which the submitter Jacks Point has an interest, disallow the submission.	Reject		Streams 1, 4, 5, 7, 9	
632.1	FS1283.115	MJ and RB Williams and Brabant	Oppose	Reject submission	Reject		Streams 1, 4, 5, 7, 9	
641.3		Aws Trustees No 31 Limited	Not Stated	Requests alternative, amended, or such other relief deemed more consistent with or better able to give effect to the submissions or the provisions referred to by these submissions.	Accept	Deferred to the hearing on mapping	Stream 6	Some submission points already addressed in stream 6, remaining submission point deferred for consideration as part of the mapping hearings.
643.1		Crown Range Enterprises	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Reject	Deferred to the hearing on mapping	Streams 1, 2, 4,	Primary relief addressed in preceding chapters. Submission with regard to natural hazards will be addressed in the Chapter 28 - Natural Hazards s42A. Some submission points have been deferred to the mapping hearings.
660.1		Andrew Fairfax	Oppose	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Accept in Part		Streams 2 and 5	Primary relief addressed in preceding chapters
662.1		I and P Macauley	Oppose	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Accept in Part		Streams 2 and 5	Primary relief addressed in preceding chapters
663.1		IHG Queenstown Ltd and Carter Queenstown Ltd	Oppose	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Accept in Part		Streams 1 and 8	Primary relief addressed in preceding chapters, Natural hazards to be addressed in Chapter 28 - Natural Hazards s42A
663.1	FS1139.2	Carl & Lorraine Holt	Oppose	Seek that the whole of submission 663 be disallowed.	Accept in Part		Streams 1 and 8	
663.1	FS1191.1	Adam & Kirsten Zaki	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Accept in Part		Streams 1 and 8	
667.1		Cedric Hockey	Oppose	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Accept in Part	Out of scope not within Stage 1 of the PDP	Streams 6 and 8	Primary relief addressed in preceding chapters. Some of the submission points are deemed out of scope as they relate to PC50 land.
669.1		Cook Adam Trustees Limited, C & M Burgess	Oppose	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Accept in Part	Deferred to the hearing on mapping	Streams 1 and 2	Primary relief addressed in preceding chapters. Some of the submission points will be addressed within the mapping hearing.
669.2		Cook Adam Trustees Limited, C & M Burgess	Other	Retain all provisions in the plan not otherwise submitted upon in this submission as notified unless they duplicate other provisions in which case they should be deleted.	Accept in Part		Streams 1 and 2	

Appendix 1 to the Section 42A report for "Entire Plan"

Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
670.1		Lynette Joy Hamilton	Oppose	The submitter opposes the Proposed District Plan for the following reasons; It does not accord with, or assist the territorial authority to carry out its functions to achieve, the purpose of the Resource Management Act 1991 (the Act); i. It does not promote the sustainable management of resources; ii. It does not meet section 32 of the Act; iii. It is not consistent with Part II of Act; iv. It does not represent integrated management or sound resource management practice; v. It does not meet the reasonably foreseeable needs of future generations; vi. It does not implement the most appropriate standards, rules or methods for achieving the objectives set out in the Proposed District Plan.	Reject			Refer Issue 1
677.5		Amrta Land Ltd	Oppose	All Rules in the plan Amend rules as required to ensure: (i) tourism activities outside or not affected by a value protected by s6 of the RMA are enabled via the permitted, controlled, or restricted discretionary activity status; (ii) tourism activities within or affected by a value protected by section 6 of the RMA are provided for as a restricted discretionary or discretionary activity; (iii) tourism activities are not classified as a non-complying or prohibited activity.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
677.5	FS1035.5	Mark Crook	Oppose	Preserve the natural landscape by refusing the application.	Accept in Part			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
677.5	FS1074.5	Alistair Angus	Oppose	That the whole submission be disallowed. The applicant/Ref 677 has already shown scant regard for land and neighbours to grant this submission would be a total and irreversible disaster.	Accept in Part			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
677.5	FS1312.5	AG Angus	Oppose	Oppose on every level in its present form	Accept in Part			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
677.5	FS1364.5	John and Kay Richards	Oppose	believe the submission to be vague with little in the way of defining details and with no prior consultation consider it to be flawed in many ways	Accept in Part			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
677.5	FS1097.655	Queenstown Park Limited	Support	Support for the reasons outlined in QPL's primary submission.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
677.5	FS1117.269	Remarkables Park Limited	Support	For the reasons outlined in RPL's primary submission.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
681.1		Gerard Auckram	Oppose	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Accept in Part		Stream 6	Primary relief already addressed in Chapter 9 - High Density Residential
686.1		Garth Makowski	Oppose	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Reject	Deferred to the hearing on mapping	Stream 6	Primary relief relating to the provisions in Chapter 8 - Medium Density Residential and Chapter 9 - High Density Residential have been addressed. Submission in relation to mapping will be addressed in the mapping hearing.
687.1,		Lynden Cleugh	Support	I generally support the approach of the District Plan Review which is to become more enabling to development in the area.	Accept			
688.1		Justin Crane and Kirsty Mactaggart	Oppose	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Accept in Part	Deferred to the hearing on mapping	Streams 1, 2, 3, 5,	Primary relief addressed in preceding chapters. Submission with regard to natural hazards will be addressed in the Chapter 28 - Natural Hazards s42A. Some submission points have been deferred to the mapping hearings.
689.3		Kingston Lifestyle Family Trust	Oppose	Any other additional or consequential relief to the Proposed Plan, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in this submission (submission 689).		Deferred to the hearing on mapping		All submission points have been deferred in Stream 2 to the hearing on mapping
691.4		Aaron and Rebecca Moody	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Accept in Part	Deferred to the hearing on mapping	Stream 5	Submission points relating to Chapter 27 - Subdivision and Development have been addressed in the s42A report. Some submission points have been deferred to the hearing on mapping.
694.1		Glentui Heights Ltd	Oppose	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Accept in Part	Deferred to the hearing on mapping	Streams 1, 2, 5	Primary relief addressed in preceding chapters. Submission points with regard to natural hazards will be addressed in the Chapter 28 - Natural Hazards s42A. Some submission points have been deferred to the mapping hearings.
696.40		Millbrook Country Club Ltd	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions (submission 696).	Accept in Part	Deferred to the hearing on mapping	Streams 1, 3, 4, 5, 9	Primary relief addressed in preceding chapters. Submission points with regard to natural hazards will be addressed in the Chapter 28 - Natural Hazards s42A. Definition related submission points will be addressed in Chapter 2 - Definitions s42A. Some submission points have been deferred to the mapping hearings.
698.1		Spence Farms Ltd	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions (submission 698).	Accept in Part	Deferred to the hearing on mapping	Stream 8	Primary relief addressed in preceding chapters. Some submission points have been deferred to the mapping hearings.

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
715.1		Jardine Family Trust and Remarkables Station Limited	Not Stated	The submitter opposes the Proposed District Plan for the following reasons; It does not accord with, or assist the territorial authority to carry out its functions to achieve, the purpose of the Resource Management Act 1991 (the Act); i. It does not promote the sustainable management of resources; ii. It does not meet section 32 of the Act; iii. It does not consistent with Part II of Act; iv. It does not represent integrated management or sound resource management practice; v. It does not meet the reasonably foreseeable needs of future generations; vi. It does not implement the most appropriate standards, rules or methods for achieving the objectives set out in the Proposed District Plan.	Reject			Refer Issue 1
715.1	FS1145.1	John Martin Management Company Limited	Support	That the submission be allowed as it promotes the sustainable management of resources and provides the local authority with the ability to effectively meet the objectives and policies set out in the Proposed District Plan whilst meeting the reasonable foreseeable needs of future generations.	Reject			Refer Issue 1
715.1	FS1073.57	Greig Garthwaite	Oppose	Opposes this submission. Believes that it will set a precedent for infill development, create over-domestication of the landscape and result in urban sprawl. It is contrary to the Coneburn Resource Study and the existing and proposed provisions of the QLDC District Plan. . Seeks that be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1096.22	Peter & Carol Haythornthwaite	Oppose	Opposes. Seeks that part of the submission be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1103.57	Ben and Catherine Hudson	Oppose	Opposes this submission. Believes that it will set a precedent for infill development, create over-domestication of the landscape and result in urban sprawl. It is contrary to the Coneburn Resource Study and the existing and proposed provisions of the QLDC District Plan. . Seeks that be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1108.57	Christine and Neville Cunningham	Oppose	Opposes. Believes that a rural zone which is inappropriate and which would have a negative impact of 'more than minor' on the immediate neighbours, the Jacks Point residents, the general public who use the tracks and QLDC reserves adjacent to the proposal and users of State Highway 6, and the visual and landscape amenity of the adjacent environment. Seeks that the part of the submission be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1114.57	Lingasen and Janet Moodley	Oppose	Opposes this submission. Believes that it will set a precedent for infill development, create over-domestication of the landscape and result in urban sprawl. It is contrary to the Coneburn Resource Study and the existing and proposed provisions of the QLDC District Plan. . Seeks that be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1116.57	Stephen and Karen Pearson	Oppose	Opposes this submission. Believes that it will set a precedent for infill development, create over-domestication of the landscape and result in urban sprawl. It is contrary to the Coneburn Resource Study and the existing and proposed provisions of the QLDC District Plan. . Seeks that be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1192.57	Murray and Jennifer Butler	Oppose	Opposes this submission. Believes that it will set a precedent for infill development, create over-domestication of the landscape and result in urban sprawl. It is contrary to the Coneburn Resource Study and the existing and proposed provisions of the QLDC District Plan. . Seeks that be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1218.57	Grant and Cathy Boyd	Oppose	Opposes this submission. Believes that it will set a precedent for infill development, create over-domestication of the landscape and result in urban sprawl. It is contrary to the Coneburn Resource Study and the existing and proposed provisions of the QLDC District Plan. . Seeks that be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1219.93	Bravo Trustee Company	Oppose	The submitter opposes this submission and considers that operative provisions as they relate to the Jacks Point zone provide the most appropriate and effective controls to provide for sustainable resource management within Jacks Point. The submitter considers the re-zoning of open space land referred to as OSCR in submission 632 is inappropriate and would result in significant adverse effects that have not been quantified or assessed. The submission does not promote or give effect to Part 2 of the Act. Matters raised in the submission do not meet section 32 of the Act. Are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits issues of existing roads within Jacks Point.	Accept in Part			Refer Issue 1
715.1	FS1225.57	David Martin and Margaret Poppleton	Oppose	Opposes this submission. Believes that it will set a precedent for infill development, create over-domestication of the landscape and result in urban sprawl. It is contrary to the Coneburn Resource Study and the existing and proposed provisions of the QLDC District Plan. . Seeks that be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1227.57	James and Elisabeth Ford	Oppose	Opposes this submission. Believes that it will set a precedent for infill development, create over-domestication of the landscape and result in urban sprawl. It is contrary to the Coneburn Resource Study and the existing and proposed provisions of the QLDC District Plan. . Seeks that be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1237.57	Kristi and Jonathan Howley	Oppose	Opposes this submission. Believes that it will set a precedent for infill development, create over-domestication of the landscape and result in urban sprawl. It is contrary to the Coneburn Resource Study and the existing and proposed provisions of the QLDC District Plan. . Seeks that be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1247.57	Mark and Katherine Davies	Oppose	Opposes this submission. Believes that it will set a precedent for infill development, create over-domestication of the landscape and result in urban sprawl. It is contrary to the Coneburn Resource Study and the existing and proposed provisions of the QLDC District Plan. . Seeks that be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1250.57	Sonia and Grant Voldseth and McDonald	Oppose	Opposes this submission. Believes that it will set a precedent for infill development, create over-domestication of the landscape and result in urban sprawl. It is contrary to the Coneburn Resource Study and the existing and proposed provisions of the QLDC District Plan. . Seeks that be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1252.93	Tim & Paula Williams	Oppose	The submitter opposes as it seeks to provide for extensions and changes to the Jacks Point Zone, Homestead Bay. The submission does not promote or give effect to Part 2 of the Act. Matters raised in the submission do not meet section 32 of the Act. Are not the most appropriate method for achieving the objectives of the Proposed District Plan. The changes promoted in the submission have the potential to result in adverse effects on residential amenity and outlook from existing residential properties within Jacks Point. No certainty is provided regarding potential access to the State highway and therefore the use of existing private roads including Maori Jack Road may be required. This has the potential to result in adverse effects including maintenance issues of existing roads within Jacks Point. The submitter seeks the submission be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1277.96	Jacks Point Residents and Owners Association	Support	Supports. Seeks that allow the submission subject to refinements to the structure plan and JPZ provisions to provide for the matters raised in this further submission.	Reject			Refer Issue 1
715.1	FS1293.57	Joanna and Simon Taverer	Oppose	Opposes this submission. Believes that it will set a precedent for infill development, create over-domestication of the landscape and result in urban sprawl. It is contrary to the Coneburn Resource Study and the existing and proposed provisions of the QLDC District Plan. . Seeks that be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1299.57	Thomas Ibbotson	Oppose	Opposes this submission. Believes that it will set a precedent for infill development, create over-domestication of the landscape and result in urban sprawl. It is contrary to the Coneburn Resource Study and the existing and proposed provisions of the QLDC District Plan. . Seeks that be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1316.91	Harris-Wingrove Trust	Oppose	Submission be disallowed	Accept in Part			Refer Issue 1
715.1	FS1321.57	John and Mary Catherine Holland	Oppose	Opposes this submission. Believes that it will set a precedent for infill development, create over-domestication of the landscape and result in urban sprawl. It is contrary to the Coneburn Resource Study and the existing and proposed provisions of the QLDC District Plan. . Seeks that be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1192.132	Murray and Jennifer Butler	Oppose	Opposes this submission. Believes that it will set a precedent for infill development, create over-domestication of the landscape and result in urban sprawl. It is contrary to the Coneburn Resource Study and the existing and proposed provisions of the QLDC District Plan. . Seeks that be disallowed.	Accept in Part			Refer Issue 1
715.1	FS1283.212	MJ and RB Williams and Brabant	Oppose	Reject submission	Accept in Part			Refer Issue 1
716.7		Ngai Tahu Tourism Ltd	Not Stated	Amend rules as required to ensure: (i) tourism activities outside or not affected by a value protected by s6 of the RMA are enabled via the permitted, controlled, or restricted discretionary activity status; (ii) tourism activities within or affected by a value protected by section 6 of the RMA are provided for as a restricted discretionary or discretionary activity; (iii) tourism activities are not classified as a non-complying or prohibited activity.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
716.7	FS1097.689	Queenstown Park Limited	Support	Support the intent of the submission for the reasons provided in QPL's original submission.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
716.7	FS1117.277	Remarkables Park Limited	Support	For the reasons outlined in RPL's primary submission.	Reject			Issue addressed in Chapter 21 - Rural s42A including paragraphs 8.18, 8.33 and 13.13.
717.2		The Jandel Trust	Not Stated	Any other additional or consequential relief to the Proposed Plan, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in the submission.	Reject	Deferred to the hearing on mapping	Streams 3, 5, 6,	Some of the submission points have been addressed in the preceding chapters. Majority have been deferred to the mapping hearings.

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
717.2	FS1029.8	Universal Developments Limited	Oppose	Universal seeks that the entire submission be disallowed.	Accept in Part		Streams 3, 5, 6,	
717.2	FS1061.42	Otago Foundation Trust Board	Oppose	That the submission is rejected.	Accept in Part		Streams 3, 5, 6,	
717.2	FS1270.108	Hansen Family Partnership	Support	Supports. Seeks the submission be allowed, subject to a consistent zoning regime being applied to the land north of and adjoining State Highway 6 between Hansen Road and Ferry Road.	Accept in Part		Streams 3, 5, 6,	
746.8		Bunnings Limited	Not Stated	All consequential or alternative relief to give effect to the specific amendments noted in this submission is also sought.	Accept in Part		Streams 4 and 8	Submission points addressed in preceding chapters
776.5		Hawthenden Limited	Support	Hawthenden Limited supports the provisions of the Proposed District Plan which acknowledge the role that farming plays in the management of the District's landscapes and the contribution that farming makes to the District's economy. That the provisions which seek to enable farming activities and recognise the potential of farm diversification are made operative.	Accept		Stream 2	Issue addressed in paragraphs 8.1 - 8.39 of Chapter 21 - Rural s42A
780.1		Rogers Francis Monk	Other	Oppose in part. In relation to aircraft and airport activities the following amendments are made: Provision is made in the Proposed Plan to recognise existing uses. For new informal airports, the restriction on movements to be amended to 10 in any calendar week. The setback on new alighting areas be 100 metres for the fixed wing and 100 metres for rotary wing aircraft.	Reject		Stream 2	Issue addressed in Chapter 21 - Rural s42A and in paragraphs 9.1 - 9.24 of the right of reply.
781.1		Chorus New Zealand Limited	Oppose	Amend objectives, policies and rules to better support the provision of infrastructure.	Accept in Part		Stream 5	Issue addressed in paragraphs 10.1 - 10.4 of Chapter 30 - Energy & Utilities s42A
781.2		Chorus New Zealand Limited	Oppose	Amend objectives to record outcomes.	Accept		All	Issue addressed in paragraphs 10.1 - 10.4 of Chapter 30 - Energy & Utilities s42A
807.8		Remarkables Park Limited	Support	RPL supports the exclusion of the RPZ from the PDP. RPL requests that the PDP is amended to clarify this exclusion.	Accept			Refer Issue 2
811.14		Marc Scaife	Not Stated	Submits that in general the District Plan, both in its present form and as proposed, is inefficient in meeting the requirement of the RMA of allowing society to achieve its goals whilst preserving the environment. It does not have sufficiently firm and clear rules that regulate activities and set standards, and relies excessively on official's discretion to arbitrarily regulate activities on a case by case basis. States there is a need to reduce the extent of discretionary decision-making by Council officials and independent commissioners. Requests greater extent of notification and limited notification of applications. The District plan should scrap all specific stipulations that preclude notification, and allow notification to be governed by criteria for notification dictated by the RMA.	Reject			Refer Issue 4
811.14	FS1224.61	Matakauri Lodge Limited	Oppose	The submitter opposes this submission and considers that the Proposed District Plan and Visitor Accommodation Sub-zone is an appropriate method to recognise and enable visitor accommodation on Lot 2 DP 27037. Seeks it to be disallowed.	Accept			Refer Issue 5
836.14		Arcadian Triangle Limited	Not Stated	Definitions - Capitalisation (General Point) Issue: (a) All of the definitions, and in fact the entire District Plan, should be reviewed so that either capital letters are used for defined terms everywhere or they are generally not used (except perhaps in headings). To point to only one of numerous examples, the definition of "Residential Activity" refers to "Community Housing" [with capitals] and then refers to "visitor accommodation" [without capitals]. Relief Requested: (b) Review the entire District Plan to achieve consistent use of capitals when referring to defined terms (the preference being to minimise use of capitals, which is currently considered the better approach to drafting).	Accept in Part			This matter is addressed in the Chapter 2 - Definitions s42A
836.23		Arcadian Triangle Limited	Not Stated	District Plan Default Consent Status - Non Complying Issue: (a) The Operative District Plan provides for permitted activity status as the 'default' consent status for any activity not otherwise classified as controlled, restricted discretionary, discretionary, non-complying or prohibited. That approach has worked very well for the last 20 years. No difficulties with that approach have been identified in the s32 Analysis carried out by the Council, whether generally or specifically. The Proposed District Plan makes a significant change to a 'default' consent activity status which is generally non-complying. That change in approach is not justified, and is contrary to the general enabling approach of the RMA. Relief Requested: (b) Amend the District Plan to maintain the Operative District Plan permitted activity 'default' consent status for any activity not otherwise specified or listed as having an identified consent status.	Accept in Part			Refer Issue 6
836.23	FS1341.31	Real Journeys Limited	Support	Allow relief sought to the extent that it does not undermine or prevent the relief originally sought by Real Journeys (unless otherwise agreed through the submission process)	Accept in Part			Refer Issue 6
836.23	FS1342.21	Te Anau Developments Limited	Support	Allow relief sought to the extent that it does not undermine or prevent the relief originally sought by Te Anau Developments (unless otherwise agreed through the submission process)	Accept in Part			Refer Issue 6
836.23	FS1097.728	Queenstown Park Limited	Support	Support the intent of the submission for the reasons provided in QPL's original submission.	Accept in Part			Refer Issue 6
836.26		Arcadian Triangle Limited	Not Stated	See full Submission (836) for details: "Further grounds for the submission points outlined above are that the section 32 evaluation does not establish that the provisions of the Proposed Plan addressed in this submission are most appropriate to achieve the purpose of the RMA, and the evaluation does not adequately assess alternative provisions, such as those proposed in this submission."	Accept			Rule 21.7.2.1 recommended to be deleted in Chapter 21 - Rural s42A (and right of reply)
850.2		R & R Jones	Other	Section 32 Analysis Rural General Zone - The Plan Review should be withdrawn and re-notified for consideration once a complete Section 32 document has been prepared	Reject			Refer Issue 1
850.2	FS1071.112	Lake Hayes Estate Community Association	Oppose	That the entire submission is disallowed and the existing zoning remains in place	Accept in Part			Refer Issue 1
854.1		Slopehill Properties Limited	Other	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Reject	Deferred to the hearing on mapping	Stream 1	One submission point addressed in Chapter 3 - Strategic Direction s42A, remaining submission points have been deferred to the mapping hearings
854.1	FS1286.54	Mr M and Mrs J Henry	Support	The submission be allowed. The Submission is supported in its entirety. The rezoning is considered to achieve the most efficient and effective use of resources as that land is no longer capable of rural productivity.	Reject		Stream 1	
854.2		Slopehill Properties Limited	Other	Retain all provisions not otherwise submitted upon in this submission as notified unless they duplicate other provisions in which case they should be deleted.	Reject		Stream 1	
854.2	FS1286.55	Mr M and Mrs J Henry	Support	The submission be allowed. The Submission is supported in its entirety. The rezoning is considered to achieve the most efficient and effective use of resources as that land is no longer capable of rural productivity.	Reject		Stream 2	
145.26		Upper Clutha Environmental Society (Inc)	Other	The landscape, Rural and Gibbston Character Zone S.32 Landscape Evaluation Report be rewritten containing discussion of the costs and benefits associated with the option of residential subdivision and development becoming non-complying versus the option of it being discretionary, as required by S.32 of the Act and especially S.32(2). The S.32 Landscape Evaluation Report, once rewritten, should then be publicly notified. The 40 working day submission period should apply to the rural part of the Proposed District Plan from the date of re-notification of the rewritten S.32 Landscape Evaluation Report.	Reject			Refer Issue 1
145.26	FS1155.1	Mt Rosa Wines Ltd	Oppose	Opposes this submission seeking to change the activity status of residential subdivision and development from discretionary to non-complying. Considers that the discretionary status is more appropriate because some residential activity should be anticipated within the Zone. Seeks that submission 145.26 is rejected.	Accept in Part			Refer Issue 1
145.26	FS1097.41	Queenstown Park Limited	Oppose	Costs and benefits of option of residential subdivision being noncomplying is not necessary.	Accept in Part			Refer Issue 1
145.26	FS1162.26	James Wilson Cooper	Oppose	Believes that the relief sought in the submission does not result in sound resource management planning. Seeks that all of the relief sought be declined.	Accept in Part			Refer Issue 1

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
145.26	FS1347.14	Lakes Land Care	Oppose	Opposes in particular their views on objectives/policies and assessment matters in the Rural Section. Don't accept farming activity as important, yet the farming community over a very long period of time have pioneered, managed and maintained the rural values that the rest of the community treasure so highly. The landscape, which is a working environment, provides the economy important export earnings, but it needs careful continued management to maintain these rural values which farmers provide. Assures that the farming activity needs the flexibility to change, expand and grow in order to maintain their responsibility for managing their land. States that farmers are in direct conflict with protection groups and individuals e.g.UCES demanding landscape protection for public benefit without compensation in the District Plan. The farmers or landowners inherit the cost of that benefit, which interfere with their property rights through imposed rules, restricting activities and opportunities that can be carried out on their investment by the District Council. Believes that the land needs to be managed in a balanced way to be maintained for the future. Councils (which largely represent urban communities) who impose restrictions on landowners have no investment, no expertise in land management and it is easy for them to deliver the public benefit without any cost as there is no compensation under the RMA. Agrees that the farming community needs to be supported and encouraged by council to maintain and manage their land in a sustainable way in order to preserve the rural values the community values so highly.	Accept in Part			Refer Issue 1
145.26	FS1254.123	Allenby Farms Limited	Oppose	Oppose in part. That the submission be refused insofar as the submission seeks amendments to the: "Rural Zone. Rural Areas Zone objectives and policies and assessment matters and rules and any provisions of the District Plan that relate to these or subdivision and/ or development of rural areas in any way" Justification for the removal of policies relating to subdivision and development on highly visible slopes has been adequately assessed in Council's section 32 reports. Requiring the addition of these factors will not provide for an appropriate subdivision and development regime.	Accept in Part			Refer Issue 1
338.1		Middleton Family Trust	Oppose	The proposed plan should be withdrawn and re-notified once a complete rural section 32 has been prepared.	Reject			Refer Issue 1
338.1	FS1270.74	Hansen Family Partnership	Support	Supports in part. Leave is reserved to alter this position, and seek changes to the proposed provisions, after review of further information from the submitter. Seeks conditional support for allowing the submission, subject to the review of further information that will be required to advance the submission.	Reject			Refer Issue 1
338.1	FS1289.23	Oasis In The Basin Association	Oppose	The whole of the submission be allowed.	Reject			Refer Issue 1
677.10		Amrta Land Ltd	Oppose	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions (Related to submission points from submitter 677)	Accept in Part	Deferred to the hearing on mapping	Stream 1	Primary relief addressed in Chapters 3 - Strategic Direction, 6 - Landscape and 2 - Definition. Other submission points have been deferred to the hearing on mapping.
677.10	FS1074.10	Alistair Angus	Oppose	That the whole submission be disallowed. The applicant/Ref 677 has already shown scant regard for land and neighbours to grant this submission would be a total and irreversible disaster.	Accept in Part		Stream 1	
677.10	FS1312.10	AG Angus	Oppose	Oppose on every level in its present form	Reject		Stream 1	
677.10	FS1364.10	John and Kay Richards	Oppose	believe the submission to be vague with little in the way of defining details and with no prior consultation consider it to be flawed in many ways	Accept in Part		Stream 1	
712.1		Bobs Cove Developments Limited	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Accept in Part	Deferred to the hearing on mapping	Streams 1, 2 and 4	Primary relief sought has already been addressed in Streams 1, 2 and 4, however majority have been deferred to the hearing on mapping. Some submission points also to be addressed in Chapter 28 - Natural Hazards
712.2		Bobs Cove Developments Limited	Other	Retain all provisions not otherwise submitted upon in this submission as notified unless they duplicate other provisions in which case they should be deleted.	Accept in Part			Primary relief sought has already been addressed in Streams 1, 2 and 4, however majority have been deferred to the hearing on mapping. Some submission points also to be addressed in Chapter 28 - Natural Hazards
713.1		Heli Tours Limited	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions	Accept in Part		Streams 1 and 5	Primary relief addressed in Chapters 21 - Rural and 35 - Noise.
716.1		Ngai Tahu Tourism Ltd	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Accept in Part		Stream 1	Primary relief addressed in Chapter 3 - Strategic Direction
716.2		Ngai Tahu Tourism Ltd	Not Stated	That all provisions not amended in response to this submission be retained as notified unless it duplicates another provision in which case it should be deleted.	Accept in Part			Primary relief addressed in Chapter 3 - Strategic Direction
718.1		Allium Trustees Limited	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions	Reject	Deferred to the hearing on mapping	Stream 6	Primary relief addressed in Chapter 9 - High Density Residential. One submission point also been deferred to the mapping hearing.
809.14		Queenstown Lakes District Council	Oppose	32.4.20 Change to – The removal or significant trimming of a character tree where the tree is dead, diseased or damaged and presents a potential hazard to persons or property. Prior to the removal or significant trimming, persons must provide to Council a report from a suitably qualified professional arborist experienced in the management of amenity trees detailing the reasons and justification for removal or significant trimming. Works must not commence prior to the Council confirming the permitted activity status of the removal or significant trimming of a character tree. Should it be identified that a character tree presents an imminent hazard, any work that is considered necessary to immediately abate the hazard may proceed at once, though evidence shall be submitted to council identifying the urgency for the works.	Accept in Part		Matter addressed in Hearing 3 Heritage. Submission on this rule has been transferred to Entire Plan Hearing as a result of changes recommended to Rules 32.4.4, 32.4.5, 32.4.20, 32.4.21.	Refer Issue 5
809.8		Queenstown Lakes District Council	Oppose	32.4.4 Change to – Maintenance of protected hedgerows comprising the trimming of not greater than 50% of the canopy provided such work is supervised by a suitably qualified professional arborist experienced in the management of amenity trees and approved by Queenstown Lakes District Council prior to commencement of the works.	Accept in Part		Matter addressed in Hearing 3 Heritage. Submission on this rule has been transferred to Entire Plan Hearing as a result of changes recommended to Rules 32.4.4, 32.4.5, 32.4.20, 32.4.21.	Refer Issue 5

Appendix 1 to the Section 42A report for "Entire Plan"

Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
809.9		Queenstown Lakes District Council	Oppose	32.4.5 Change to – The removal or significant trimming of a protected tree where the tree is dead, diseased or damaged and presents a potential hazard to persons or property. Prior to the removal or significant trimming, persons must provide to Council a report from a suitably qualified professional arborist experienced in the management of amenity trees detailing the reasons and justification for removal or significant trimming. Works must not commence prior to the Council confirming the permitted activity status of the removal or significant trimming of a protected tree. Should it be identified that a tree presents an imminent hazard, any work that is considered necessary to immediately abate the hazard may proceed at once, though evidence shall be submitted to council identifying the urgency for the works.	Accept in Part		Matter addressed in Hearing 3 Heritage. Submission on this rule has been transferred to Entire Plan Hearing as a result of changes recommended to Rules 32.4.4, 32.4.5, 32.4.20, 32.4.21.	Refer Issue 5
809.8	FS1121.44	Aurora Energy Limited	Support	Supports in part. Is supportive of measures that seek to protect the removal or significant trimming of protected trees. Alerts that there will be instances were Aurora will be required to undertake significant trimming and/or removal of protected trees to ensure that the operational efficiency of its network is maintained and to remove potential fire risks. These represent exceptional circumstances and it is appropriate that they are provided for under the Proposed Plan.	Accept in Part		Matter addressed in Hearing 3 Heritage. Submission on this rule has been transferred to Entire Plan Hearing as a result of changes recommended to Rules 32.4.4, 32.4.5, 32.4.20, 32.4.21.	Refer Issue 5
809.9	FS1121.45	Aurora Energy Limited	Support	Supports in part. Is supportive of measures that seek to protect the removal or significant trimming of protected trees. Alerts that there will be instances were Aurora will be required to undertake significant trimming and/or removal of protected trees to ensure that the operational efficiency of its network is maintained and to remove potential fire risks. These represent exceptional circumstances and it is appropriate that they are provided for under the Proposed Plan.	Accept in Part		Matter addressed in Hearing 3 Heritage. Submission on this rule has been transferred to Entire Plan Hearing as a result of changes recommended to Rules 32.4.4, 32.4.5, 32.4.20, 32.4.21.	Refer Issue 5
383.110		Queenstown Lakes District Council	Oppose	Delete unnecessary text from map sheet 19.	Accept in Part		Addressed separately through Clause 16 of Schedule 1 of the RMA.	
383.107		Queenstown Lakes District Council	Oppose	Amend - Spelling mistake in column one under Operative Plan needs amending. Note: Operative zones are shown across sites that are not being reviewed in Stage 1 of the District Plan Review, or where the Zone has been specifically reserved for review in Stage 2.	Accept in Part		Addressed separately through Clause 16 of Schedule 1 of the RMA.	
383.108		Queenstown Lakes District Council	Oppose	Add – "Visitor Accommodation Sub-Zone (Urban Areas)" to column one. Amend column three to read: "Visitor Accommodation Sub-Zone (Rural Areas)"	Accept in Part		Addressed separately through Clause 16 of Schedule 1 of the RMA.	
407.16		Mount Cardrona Station Limited	Oppose	MCS OPPOSES Rule 6.4.1.3(a) and seeks the following modification: 6.4.1.3 The landscape categories do not apply to the following within the Rural Zones: a. Ski Area Activities within the Ski Area Sub Zones. (copied from submission point 407.5)	Reject		Hearing Stream 1 B	Submission already addressed in Strategic Direction Hearing 18 Landscape Chapter 6 S42a Paragraph 9.221 - 9.224.
621.89		Real Journeys Limited	Not Stated	Amend rule 21.5.42 and/or the planning maps (as required) so that structures that support the establishment of water based public transport on the Kawarau River and in the Frankton Arm are controlled activities, not non-complying. Structures and Moorings Any structures or mooring that passes across or through the surface of any lake or river or attached to the bank or any lake or river in those locations on the District Plan Maps where such structures or moorings are shown as being non-complying.	Reject			Matter already addressed in Rural Hearing 2 Rural Zone Chapter 21. Issue 10. The matter of cumulative effects of structure within the Frankton Arm is important as set out in the s32 evaluation for water, and the relief sought would not address this issue.
621.89	FS1115.10	Queenstown Wharves Limited	Support	Support recognition of the need to provide for public transport opportunities on the Kawarau River; this provides an important transport link.	Reject			See primary submission issue reference.
621.89	FS1235.19	Jet Boating New Zealand	Oppose	Oppose. Non-complying activity status for structures and moorings on the Kawarau River should be retained. JBNZ seeks retention of recreational jet boating access and opportunities on the Kawarau River and is concerned that more intensive tourism and commercial boating activity will restrict these opportunities.	Accept			See primary submission issue reference.
621.89	FS1097.619	Queenstown Park Limited	Support	Support recognition of the need to provide for public transport opportunities on the Kawarau River; this provides an important transport link.	Reject			See primary submission issue reference.
635.86		Aurora Energy Limited	Not Stated	Insert Critical Electricity Line's onto the District Plan Planning Maps Provide appropriate recognition and protection of the electricity distribution network in the District by identifying Aurora's sub-transmission network and Critical Electricity Lines and substations on the Proposed District Plan maps. Such notations will have the effect of advising all interested parties in the District of development constraints in close proximity to CEL's and zone substations. (See Annexure Two of submission for plans showing the location of the Critical Electricity Lines)	Accept in part		Hearing Stream 5	Addressed in Hearing 5 District Wide: Energy and Utilities s42A. Matter also addressed through submission point 635.70. Electricity Distribution Lines are recommended to be shown on the District Plan maps.
635.86	FS1301.20	Transpower New Zealand Limited (Transpower)	Not Stated	Neutral, but oppose terminology - Allow, but delete the term in the legend „subtransmission lines? and instead refer to the lines as „electricity distribution line corridor'	Accept in part		Hearing Stream 6	See primary submission issue reference.
719.163		NZ Transport Agency	Other	Neutral Use a consistent method of labelling State highway designations throughout the District.			Addressed separately through Clause 16 of Schedule 1 of the RMA.	
719.164		NZ Transport Agency	Other	Neutral Insert appropriate references to enable specific designations to be identified.			Addressed separately through Clause 16 of Schedule 1 of the RMA.	

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
719.165		NZ Transport Agency	Other	Neutral There is an inconsistency between the two maps regarding the mapping of the whole of designation 318; it appears on Map 248 but not on Map 18. Amend the appropriate map to correct the inconsistency.			Addressed seperately through Clause 16 of Schedule 1 of the RMA.	
798.16		Otago Regional Council		ORC supports the QLDC's approach of providing hazard mapping in its hazards database, and rules in the District Plan to manage natural hazards. All known natural hazards should be identified in that database and made publicly available. This will enable the use of best information for decision making about those hazards.		Chapter 28		This matter is being addressed through the s42A for Chapter 28 - Natural Hazards.
19.27		Kain Fround		Mapping - General support	Accept			No further comment.
514.7		Duncan Fea	Not Stated	Add a new policy: Require removal of established wilding exotic trees as part of the consent for subdivision, use or development of land in the Residential and Rural Living Zones.	Reject			It is not considered appropriate because although Wilding trees are not supported in the PDP. There could be instances where these wilding trees have resource consent or existing uses established. In addition, not all subdivision is associated with a development right.
238.11		NZIA Southern and Architecture + Women Southern		Containment of urban form centred around public transport nodes. (TOD- transport orientated design) 30-40% of global energy use is associated with people moving around - to and from work, school, shopping etc. and this energy use needs to be recognised and included in this section. Promoting compact urban forms, within the specified Urban Growth boundaries, and discouraging development elsewhere will have a much bigger impact on the District's energy use than individual building initiatives such as Green Star and Homestar rating systems.	Reject		Strategic Directons and Residential.	Acknowledge the intent of the statement however, as read on its own its does not offer any relief. This overall submission has been addressed more comprehensively in the Strategic and Residential hearings.
384.4		Glen Dene Ltd		Within the Rural zone farmers should be able to carry out reasonable levels of earthworks as a permitted activity. The Rural provisions that affect farms should not be complex and require input in from Landscape planners who add unnecessary cost into a business. The more complex you make the rules in the more the farming community will want detail landscape Zone done, The detail Zone boundaries and maps required between ONL and RLC as many farmers would argue that only parts of their farms may fall into ONL not blanket areas this may cause the plan to get bogged down.	Reject			The matter relating to earthworks is not on Stage 1 of the PDP because there is not an Earthworks Chapter. The matters relation to ONL are addressed in the Upper Clutha Mapping Hearing and have been transferred to that hearing, to be heard with the rezoning submission.

Appendix 2. General Comments List of Submitters, Summary of Submissions and Recommended Decisions

Appendix 2 to the Section 42A Report for Whole of Plan and General Comments

Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
145.26		Upper Clutha Environmental Society (Inc)	Other	The landscape, Rural and Gibbston Character Zone S.32 Landscape Evaluation Report be rewritten containing discussion of the costs and benefits associated with the option of residential subdivision and development becoming non-complying versus the option of it being discretionary, as required by S.32 of the Act and especially S.32(2). The S.32 Landscape Evaluation Report, once rewritten, should then be publicly notified. The 40 working day submission period should apply to the rural part of the Proposed District Plan from the date of re-notification of the rewritten S.32 Landscape Evaluation Report.	Reject		Stream 2	Addressed in Rural Zone Section 42A Paragraphs 11.15 to 11.25 and generally in Issue 6 of the Whole Plan Section 42A.
145.26	FS1155.1	Mt Rosa Wines Ltd	Oppose	Opposes this submission seeking to change the activity status of residential subdivision and development from discretionary to non-complying. Considers that the discretionary status is more appropriate because some residential activity should be anticipated within the Zone. <u>Seeks that submission 145.26 is rejected.</u>	Accept in Part			
145.26	FS1097.41	Queenstown Park Limited	Oppose	<u>Costs and benefits of option of residential subdivision being noncomplying is not necessary.</u>	Accept in Part			
145.26	FS1162.26	James Wilson Cooper	Oppose	Believes that the relief sought in the submission does not result in sound resource management planning. Seeks that all of the relief sought be declined.	Accept in Part			
145.26	FS1347.14	Lakes Land Care	Oppose	Opposes in particular their views on objectives/policies and assessment matters in the Rural Section. Don't accept farming activity as important, yet the farming community over a very long period of time have pioneered, managed and maintained the rural values that the rest of the community treasure so highly. The landscape, which is a working environment, provides the economy important export earnings, but it needs careful continued management to maintain these rural values which farmers provide. Assures that the farming activity needs the flexibility to change, expand and grow in order to maintain their responsibility for managing their land. States that farmers are in direct conflict with protection groups and individuals e.g.UCES demanding landscape protection for public benefit without compensation in the District Plan. The farmers or landowners inherit the cost of that benefit, which interfere with their property rights through imposed rules, restricting activities and opportunities that can be carried out on their investment by the District Council. Believes that the land needs to be managed in a balanced way to be maintained for the future. Councils (which largely represent urban communities) who impose restrictions on landowners have no investment, no expertise in land management and it is easy for them to deliver the public benefit without any cost as there is no compensation under the RMA. Agrees that the farming community needs to be supported and encouraged by council to maintain and manage their land in a sustainable way in order to preserve the rural values the community values so highly.	Accept in Part			
145.26	FS1254.123	Allenby Farms Limited	Oppose	Oppose in part. That the submission be refused insofar as the submission seeks amendments to the: "Rural Zone. Rural Areas Zone objectives and policies and assessment matters and rules and any provisions of the District Plan that relate to these or subdivision and/ or development of rural areas in any way" Justification for the removal of polices relating to subdivision and development on highly visible slopes has been adequately assessed in Council's section 32 reports. Requiring the addition of these factors will not provide for an appropriate subdivision and development regime.	Accept in Part			
153.1		Christopher Horan	Other	1. Intensive Housing: Agrees that intensive housing should become the norm 2. Affordable Housing: Advocates building block of Council flats for low-wage employees of the hospitality and tourism industry; to be paid for from the six hundred million dollars subsidy this government has spent on the tourist industry. 3. Acknowledging Maori occupation history: On the Wanaka side of the hill there is no recognition of Maori occupation before Europeans arrived. As well as reasons of respect and acknowledgement, signage about our history would be an experience for visitors. 4. Urban Design: All developers should be informed of local urban design values set out in the booklet available from Council, and that adherence to these values is a necessary conditions of building consent. 4. Outdoor Fitness Equipment: The development of outdoor equipment parks (or areas set aside in parks) is overdue. 5. Protecting night sky: Agrees this is excellent idea. 6. Banning wilding pines: Supports with appropriate oversight.	Accept in Part	Part out of scope - not within Stage 1 of PDP. Partly out of scope - outside TLA/DP function.	Intensive housing: addressed in Streams 1 and 6; Affordable housing submission is not within the scope of the PDP; Acknowledging Maori occupation history is addressed in Stream 1; Urban design submission point has been addressed in Streams 6 and 8; Outdoor fitness equipment is outside the District Plan function; Protecting the night sky has been addressed in Streams 2, 6 and 8; Banning Wilding Pines was addressed in Stream 2.	
222.1		Louise & Alfred Bell	Other	The 70km speed limit between Hogans Gully Road and Arrowtown is unnecessary. Rabbits need to be better controlled.		Out of scope outside TLA/DP function		

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
225.1		Quentin Smith	Other	<p>General support. In general I support the proposed structure and general intent of the PDP with the exception of the following</p> <p>Section 8 Medium Density With regard to medium density more thought needs to be given in regard to design, location and mix of densities within the proposed MD zone. The inclusion of buffer zones, affordable housing styles, public open spaces and parking cannot be dealt with in isolation and MD zone should be accompanied by a structure plan resulting from proper design and investigation. For example can the roading structure of anderson road, aubrey road, kings drive and lakeside trce cope with the addition of desity of scurr heights (in the context of all future zoned developments such as kirimoko and northlakes. I support the idea of providing a range of housing types and densities but this needs more work of this location.</p> <p>Section 11 Large Lot Residential/ Section 22 Rural Residential In general I support the concept of making residential building easier in the LLR/RR but oppose the creation of an additional zoning type. The RR zone should either be amended to deal with the required outcomes or be replaced in its entirety by the LLR. The duplication of zones for comparable outcomes in not helpful and creates confusion for owners.</p> <p>Section 13 Wanaka Town Centre I Strongly Oppose the increase height limits in the Wanaka Town Centre. There are only a small number of existing buildings (4 I think) that come anywhere near the existing height limits for the wanaka town combined with the associated amenity loss and extreme parking demand created by additional building allowances is a massive future problem for the wanaka town centre. I recommend expanding the towncentre and buffer zones further backwards to provide for demand needs for the future without going up. Regardless NO additional development of the town centre should be promoted through the DP untill such time as the council can provide appropriate parking for all demand and that all development is levied (based on floor area) a contribution for the parking required and generated by the development. Pushing up will further add to this problem and create an undesirable cost on rate payers to pay for additional parking. This cost should be largely born by the developers creating the demand.</p>	Reject	Partly out of scope - not within Stage 1 of the PDP - parking and transport. Part deferred to the mapping hearing.	Streams 6 and 8	Medium Density - design and housing styles are addressed in the Chapter 8 - Medium Density Residential s42A and right of reply. Remainder of the points are deferred to the mapping hearing. Large Lot Residential - issue addressed in paragraphs 2.1 - 2.3 of the right of reply for Chapter 11. Wanaka Town Centre submission addressed in Chapter 13 - Wanaka Town Centre s42A
239.3		Don Moffat	Other	Planning Map 30 be amended to show a portion of the submitters site at 420 Frankton Road- Ladies Mile, re-zoned from Rural General to Rural Lifestyle as per the area shown boarded yellow on the Plan included as Attachment (B) of the submission.		Deferred to the hearing on mapping		
239.3	FS1259.27	Bill and Jan Walker Family Trust	Support	That the submission be allowed insofar as it seeks amendments to chapter 22 and Planning Map 30 of the Proposed Plan.		Deferred to the hearing on mapping		
239.3	FS1267.26	DV Bill and Jan Walker Family Trust	Support	Supports. Seeks that the submission be allowed insofar as it seeks amendments to chapter 22 and Planning Map 30 of the Proposed Plan.		Deferred to the hearing on mapping		
239.3	FS1340.71	Queenstown Airport Corporation	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport. The proposed rezoning is a significant departure from the nature, scale and intensity of ASAN development currently anticipated at this site and may potentially result in adverse effects on QAC over the longer term. The proposed rezoning request should not be accepted.		Deferred to the hearing on mapping		
239.3	FS1071.100	Lake Hayes Estate Community Association	Oppose	That the entire submission is disallowed and hte existing zoning remains in place		Deferred to the hearing on mapping		
256.1		Te Wanaka Lodge / Wanaka Selection	Oppose	Either keep the status Quo or delay the introduction of the new rules until further discussions are held with representatives involved in the holiday home rental industry. (Visitor Accommodation)		Out of scope not within Stage 1 of the PDP		Visitor accommodation within the residential zones will be notified as part of Stage 2 of the PDP
324.1		Nevis Jones	Other	Requests that regular lake and ferry services and the existing service be expanded. Also suggests that a mono rail from the shopping and sports areas to Queenstown would be ideal and probably the best solution of all. Seeks that the Council think a head and break away from the world wide problems caused by obsessions with motor car and lack of public transport.	Reject			The submission would be better supported by more specific references to provisions to enable the relief sought.
324.1	FS1117.42	Remarkables Park Limited	Support	For the reasons outlined in RPL's primary submission.	Reject			
324.1	FS1097.146	Queenstown Park Limited	Support	Support for the reasons outlined in QPL's primary submission.	Reject			
		Middleton Family Trust	Oppose	The proposed plan should be withdrawn and re-notified once a complete rural section 32 has been prepared.	Reject			
338.1	FS1270.74	Hansen Family Partnership	Support	Supports in part. Leave is reserved to alter this position, and seek changes to the proposed provisions, after review of further information from the submitter. Seeks conditional support for allowing the submission, subject to the review of further information that will be required to advance the submission.	Reject			
338.1	FS1289.23	Oasis In The Basin Association	Oppose	The whole of the submission be allowed.	Reject			
366.3		Robins Road Limited	Other	Requests consideration of zoning on Robins Road and Fryer Street be considered in Stage 1	Reject			
366.3	FS1059.77	Erna Spijkerbosch	Oppose	Agree in principle, but more information needed. This matter should not be included in this stage, but at later date.	Reject			
366.3	FS1059.78	Erna Spijkerbosch	Oppose	Agree in principle, but more information needed. This matter should not be included in this stage, but at later date.	Reject			
420.4		Lynn Campbell	Other	Concern with regards to car parking. Argues that planning need to change to reflect modern parking requirements. I.e. 40 years ago it was standard to have 2/3 bedroom house with required two carparks, now = larger houses with the same car parking requirement = not enough car parks and congestion on street.		Out of scope not within Stage 1 of the PDP		Transportation standards will be included in the Stage 2 Transport Chapter.
420.5		Lynn Campbell	Other	Solve the housing crisis by using (selling) QLDC assets such as the QTN Camping Ground for short term accommodation		Out of scope outside TLA/DP function		
420.5	FS1059.79	Erna Spijkerbosch	Oppose	Oppose suggestion to sell off camping ground for housing. It is on a reserve and we need open spaces retained. Also the camping grounds cater for the kiwi holiday at affordable cost and return a dividend to council for the ratepayers		Out of scope outside TLA/DP function		
420.6		Lynn Campbell	Other	Create a Rule that "any vacant land (housing sections) purchased has to provide a livable dwelling within a 5/10 year period".		Out of scope outside TLA/DP function		
426.36		Heritage New Zealand	Support	Adopt historic heritage related provisions throughout the PDP, including but not necessarily limited to those included in Chapters 3, 4, 5, 10, 12, 14, 21 & 30.	Accept			Also addressed in Heritage Hearing 3.

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
509.1		Lewis Grant	Not Stated	Regarding Lakeside Road, Wanaka - Traffic flow to be reduced to neighbourhood roads rather than a major through road; The Lake frontage of Wanaka should be planned in an appropriate manner rather than piece-meal.		Out of scope outside TLA/DP function		This matter relates to Council's project and capital works and not the District Plan.
574.1		Skyline Enterprises Limited	Other	That a new Commercial Tourism and Recreation Sub-Zone and associated provisions as outlined in this submission and attachments to this submission are adopted into the PDP. the land is generally located on and around the Skyline Gondola at Queenstown.		Deferred to the hearing on mapping		
574.1	FS1063.19	Peter Fleming and Others	Oppose	Oppose all		Deferred to the hearing on mapping		
584.1		Air new Zealand Limited (ANZL)	Not Stated	The proposed Air Noise Contours be approved		Deferred to the hearing on mapping		
584.1	FS1077.53	Board of Airline Representatives of New Zealand (BARNZ)	Support	Approve the proposed noise contours.		Deferred to the hearing on mapping		
584.2		Air new Zealand Limited (ANZL)	Not Stated	The proposed provisions with respect to land use controls be approved consistent with Council's PC19 and PC35 (as settled to date) Decisions	Accept in Part	Partly out of scope of Stage 1 PDP relating to PC19 - Frankton Flats	Streams 2, 6 and 8	Issue addressed in Chapters 21 - Rural, 7 - Low Density Residential and 17 - Queenstown Airport Mixed Use
584.2	FS1077.54	Board of Airline Representatives of New Zealand (BARNZ)	Support	To the extent any changes to definitions are required to make them consistent with recent Environment Court decisions on plan changes affecting airports in the Queenstown Lakes District, then such changes should occur.	Accept in Part	Partly out of scope of Stage 1 PDP relating to PC19 - Frankton Flats		
584.2	FS1117.226	Remarkables Park Limited	Support	For the reasons outlined in RP L's primary submission.	Accept in Part	Partly out of scope of Stage 1 PDP relating to PC19 - Frankton Flats		
607.23		Te Anau Developments Limited	Not Stated	Rezone the "Rural General" zoned land identified in the image below (including land described as Pt. Sect. 19 BLK III MID WAKATIPU SD, recreation reserve, Section 1 SO 10828, and marginal strip adjoining this land and adjoining the land owned by Te Anau Developments Ltd) to "Rural Visitor Walter Peak".		Deferred to the hearing on mapping		
607.25		Te Anau Developments Limited	Not Stated	Consider rezoning all Rural Visitor Zones just Visitor Zones (i.e. remove them from the rural chapter provisions).		Out of scope not within Stage 1 of the PDP		
621.80		Real Journeys Limited	Not Stated	New Policy - water chapter Insert new policy to ensure that, within the Frankton Arm, decision-makers on resource consent applications should prioritise the safety and operational functions of structure over landscape and amenity values. Suggested wording is as follows: Prioritise the safety and function of jetties and structures over effects on landscape and amenity values when determining resource consent applications for jetties and structures located in the Frankton Arm.	Reject		Stream 2	Issue addressed in paragraphs 17.5 - 17.6 of Chapter 21 - Rural s42A
621.80	FS1152.10	Kawarau Jet Services Holdings Ltd	Oppose	That the submission is rejected. The submission is opposed because "avoid" is too determinative and may foreclose opportunities for activities that may mitigate or remediate conflicts while not necessarily avoiding them altogether.	Accept in Part			
621.81		Real Journeys Limited	Not Stated	New Policy – water chapter Insert new policy to protect established key tourism activities: Protect key tourism and transport activities by ensuring the following principles are applied when considering proposals that will occupy water space: i. activities that promote the districts heritage and contribute public benefit should be encouraged; ii. activities that result in adverse effects on established activities should be discouraged; iii. long term occupation of water space should be avoided unless it has been strategically planned and is integrated with adjoining land and water use; iv. occupation of water space shall not interfere with key navigational routes and manoeuvring areas; v. adverse effects on the continued operation, safety and navigation of the "TSS Earnslaw". vi. activities that adversely effect the operation, safety, navigation, and ability to maintain or upgrade the "TSS Earnslaw" and her supporting slipway facilities, are to be avoided.	Reject		Stream 2	Issue addressed in paragraphs 17.5 - 17.7 of Chapter 21 - Rural s42A
621.82		Real Journeys Limited	Not Stated	New Policy Insert new policy (in Rural or new water chapter) to avoid surface water activities that conflict with adjoining land uses or key tourism activities: Avoid activities on the surface or bed of lakes and rivers that conflict with: i. adjoining land use or ii. visitor attraction activities or iii. water transport activities	Reject			Refer Issue 7
623.1		John W McIvor	Not Stated	Out of scope / partially illegible.	Reject			
625.5		Upper Clutha Track Trust	Other	The Trust further wishes to see that when Esplanade Reserves can be created as part of a development, that these Reserves are of a practical nature and capable of providing the benefits in terms of access for which they are intended. The Trust also seeks that all unformed legal roads shown in the LINZ cadastral database and on the cadastral maps - these are separately defined parcels of land just as freehold lots, reserves etc and are all part of the cadastral record – are shown on the District Plan Maps. I.e the District Plan maps are consistent with the cadastral database. This would be consistent with the proposed marking of these unformed legal roads on cadastral maps by the government's Walking Access Panel in order to facilitate potential public access along them.	Accept in Part	Partially deferred to the hearing on mapping in relation to the identification of all unformed legal roads	Stream 4	Esplanade Reserve related relief has been addressed in paragraphs 18.159 - 18.163 of the Chapter 27 - Subdivision and Development s42A

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
625.5	FS1132.34	Federated Farmers of New Zealand	Oppose	The submitter's concerns are already sufficiently addressed by the Walking Access Commission, including maps. Replicating these maps in the District Plan would be unnecessary, and may require updates to the plan as the maps are subject to change.	Reject			The use of unformed legal roads are not only addressed through district plans.
625.5	FS1347.85	Lakes Land Care	Oppose	Opposes the new policy to discourage the closure of unformed legal roads. Suggests that where there is better alternative practical access <u>this should be able to be negotiated by the interested parties.</u>	Reject			
626.1		Barnhill Corporate Trustee Limited & DE, ME Bunn & LA Green	Oppose	That the Barnhill Land and Morven Ferry Limited Land is re-zoned as identified on the Proposed Zoning Map (Appendix (B)) attached to this submission. The proposed re-zoning identifies Morven Ferry Rural Visitor <u>Zone A and Morven Ferry Rural Visitor Zone B.</u>		Deferred to the hearing on mapping		
626.1	FS1022.1	Robin Lonsdale	Oppose	I seek that the whole submission be disallowed on the grounds of lack of detailed consultation with neighbours given the major impact that such zoning changes will have on this quiet rural district. I am concerned that unless opposition is voiced at this stage, our silence might be perceived as tacit approval and further consultation in the future may not be considered necessary.		Deferred to the hearing on mapping		
626.1	FS1070.1	Lyn Hamilton	Oppose	I seek that the submission be disallowed in its entirety.		Deferred to the hearing on mapping		
626.1	FS1072.1	Jay Berriman	Oppose	I seek that the submission be disallowed in its entirety.		Deferred to the hearing on mapping		
626.1	FS1124.1	Dennis Rogers	Oppose	Seeks that the whole submission be disallowed. The plans are not in keeping with the rural environment.		Deferred to the hearing on mapping		
626.1	FS1144.1	Pat West	Oppose	I seek that the whole of the submission be disallowed.		Deferred to the hearing on mapping		
626.1	FS1151.1	Ika Willett	Oppose	I seek that the whole of the submission be disallowed.		Deferred to the hearing on mapping		
626.1	FS1310.1	Anna-Marie Chin	Oppose	The Submission be disallowed in its entirety		Deferred to the hearing on mapping		
626.1	FS1327.1	Morven Ferry	Support	Seeks that the part of this submission relating to the General District Plan Review Comments, Chapter 21 and Planning Map 30 be allowed to <u>the extent it is consistent with the reasons expressed in this further submission.</u>		Deferred to the hearing on mapping		
626.1	FS1353.1	Phillip Vautier	Oppose	I seek that the submission be disallowed in its entirety		Deferred to the hearing on mapping		
626.1	FS1097.630	Queenstown Park Limited	Not Stated	Neutral. Future development within Queenstown Park is likely to be visible from the proposed rezoning. There needs to be an assurance that future residential development at this location accepts that there will be residential and tourist development within Queenstown Park		Deferred to the hearing on mapping		
626.2		Barnhill Corporate Trustee Limited & DE, ME Bunn & LA Green	Oppose	The following provisions are added to Chapter 12 Rural Visitor Zone (additions underlined) insofar as they relate to the Morven Ferry Rural Visitor Zone A and Morven Ferry Rural Visitor Zone B: 12.4.5.2 Zone Standards i Building Height <u>The maximum height of buildings and other structures within the Morven Ferry Zone A shall be:</u> - All Buildings 8m <u>The maximum height of buildings and other structures within the Morven Ferry Zone B shall be:</u> - Agricultural & Viticultural Buildings 10m - All other Buildings 8m <u>Viii Site Coverage</u> <u>Within the Morven Ferry Zone B the maximum building coverage shall be 5% of the zone.</u> <u>ix Road Set Back</u> <u>Within the Morven Ferry Zone B no building or structure shall be located closer than 35m to Morven Ferry Road.</u>		Deferred to the hearing on mapping		
626.2	FS1070.2	Lyn Hamilton	Oppose	I seek that the submission be disallowed in its entirety.		Deferred to the hearing on mapping		
626.2	FS1072.2	Jay Berriman	Oppose	I seek that the submission be disallowed in its entirety.		Deferred to the hearing on mapping		
626.2	FS1124.2	Dennis Rogers	Oppose	Seeks that the whole submission be disallowed. The plans are not in keeping with the rural environment.		Deferred to the hearing on mapping		
626.2	FS1310.2	Anna-Marie Chin	Oppose	The Submission be disallowed in its entirety		Deferred to the hearing on mapping		
626.2	FS1327.4	Morven Ferry	Support	Seeks that the part of this submission relating to the General District Plan Review Comments, Chapter 12 be allowed.		Deferred to the hearing on mapping		
626.2	FS1353.2	Phillip Vautier	Oppose	I seek that the submission be disallowed in its entirety		Deferred to the hearing on mapping		
626.3		Barnhill Corporate Trustee Limited & DE, ME Bunn & LA Green	Oppose	The following provision is added to Proposed Chapter 22 – Rural Residential and lifestyle zone (i) <u>22.5.39 Setback from Lot 1 DP 411193</u> <u>Buildings shall be setback a minimum of 15m from this boundary</u> <u>NC (non-compliance status)</u>		Deferred to the hearing on mapping		
626.3	FS1070.3	Lyn Hamilton	Oppose	I seek that the submission be disallowed in its entirety.		Deferred to the hearing on mapping		

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
626.3	FS1072.3	Jay Berriman	Oppose	I seek that the submission be disallowed in its entirety.		Deferred to the hearing on mapping		
626.3	FS1124.3	Dennis Rogers	Oppose	Seeks that the whole submission be disallowed. The plans are not in keeping with the rural environment.		Deferred to the hearing on mapping		
626.3	FS1310.3	Anna-Marie Chin	Oppose	The Submission be disallowed in its entirety		Deferred to the hearing on mapping		
626.3	FS1327.5	Morven Ferry	Support	Seeks that the part of this submission relating to the General District Plan Review be allowed.		Deferred to the hearing on mapping		
626.3	FS1353.3	Phillip Vautier	Oppose	I seek that the submission be disallowed in its entirety		Deferred to the hearing on mapping		
626.4		Barnhill Corporate Trustee Limited & DE, ME Bunn & LA Green	Oppose	That the District Plan provides a complete and comprehensive set of provisions to enable subdivision and other land uses in rural areas in addition to agricultural and farming uses.	Accept in Part		Stream 2	Issue addressed in paragraphs 8.1 - 8.39 of the Chapter 21 - Rural s42A and paragraphs 4.1 - 4.21 of the right of reply
626.4	FS1070.4	Lyn Hamilton	Oppose	I seek that the submission be disallowed in its entirety.	Accept in Part		Stream 2	
626.4	FS1072.4	Jay Berriman	Oppose	I seek that the submission be disallowed in its entirety.	Accept in Part		Stream 2	
626.4	FS1124.4	Dennis Rogers	Oppose	Seeks that the whole submission be disallowed. The plans are not in keeping with the rural environment.	Accept in Part		Stream 2	
626.4	FS1310.4	Anna-Marie Chin	Oppose	The Submission be disallowed in its entirety	Accept in Part		Stream 2	
626.4	FS1353.4	Phillip Vautier	Oppose	I seek that the submission be disallowed in its entirety	Accept in Part		Stream 2	
626.4	FS1097.631	Queenstown Park Limited	Support	Support for the reasons outlined in QPL's primary submission.	Accept in Part		Stream 2	
626.5		Barnhill Corporate Trustee Limited & DE, ME Bunn & LA Green	Oppose	That the status of subdivision is a controlled activity within the Rural Residential zone and Rural Visitor zone.	Accept in Part	Rural Visitor Zone out of scope not within Stage 1 of the PDP	Stream 4	Rural Visitor Zone is not included within Stage 1 of the PDP. Subdivision in the Rural Residential zone addressed in paragraphs 10.1 - 10.47 of the Chapter 27 - Subdivision and Development
626.5	FS1070.5	Lyn Hamilton	Oppose	I seek that the submission be disallowed in its entirety.	Accept in Part	Out of scope not within Stage 1 of the PDP	Stream 4	
626.5	FS1072.5	Jay Berriman	Oppose	I seek that the submission be disallowed in its entirety.	Accept in Part	Out of scope not within Stage 1 of the PDP	Stream 4	
626.5	FS1124.5	Dennis Rogers	Oppose	Seeks that the whole submission be disallowed. The plans are not in keeping with the rural environment.	Accept in Part	Out of scope not within Stage 1 of the PDP	Stream 4	
626.5	FS1310.5	Anna-Marie Chin	Oppose	The Submission be disallowed in its entirety	Accept in Part	Out of scope not within Stage 1 of the PDP	Stream 4	
626.5	FS1327.6	Morven Ferry	Support	Seeks that the part of this submission relating to the General District Plan Review be allowed.	Accept in Part	Out of scope not within Stage 1 of the PDP	Stream 4	
626.5	FS1353.5	Phillip Vautier	Oppose	I seek that the submission be disallowed in its entirety	Accept in Part	Out of scope not within Stage 1 of the PDP	Stream 4	
626.5	FS1097.632	Queenstown Park Limited	Support	Support for the reasons outlined in QPL's primary submission.	Accept in Part	Out of scope not within Stage 1 of the PDP	Stream 4	
629.1		Morven Ferry Limited	Oppose	That the Morven Ferry Limited and Barnhill land is re-zoned as identified on the Proposed Zoning Map (Appendix [B]) attached to the this submission. The proposed re-zoning identifies Morven Ferry Rural Visitor Zone A and <u>Morven Ferry Rural Visitor Zone B.</u>		Deferred to the hearing on mapping		
629.1	FS1147.1	Pat West	Oppose	I seek that the whole of the submission be disallowed.		Deferred to the hearing on mapping		
629.1	FS1327.7	Morven Ferry	Support	Seeks that the part of this submission relating to the General District Plan Review Comments, Chapter 21 and Planning Map 30 be allowed.		Deferred to the hearing on mapping		
629.1	FS1097.633	Queenstown Park Limited	Not Stated	Neutral. Future development within Queenstown Park is likely to be visible from the proposed rezoning. There needs to be an assurance that future residential development at this location accepts that there will be residential and tourist development within Queenstown Park.		Deferred to the hearing on mapping		
629.2		Morven Ferry Limited	Oppose	The following provisions are added to Chapter 12 Rural Visitor Zone (additions underlined) insofar as they relate to the Morven Ferry Rural Visitor Zone A and Morven Ferry Rural Visitor Zone B: 12.4.5.2 Zone Standards i Building Height <u>The maximum height of buildings and other structures within the Morven Ferry Zone A shall be:</u> - All Buildings 8m <u>The maximum height of buildings and other structures within the Morven Ferry Zone B shall be:</u> - Agricultural & Viticultural Buildings 10m - All other Buildings 8m <u>Viii Site Coverage</u> <u>Within the Morven Ferry Zone B the maximum building coverage shall be 5% of the zone.</u> <u>ix Road Set Back</u> <u>Within the Morven Ferry Zone B no building or structure shall be located closer than 35m to Morven Ferry Road.</u>		Deferred to the hearing on mapping		
629.2	FS1327.10	Morven Ferry	Support	Seeks that the part of this submission relating to the General District Plan Review Comments, Chapter 21 and Planning Map 30 be allowed.		Deferred to the hearing on mapping		

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
629.3		Morven Ferry Limited	Oppose	The following provision is added to Proposed Chapter 22 – Rural Residential and lifestyle zone: (i) 22.5.39 <u>Setback from Lot 1 DP 411193</u> <u>Buildings shall be setback a minimum of 15m from this boundary</u> NC (non-compliance status)		Deferred to the hearing on mapping		
629.3	FS1327.11	Morven Ferry	Support	Seeks that the part of this submission relating to the General District Plan Review Comments, Chapter 21 and Planning Map 30 be allowed.		Deferred to the hearing on mapping		
629.4		Morven Ferry Limited	Oppose	That the District Plan provides a complete and comprehensive set off provisions to enable subdivision and other land uses in rural areas in addition to agricultural and farming uses.	Accept in Part		Stream 2	Issue addressed in paragraphs 8.1 - 8.39 of the Chapter 21 - Rural s42A and paragraphs 4.1 - 4.21 of the right of reply
629.4	FS1097.634	Queenstown Park Limited	Support	Support the intent of the submission for the reasons provided in QPL's original submission.	Accept in Part		Stream 2	
629.5		Morven Ferry Limited	Oppose	That the status of subdivision is a controlled activity within the Rural Residential zone and Rural Visitor zone.	Accept in Part		Stream 4	Rural Visitor Zone is not included within Stage 1 of the PDP. Subdivision in the Rural Residential zone addressed in paragraphs 10.1 - 10.47 of the Chapter 27 - Subdivision and Development
629.5	FS1327.12	Morven Ferry	Support	Seeks that the part of this submission relating to the General District Plan Review Comments, Chapter 21 and Planning Map 30 be allowed.	Accept in Part		Stream 4	
640.5		John Wellington	Other	That all provisions relating to the Open Space Zone-Landscape Protection are retained in the District Plan in the exact same form as they appear in Part 20 of the Operative District Plan and in the exact same form as Open Space Zone-Landscape Protection areas are delineated on maps in the Operative District Plan.		Out of scope not within Stage 1 of the PDP		
655.3		Bridesdale Farm Developments Limited	Oppose	The notification of the District Plan has not included a Transport Chapter and interim reliance must be placed on the Operative District Plan. That Chapter does not contain reference to a Medium Density Residential Zone and numerous residential zones referred to in Table One no longer exist. As a result there is not parking standard for Medium Density Residential zone and requires Discretionary consent.	Reject		Stream 6	Issue addressed in paragraph 13.39 in Chapter 8 - Medium Density Residential s42A
655.3	FS1064.3	Martin MacDonald	Oppose	I seek that the whole of the submission be disallowed as per the reasons given in my original submissions reference numbers 451 and 454. I consider Medium Density zoning as inappropriate in this area, and that shifting of the outstanding natural landscape line and urban growth boundary line will result in significant adverse effects on the environment (both east and west of Hayes Creek) which is contrary to the principles of sustainable management.	Accept in Part			
655.3	FS1071.4	Lake Hayes Estate Community Association	Oppose	That the entire submission is disallowed and hte existing zoning remains in place	Accept in Part			
655.3	FS1061.32	Otago Foundation Trust Board	Support	That the submission is accepted.	Reject			
677.10		Amrta Land Ltd	Oppose	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions. (Related to submission points from submitter 677)		Deferred to Hearing Stream Whole Plan		
677.10	FS1074.10	Alistair Angus	Oppose	That the whole submission be disallowed. The applicant/Ref 677 has already shown scant regard for land and neighbours to grant this submission would be a total and unreversible disaster.		Deferred to Hearing Stream Whole Plan		
677.10	FS1312.10	AG Angus	Oppose	Oppose on every level in its present form		Deferred to Hearing Stream Whole Plan		
677.10	FS1364.10	John and Kay Richards	Oppose	believe the submission to be vague with little in the way of defining details and with no prior consultation consider it to be flawed in many ways		Deferred to Hearing Stream Whole Plan		
684.3		Michael Ramsay	Oppose	The proposed district plan submission process needs to be simplified		Out of scope outside TLA/DP function		
684.5		Michael Ramsay	Oppose	A change to the signage, and council references, to reflect the historical accuracy in the naming of Lake 'Hayes' to Lake 'Hays', and also denote the Maori name to its changed signage.		Out of scope outside TLA/DP function		
685.1		Tony Moran	Oppose	Plan Change 44 be declined.		Out of scope outside TLA/DP function		
703.2		Infinity Investment Group Limited	Not Stated	Properties located at 27 and 37 Ballantyne Road in Wanaka, legally described as Lot 4 DP 22854 & Lot 1 DP 304423, and Lot 2 DP 304423, respectively. Currently zoned as Three Parks Special Zone. Relief sought: 12.The submitter requests that: a. The sites are zoned to provide for medium to high densities of residential development; and b. An outline development plan requirement is imposed over the sites; and c. Any other additional or consequential relief to the Proposed Plan, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in the submission.		Deferred to the hearing on mapping		
703.2	FS1012.54	Willowridge Developments Limited	Not Stated	That if the submission is allowed any rezoning takes linkages and land uses of the remaining Three Parks Zone into consideration.		Deferred to the hearing on mapping		
712.1		Bobs Cove Developments Limited	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.		Deferred to Hearing Stream Whole Plan		
712.2		Bobs Cove Developments Limited	Other	Retain all provisions not otherwise submitted upon in this submission as notified unless they duplicate other provisions in which case they should be deleted.		Deferred to Hearing Stream Whole Plan		

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
713.1		Heli Tours Limited	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions		Deferred to Hearing Stream Whole Plan		
716.1		Ngai Tahu Tourism Ltd	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.		Deferred to Hearing Stream Whole Plan		
716.2		Ngai Tahu Tourism Ltd	Not Stated	That all provisions not amended in response to this submission be retained as notified unless it duplicates another provision in which case it should be deleted.		Deferred to Hearing Stream Whole Plan		
718.1		Allium Trustees Limited	Not Stated	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions		Deferred to Hearing Stream Whole Plan		
723.1		Wakatipu Aero Club	Not Stated	Refer to full submission for details as: "The specific provisions of the Proposed Plan that this submission relates to includes, but is not limited to, the provisions in the following chapters: a. Chapter 2: Definitions; b. Chapter 3: Strategic Direction; c. Chapter 21: Rural; d.Chapter 22: Rural Residential & Rural lifestyle; e. Chapter 23: Gibbison Character Zone; f. Chapter 27: Subdivision & Development; g. Chapter 36: Noise h. Planning Maps." "The submitter requests the following decision: a. Provision is made in the Proposed Plan to recognise existing uses; b. For new informal airports, the restriction on movements be amended to 10 in any calendar week; c. The setback on new alighting areas be 100 metres for fixed wing and 100 metres for rotary wing aircraft; d. Any other additional or consequential relief to the Proposed Plan, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in this submission." Submitter has only provided a review of Rules relating to Informal Airports within the Proposed Rural Zone but mentions that the submission may relate to all the above zones and maps as necessary.	Accept in Part		Stream 2	Issues addressed in paragraphs 16.9 - 16.33 and 16.37, Chapter 21 - Rural s42A
730.1		Adrian Snow	Not Stated	Refer to full submission for details as: "The specific provisions of the Proposed Plan that this submission relates to includes, but is not limited to, the provisions in the following chapters: a. Chapter 2: Definitions; b. Chapter 3: Strategic Direction; c. Chapter 21: Rural; d.Chapter 22: Rural Residential & Rural lifestyle; e. Chapter 23: Gibbison Character Zone; f. Chapter 27: Subdivision & Development; g. Chapter 36: Noise h. Planning Maps." "The submitter requests the following decision: a. Provision is made in the Proposed Plan to recognise existing uses; b. For new informal airports, the restriction on movements be amended to 10 in any calendar week; c. The setback on new alighting areas be 100 metres for fixed wing and 100 metres for rotary wing aircraft; d. Any other additional or consequential relief to the Proposed Plan, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in this submission." Submitter has only provided a review of Rules relating to Informal Airports within the Proposed Rural Zone but mentions that the submission may relate to all the above zones and maps as necessary.	Accept in Part		Stream 2	Issues addressed in paragraphs 16.9 - 16.33 and 16.37, Chapter 21 - Rural s42A
730.1	FS1066.1	Aircraft Owners and Pilots Associates (NZ) Inc	Support	That the whole submission be allowed.	Reject			
732.1		Revell William Buckham	Not Stated	Refer to full submission for details as: "The specific provisions of the Proposed Plan that this submission relates to includes, but is not limited to, the provisions in the following chapters: a. Chapter 2: Definitions; b. Chapter 3: Strategic Direction; c. Chapter 21: Rural; d.Chapter 22: Rural Residential & Rural lifestyle; e. Chapter 23: Gibbison Character Zone; f. Chapter 27: Subdivision & Development; g. Chapter 36: Noise h. Planning Maps." "The submitter requests the following decision: a. Provision is made in the Proposed Plan to recognise existing uses; b. For new informal airports, the restriction on movements be amended to 10 in any calendar week; c. The setback on new alighting areas be 100 metres for fixed wing and 100 metres for rotary wing aircraft; d. Any other additional or consequential relief to the Proposed Plan, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in this submission." Submitter has only provided a review of Rules relating to Informal Airports within the Proposed Rural Zone but mentions that the submission may relate to all the above zones and maps as necessary.	Accept in Part		Stream 2	Issues addressed in paragraphs 16.9 - 16.33 and 16.37, Chapter 21 - Rural s42A

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734.1		Kerry Connor	Not Stated	Refer to full submission for details as: "The specific provisions of the Proposed Plan that this submission relates to includes, but is not limited to, the provisions in the following chapters: a. Chapter 2: Definitions; b. Chapter 3: Strategic Direction; c. Chapter 21: Rural; d.Chapter 22: Rural Residential & Rural lifestyle; e. Chapter 23: Gibbson Character Zone; f. Chapter 27: Subdivision & Development; g. Chapter 36: Noise h. Planning Maps." "The submitter requests the following decision: a. Provision is made in the Proposed Plan to recognise existing uses; b. For new informal airports, the restriction on movements be amended to 10 in any calendar week; c. The setback on new alighting areas be 100 metres for fixed wing and 100 metres for rotary wing aircraft; d. Any other additional or consequential relief to the Proposed Plan, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in this submission." Submitter has only provided a review of Rules relating to Informal Airports within the Proposed Rural Zone but mentions that the submission may relate to all the above zones and maps as necessary.	Accept in Part		Stream 2	Issues addressed in paragraphs 16.9 - 16.33 and 16.37, Chapter 21 - Rural s42A
736.1		Southern Lakes Learn to Fly Limited	Not Stated	Refer to full submission for details as: "The specific provisions of the Proposed Plan that this submission relates to includes, but is not limited to, the provisions in the following chapters: a. Chapter 2: Definitions; b. Chapter 3: Strategic Direction; c. Chapter 21: Rural; d.Chapter 22: Rural Residential & Rural lifestyle; e. Chapter 23: Gibbson Character Zone; f. Chapter 27: Subdivision & Development; g. Chapter 36: Noise h. Planning Maps." "The submitter requests the following decision: a. Provision is made in the Proposed Plan to recognise existing uses; b. For new informal airports, the restriction on movements be amended to 10 in any calendar week; c. The setback on new alighting areas be 100 metres for fixed wing and 100 metres for rotary wing aircraft; d. Any other additional or consequential relief to the Proposed Plan, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in this submission." Submitter has only provided a review of Rules relating to Informal Airports within the Proposed Rural Zone but mentions that the submission may relate to all the above zones and maps as necessary.	Accept in Part		Stream 2	Issues addressed in paragraphs 16.9 - 16.33 and 16.37, Chapter 21 - Rural s42A
738.1		Hank Sproull	Not Stated	Refer to full submission for details as: "The specific provisions of the Proposed Plan that this submission relates to includes, but is not limited to, the provisions in the following chapters: a. Chapter 2: Definitions; b. Chapter 3: Strategic Direction; c. Chapter 21: Rural; d.Chapter 22: Rural Residential & Rural lifestyle; e. Chapter 23: Gibbson Character Zone; f. Chapter 27: Subdivision & Development; g. Chapter 36: Noise h. Planning Maps." "The submitter requests the following decision: a. Provision is made in the Proposed Plan to recognise existing uses; b. For new informal airports, the restriction on movements be amended to 10 in any calendar week; c. The setback on new alighting areas be 100 metres for fixed wing and 100 metres for rotary wing aircraft; d. Any other additional or consequential relief to the Proposed Plan, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in this submission." Submitter has only provided a review of Rules relating to Informal Airports within the Proposed Rural Zone but mentions that the submission may relate to all the above zones and maps as necessary.	Accept in Part		Stream 2	Issues addressed in paragraphs 16.9 - 16.33 and 16.37, Chapter 21 - Rural s42A

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
739.1		Southern Lakes Learn to Fly Limited	Not Stated	Refer to full submission for details as: "The specific provisions of the Proposed Plan that this submission relates to includes, but is not limited to, the provisions in the following chapters: a. Chapter 2: Definitions; b. Chapter 3: Strategic Direction; c. Chapter 21: Rural; d.Chapter 22: Rural Residential & Rural lifestyle; e. Chapter 23: Gibbson Character Zone; f. Chapter 27: Subdivision & Development; g. Chapter 36: Noise h. Planning Maps." "The submitter requests the following decision: a. Provision is made in the Proposed Plan to recognise existing uses; b. For new informal airports, the restriction on movements be amended to 10 in any calendar week; c. The setback on new alighting areas be 100 metres for fixed wing and 100 metres for rotary wing aircraft; d. Any other additional or consequential relief to the Proposed Plan, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in this submission." Submitter has only provided a review of Rules relating to Informal Airports within the Proposed Rural Zone but mentions that the submission may relate to all the above zones and maps as necessary.	Accept in Part		Stream 2	Issues addressed in paragraphs 16.9 - 16.33 and 16.37, Chapter 21 - Rural s42A
754.1		Bruce Patton	Not Stated	Rezoning of land, ONL, or urban growth boundaries should follow land form, ie follow terrace edges and other geographic features.		Deferred to the hearing on mapping		
754.2		Bruce Patton	Not Stated	District Plan needs to be looking forward 10 -20 years and zoning land according to growth expectations and in areas that it would like to see developed. This would enable long term planning of infrastructure as well.	Accept		Stream 1	Issue addressed in Chapter 3 - Strategic Direction
759.1		Shaping our Future	Not Stated	Submitters request QLDC to action high level tasks within the District Plan and elsewhere. See full submission.	Accept in Part	Partially out of scope - outside of TLA/DP function, one point deferred to the hearing on mapping (ensuring high and mixed use development to be within easy walking distance of town centres), part of the submission relating to transportation is not within Stage 1 of the DP review	Streams 4, 5 and 6	Majority of submission points are outside of the scope of the DP process. Promotion of energy efficient houses and commercial buildings has been addressed within Chapter 8 - Medium Density Residential, Chapter 9 - High Density Residential and Chapter 12 - Queenstown Town Centre s42A reports. Renewable energy generation technologies have been addressed in paragraphs 14.19 - 14.30 of the Chapter 30 - Energy & Utilities s42A. Consideration of form and orientation of the sun for subdivisions have been addressed in Chapter 27 - Subdivision and Development.
759.1	FS1115.11	Queenstown Wharves Limited	Support	Support recognition of the need to provide for public transport opportunities on the Kawarau River; this provides an important transport link.	Accept in Part			
759.1	FS1097.701	Queenstown Park Limited	Support	Support high level goals, in particular goals relating to transport, which support an integrated network including gondola and water based transport.	Accept in Part			
760.1		Southern Lakes Aviation Limited	Oppose	Refer to full submission for details as: "The specific provisions of the Proposed Plan that this submission relates to includes, but is not limited to, the provisions in the following chapters: a. Chapter 2: Definitions; b. Chapter 3: Strategic Direction; c. Chapter 21: Rural; d.Chapter 22: Rural Residential & Rural lifestyle; e. Chapter 23: Gibbson Character Zone; f. Chapter 27: Subdivision & Development; g. Chapter 36: Noise h. Planning Maps." "The submitter requests the following decision: a. Provision is made in the Proposed Plan to recognise existing uses; b. For new informal airports, the restriction on movements be amended to 10 in any calendar week; c. The setback on new alighting areas be 100 metres for fixed wing and 100 metres for rotary wing aircraft; d. Any other additional or consequential relief to the Proposed Plan, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in this submission." Submitter has only provided a review of Rules relating to Informal Airports within the Proposed Rural Zone but mentions that the submission may relate to all the above zones and maps as necessary.	Accept in Part		Stream 2	Issues addressed in paragraphs 16.9 - 16.33 and 16.37, Chapter 21 - Rural s42A

Appendix 2 to the Section 42A Report for Whole of Plan and General Comments

Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
773.13		John & Jill Blennerhassett	Support	Pembroke Park , as open space, will only become more valuable to the community as time goes on (what foresight from our founders and ECNZ?). We therefore applaud incentives to design (for business, domestic and landscape) to a higher standard (8.2.3), in conjunction with policies to expedite active transport and to enhance 'walkability'. We agree that design for prevention of crime and vandalism should be promoted (eg. how splendidly the Pembroke Park skateboard/cycle development has been used and respected by young people of wide age range, for whom it was designed and constructed ... well done all who have been involved!). The Sargood/Mills/Macpherson/Blennerhassett (extended) family has been generous over the years in providing land (and finances) for town benefit (examples are: inner nine holes of the golf course, Wanaka Station Park and, later the homestead area, QEII reserve 'Barn Pinch Farm', flood mitigation works (virtually entirely to benefit of 'downstream' properties) sanctioned on a Studholme Road property, plans for walkways/cycleways embracing five (Stone Street, Alpha Ridge, Studholme Road) adjacent properties in all, for the walkways/cycleways properties, none of which were mandated. We care for this land. We realise that we are fortunate as current custodians. However, we also hope and expect to be trusted with making good decisions regarding future development/conservation/public amenity, and not to be excluded, by edict, from participation in the future development of Wanaka.	Accept		Stream 6	Submission addressed in Chapter 8 - Medium Density Residential s42A
788.4		Otago Fish and Game Council	Oppose	The current District Plan provides for the consideration of the values of unformed legal roads as a matter of consideration when resource consents are considered. However, there appears to be no similar provision in the proposed District Plan. Given the absence of a transport section, it is not clear where these rules can easily be reinserted however.	Accept in Part		Stream 2	Consideration of the values of unformed legal roads are included within the recommended landscape assessment matters in 21.7 of Chapter 21 - Rural
797.1		Marjorie Goodger	Oppose	Visitor accommodation provisions within the Hawea Township should not be the same as for Wanaka and Queenstown.		Out of scope not within Stage 1 of the PDP		
798.26		Otago Regional Council	Oppose	Providing for Public Transport The Otago Regional Council is responsible for scheduled public transport services in the Queenstown Lakes District. The ORC is currently reviewing public transport services in the Wakatipu Basin with the view to enhance services for the future (2018 and beyond). This enhancement may involve changes to routes as well as timetables. The District Plan needs to have flexibility for bus routes to be able to adapt in the future for passenger demand as a result of population growth, tourism, and development (within reason). The Regional Public Transport Plan 2014 outlines services that are integral to the public transport network, and those that are not. It also specifies the policies that relate to the provision of services and the associated infrastructure (Chapter 7) and these should be considered in the District Plan.	Accept in Part		Stream 4	Issue addressed in Chapter 27 - Subdivision and Development
798.48		Otago Regional Council	Oppose	The District Plan should provide discretion when considering large commercial and event facility developments with extensive car parking. ORC requests provisions are included in the district plan to consider the provision of public transport infrastructure as part of the car parking to ensure a safe and efficient public transport connection for customers and enhance the potential to provide public transport services. Medium and high density developments should be provided within reasonable walking distance to public transport routes and ORC requests provisions to enable this as a consideration.		Partially deferred to the hearing on mapping and remainder is out of scope of Stage 1		
799.1		Brian & Sheila McCaughan	Oppose	Consideration of our much more rural location for visitor accommodation should not be treated in the same manner as for Queenstown		Out of scope not within Stage 1 of the PDP		
806.3		Queenstown Park Limited	Oppose	Should the relief seeking the implementation of the Queenstown Park Special Zone be declined QPL then seeks: (i) its submissions in relation to specific chapters are accepted either in relation to only QPL's land or across the District generally;	Accept in Part	Deferred to the hearing on mapping	Streams 1 - 5	The majority of the submitter's secondary relief has been addressed within the chapters considered in Streams 1 - 5. The primary relief will be considered as part of the hearing on mapping. Other submission points relating to natural hazards and definitions will be considered in hearing stream 10.
807.1		Remarkables Park Limited	Oppose	Recognise that the Remarkables Park Zone (RPZ) is a town centre	Accept in Part		Stream 1	Issue addressed in paragraphs 12.21 - 12.23 of Chapter 3 - Strategic District s42A
807.2		Remarkables Park Limited	Oppose	Ensure that existing development rights within the RPZ are not compromised by the PDP		Out of scope not within Stage 1 of the PDP		Remarkables Park Zone excluded from the PDP
807.3		Remarkables Park Limited	Oppose	Acknowledge that the RPZ will serve both tourists and locals		Out of scope not within Stage 1 of the PDP		Remarkables Park Zone excluded from the PDP
807.3	FS1083.1	Clark Fortune McDonald	Support	I seek that the parts 3.3 and 3.4 of submission number 807 be allowed.		Out of scope not within Stage 1 of the PDP		
807.4		Remarkables Park Limited	Oppose	Delete references to the cost of infrastructure to Council	Accept in Part			Refer Issue 8
807.5		Remarkables Park Limited	Oppose	Reduce prescription and enable effects based assessments of activities. In particular, the "direct and control" approach to tourism, commercial, residential and industrial activities is not appropriate and is not supported	Reject			Refer Issue 3

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Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
819.1		Mark McGuinness	Not Stated	- Build up not out. - Gorge Road height allowances should be increased (10 stories or more). If we don't build up in these areas this will end up in sprawl, which will kill Queenstown. - Begin by doing this on Council land in partnerships with developers. - Affordable housing- the solution should start at worker accommodation ie. rentals. - 5 Mile should have planting to the front of it to shield from public view.	Accept in Part	Partially out of scope outside TLA/DP function and partially being considered as part of Stage 2 of the PDP		Build up not out - addressed in Chapter 3 - Strategic Direction; Gorge Road heights addressed in paragraphs 11.1 - 11.24 of the Chapter 16 - Business Mixed Use Zone s42A; Development in partnership - out of scope of the PDP; Affordable housing is being considered as part of Stage 2; Planting of 5 Mile development is a consideration outside of the PDP
819.1	FS1089.18	Mark McGuinness	Support	Supports and seeks that the whole submission be allowed. Agrees with the importance of protecting the rural amenity and character of the area between Arrowtown and Queenstown. Believes that intensive development of this area will kill a vital part of the very essence of what makes Queenstown unique.	Accept in Part			
823.1		B J Gan	Not Stated	In order to not increase congestion and crowd, perhaps the development plan should include surrounding areas like Jacks Point. This place can be developed as a resort village, something like Club Med.	Accept			Development within Jacks Point Zone is included within Chapter 41 of the notified PDP
834.1		Helen McPhail	Oppose	Submitter opposes Plan Change 35.		Out of scope outside TLA/DP function		
845.1		Simon Hayes	Not Stated	Generally supportive of the review. Support the simplification intent and use of 'plain English'. Support the general thrust of the review document. Chapters 3 & 4 particularly. Oppose any suggestion of not seeking developer's contribution for head works fees (three waters / roading & reserves). Concern about increased height limits where it adversely affects existing use rights and rules. Oppose such without review to neighbours consent. Submits in favour of including designation for Kawaura River crossing in the Boyd Road / Remarkable park area.	Accept in Part		All	Accept submission with regard to use of plain English, support of Chapters 3 & 4. Height limits have been addressed in the relevant chapters. Designation for additional bridge across the Kawarau River has been addressed in paragraph 7.1 of Chapter 37 - Designations s42A
845.1	FS1117.285	Remarkables Park Limited	Not Stated	Neutral. Recognises that if the location of the bridge crosses RPL land there are implications for development within the RPZ and therefore RPL should be a part of any discussions.	Reject			
607.24		Te Anau Developments Limited	Not Stated	Consider rezoning all Rural Visitor Zones just Visitor Zones (i.e. remove them from the rural chapter provisions).		Out of scope not within Stage 1 of the PDP		transferred from the mapping general spreadsheet
621.89		Real Journeys Limited	Not Stated	Amend rule 21.5.42 and/or the planning maps (as required) so that structures that support the establishment of water based public transport on the Kawarau River and in the Frankton Arm are controlled activities, not non-complying. Structures and Moorings Any structures or mooring that passes across or through the surface of any lake or river or attached to the bank or any lake or river in those locations on the District Plan Maps where such structures or moorings are shown as being non-complying.	Reject		Stream 2	Issue addressed in paragraphs 17.29- 17.42 in the s42a report for Chapter 21 Stream 2
621.89	FS1115.10	Queenstown Wharves Limited	Support	Support recognition of the need to provide for public transport opportunities on the Kawarau River; this provides an important transport link.	Reject		Stream 2	
621.89	FS1235.19	Jet Boating New Zealand	Oppose	Oppose. Non-complying activity status for structures and moorings on the Kawarau River should be retained. JBNZ seeks retention of recreational jet boating access and opportunities on the Kawarau River and is concerned that more intensive tourism and commercial boating activity will restrict these opportunities.	Accept in Part		Stream 2	
621.89	FS1097.619	Queenstown Park Limited	Support	Support recognition of the need to provide for public transport opportunities on the Kawarau River; this provides an important transport link.	Reject		Stream 2	
627.3		HW Holdings Ltd	Not Stated	Identify the Lynch Block, being the are shown in Figure 2 of this submission, as a subzone of the High Density Residential Zone, being the "Lynch Block subzone". The land is generally located to the east of Glasgow Street and north Brunswick Street.		Out of scope not within Stage 1 of the PDP		transferred from the mapping general spreadsheet
635.86		Aurora Energy Limited	Not Stated	Insert Critical Electricity Line's onto the District Plan Planning Maps Provide Appropriate recognition and protection of the electricity distribution network in the District by identifying Aurora's sub-transmission network and Critical Electricity Lines and substations on the Proposed District Plan maps. Such notations will have the effect of advising all interested parties in the District of development constraints in close proximity to CEL's and zone substations. (See Annexure Two of submission for plans showing the location of the Critical Electricity Lines)			Stream 5	
635.86	FS1301.20	Transpower New Zealand Limited (Transpower)	Not Stated	Neutral, but oppose terminology - Allow, but delete the term in the legend „subtransmission lines? and instead refer to the lines as „electricity distribution line corridor"			Stream 5	
19.27		Kain Fround	Support	General support for mapping Index				
383.110		Queenstown Lakes District Council	Other	Delete unnecessary text from map sheet 19.	Accept			Addressed through Clause 16 updates to the maps.
383.107		Queenstown Lakes District Council	Other	Amend - Spelling mistake in column one under Operative Plan needs amending. Note: Operative zones are shown across sites that are not being reviewed in Stage 1 of the District Plan Review, or where the Zone has been specifically reserved for review in Stage 2.	Accept			Addressed through Clause 16 updates to the maps.
383.108		Queenstown Lakes District Council	Other	Add – "Visitor Accommodation Sub-Zone (Urban Areas)" to column one. Amend column three to read: "Visitor Accommodation Sub-Zone (Rural Areas)"	Accept			Addressed through Clause 16 updates to the maps.
383.109		Queenstown Lakes District Council	Other	Amend map sheet 11a to include heritage items 544, 539, 524 and 545 as shown in the operative plan.	Accept			Addressed through Clause 16 updates to the maps.
383.109	FS1098.3	Heritage New Zealand Pouhere Taonga	Support	Heritage items 544, 539, 524 & 545 have been omitted from Map 11A in error. It is appropriate for this to be remedied by annotating the map to include these items.	Accept			Addressed through Clause 16 updates to the maps.
159.3		Karen Boulay	Oppose	Oppose the transition overlay areas which provide for commercial use of residential areas on the edge of town centres.				

Appendix 2 to the Section 42A Report for Whole of Plan and General Comments

Original Point No	Further Submission No	Submitter	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Already Addressed	Issue Reference
159.4		Karen Boulay	Oppose	Oppose the transition overlay areas which provide for commercial use of residential areas on the edge of town centres.				
177.11		Duncan Fea	Not Stated	Add a new policy: Require removal of established wilding exotic trees as part of the consent for subdivision, use or development of land in the Residential and Rural Living Zones.	Reject		Stream 3	This Issue has been addressed in Chapter 34 s42a at Issue 6.
238.11		NZIA Southern and Architecture + Women Southern	Other	Containment of urban form centred around public transport nodes. (TOD- transport orientated design) 30-40% of global energy use is associated with people moving around – to and from work, school, shopping etc.. and this energy use needs to be recognised and included in this section. Promoting compact urban forms, within the specified Urban Growth boundaries, and discouraging development elsewhere will have a much bigger impact on the District's energy use than individual building initiatives such as Green Star and Homestar rating systems.			Stream 1	Issue has been addressed in Chapter 4 Stream 1B

Appendix 3. Recommended Revised Chapter 32 Protected Trees

PROTECTED TREES 32

Key:

Green underlined text for additions and ~~green strike through~~ text for deletions, Appendix 1 to Craig Barr's s42A report on Entire Plan, dated 15 February 2017. [pages 1-7 only attached to Entire Plan s42A]

Red underlined text for additions and ~~red strike through~~ text for deletions, Appendix 1 to Rachael Law's Right of Reply, dated 6 July 2016.

Black underlined text for additions and ~~strike through~~ text for deletions, Appendix 1 to Rachael Law's s42A report, dated 1 June 2016.

32 Protected Trees

32.1 Purpose

Trees have an important environmental, heritage and cultural role and collectively endow the rural and urban landscape with distinctive environmental quality and character.

The purpose of these provisions is to protect trees that have been identified as having high botanical, amenity and heritage values from avoidable removal. The provisions also recognise and provide for the retention and maintenance of trees that contribute to the amenity, character and heritage values of the Arrowsmith Residential Historic Management Zone.

The focus is on the protection of trees from inappropriate removal or trimming, and to manage works within the root protection zone. However, it is recognised that there may be circumstances when substantial pruning or removal are unavoidable due to poor health or damage.

Pursuant to Section 4 of Schedule 12 of the RMA, the rules in Table 1 have immediate legal effect for the following Protected Trees identified in Schedule 32.8 of this chapter: 1001 to 1017 inclusive.

Pursuant to Section 4 of Schedule 12 of the RMA, the rules in Tables 2 and 3 have immediate legal effect.

32.2 Objective and Policies

32.2.1 Objective – ~~Protect~~ Scheduled trees and groups of trees are protected from avoidable removal or damage

Comment [RL1]: Grammatical clarification as per Fourth Procedural Minute dated 8 April

Policies

- 32.2.1.1 Identify and schedule in the District Plan the District's protected trees.
- 32.2.1.2 Protect scheduled trees from avoidable removal, removal of the protected tree status or inappropriate trimming or destruction, recognising them as an important part of the character, amenity and heritage values of the District.
- 32.2.1.3 Recognise where genuine circumstances exist, the removal or significant trimming of protected trees may not be avoidable because the values of the tree for which it was protected have significantly deteriorated, or the tree is causing a hazard to life or property.
- 32.2.1.4 Permit works and maintenance to be undertaken on protected trees where the work will assist in maintaining the health of the tree.

PROTECTED TREES 32

32.2.2 Objective - ~~Protect~~ Trees in streets and public spaces within the Arrowtown Residential Historic Management Zone are protected, recognising their contribution to amenity and heritage values.

Comment [RL2]: Grammatical clarification as per Fourth Procedural Minute dated 8 April

Policies

32.2.2.1 Provide efficiencies to the Council where it is responsible for the conservation, maintenance and management of trees within streets and public spaces.

32.2.2.2 Recognise that trees within streets and public spaces provide a significant contribution to the amenity, heritage and biodiversity values of the Arrowtown Residential Historic Management Zone.

32.2.2.3 Protect trees within streets and public places in the Arrowtown Residential Historic Management Zone while acknowledging the primary function of streets and public spaces.

32.2.3 Objective - ~~Protect and manage~~ Character trees and groups of trees within the Arrowtown Residential Historic Management Zone are managed and protected to ensure the amenity and heritage values of the zone is maintained.

Comment [RL3]: Grammatical clarification as per Fourth Procedural Minute dated 8 April

Policies

32.2.3.1 Identify and schedule in the District Plan trees and groups of trees within the Arrowtown Residential Historic Management Zone that contribute to the zone's unique character and heritage values.

32.2.3.2 Protect or enhance Arrowtown's unique character and amenity by recognising the contribution trees and groups of trees make to Arrowtown's landscape, cultural identity and historic heritage values.

32.2.3.3 Acknowledge the important role trees and groups of trees have in contributing to the character and historic heritage of Arrowtown, despite that on an individual basis a tree or group of trees may not be significant in stature.

32.2.3.4 Have regard to the reasonable and efficient use of land anticipated in the Arrowtown Residential Historic Management zone, while ensuring the removal or modification of trees or groups of trees does not lead to the cumulative loss of Arrowtown's heritage character and amenity values.

32.3 Other Provisions and Rules

32.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (ODP).

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 ODP)	25 Earthworks (22 ODP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport (14 ODP)
30 Utilities and Renewable Energy	31 Hazardous Substances (16 ODP)	33 Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise

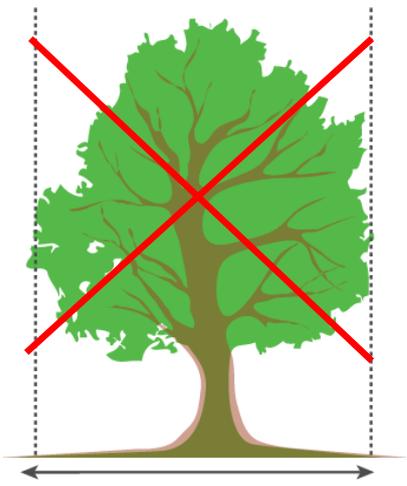
PROTECTED TREES 32

37 Designations	Planning Maps	
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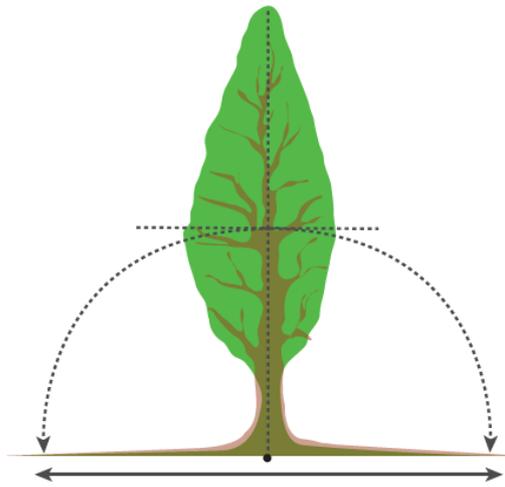
32.3.2 Clarification

32.3.2.1 **Root protection zone**; means for a tree with a spreading canopy, the area beneath the canopy spread of a tree, measured at ground level from the surface of the trunk, with a radius to the outer most extent of the spread of the tree's branches, and for a columnar tree, means the area beneath the canopy extending to a radius half the height of the tree. As demonstrated by the diagrams below.

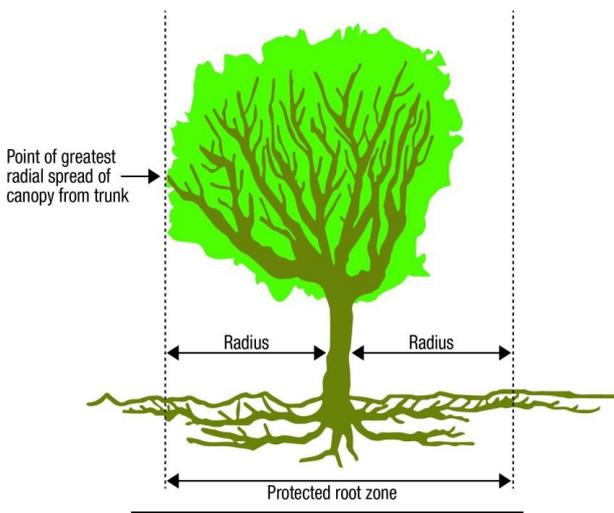
SPREADING CANOPY



COLUMNAR CANOPY



SPREADING CANOPY



Comment [RL4]: Diagram change
Submitter 809

PROTECTED TREES 32

- 32.3.2.2 **Significant trimming** means; the removal of more than 10% of the live foliage from the canopy of the tree or structural scaffold branches.
- 32.3.2.3 **Minor trimming** means; the removal of not more than 10% of the live foliage from the canopy of the tree or structural scaffold branches **within a calendar year.**
- 32.3.2.4 **Minor trimming of a hedgerow** means; the removal of not more than 50% of the live foliage **within a five year period.**
- 32.3.2.5 **Works within the root protection zone** includes paving, excavation, trenching, ground level changes, storage of materials or chemicals, vehicle traffic, vehicle parking, soil compaction, construction activity, whether on the same site or not as the tree.
- 32.3.2.6 **Public space** in the context of these rules means the parts of the district that are owned and managed by the Queenstown Lakes District Council, are accessible to the public within the Residential Arrowtown Historic Management Zone including roads, parks and reserves.
- 32.3.2.7 Compliance with any of the following standards, in particular the permitted standards, does not absolve any commitment to the conditions of any relevant land use consent, consent notice or covenant registered on the site's computer freehold register.
- 32.3.2.8 ~~Where an activity does not comply with a Standard rule listed in the Standards Tables 1-3, the activity status identified by the 'Activity Non-Compliance Status' column shall apply.~~ Where an activity **does not comply with breaches more than one rule Standard**, the most restrictive status shall apply to the ~~A~~activity.
- 32.3.2.9 The following abbreviations are used in the tables. Any activity that is not permitted (P) requires resource consent.

P	Permitted	RD	Restricted Discretionary
D	Discretionary		

32.4 Rules – Protected Trees

Table 1	Protected Trees	Non-compliance Activity Status
	Activities involving protected trees listed in Schedule 32.8 shall be subject to the following rules.	
32.4.1	Minor trimming of a protected tree and minor trimming of a protected hedgerow.	P
32.4.2	Significant trimming, removal, damage or destruction of a protected tree or hedgerow.	D
32.4.3	Any works within the root protection zone of a protected tree.	D
32.4.4	Maintenance of protected hedgerows comprising the trimming of not greater than 50% of the canopy provided such work is supervised by a qualified and experienced arborist first approved by the Queenstown Lakes District Council.	P

Comment [RL5]: Submitter 809

Comment [RL6]: Consequential change Submitter 809

Comment [RL7]: Submitter 383 consequential changes and clarification

Comment [RL8]: Submitter 383

Comment [RL9]: Submitter 809

Comment [CB10]: Entire Plan s42A recommendation is to delete these additional words and retain the notified version of the rule

PROTECTED TREES 32

Table 1	Protected Trees	Non-compliance Activity Status
	Activities involving protected trees listed in Schedule 32.8 shall be subject to the following rules.	
32.4.5	<p>The removal or significant trimming of a protected tree where the tree is dead, diseased or damaged and likely to cause an imminent hazard to life or property <u>subject to the following permitted activity standards:-</u></p> <p><u>Notification of Prior to the removal or significant trimming is required to be made to Council prior to commencing the works.</u></p> <p><u>Following the works persons must provide to the Council a report from a qualified and experienced arborist outlining that the tree was dead, diseased or damaged and likely to cause an imminent hazard to life or property. the reasons for removal or significant trimming. Works must not commence prior to the Council confirming the permitted activity status of the removal or significant trimming of a protected tree.</u></p>	P
32.4.6	Maintenance of the ground within the <u>root</u> protection zone such as lawn mowing or gardening, provided that the maintenance does not alter the ground levels, remove soil or cause damage to the tree root system.	P
32.4.7	Any works to a protected tree, or activity within the root protection zone not provided for in Table 1.	D

Comment [RL8]: Submitter 383

Comment [RL11]: Submitter 809

Comment [RL12]: Submitter 809

Comment [CB13]: Entire Plan s42A recommendation is to delete these additional words and retain the notified version of the rule

Comment [RL14]: Submitters 383, 809

Table 2:	Trees in streets and public spaces within the Arrowtown Residential Historic Management Zone. Not Scheduled as a Protected Tree.	Non-compliance Activity Status
	Works by the Council or its agent	
32.4.8	Removal or significant trimming where the tree is dead, diseased or damaged and likely to cause an imminent hazard to life or property.	P
32.4.9	<u>Minor Tree</u> trimming carried out by the Council or its agent.	P
32.4.10	Any works within the root protection zone of a tree.	P
32.4.11	The removal or significant trimming of any tree less than 4m in height.	P
32.4.12	The removal, <u>or significant trimming or works within the root protection zone</u> of any tree greater than 4m in height.	D
	Works by any other person or party	
32.4.13	<u>Minor trimming</u> of a tree and minor trimming of a hedgerow.	P
32.4.14	Significant trimming or removal.	D
32.4.15	Any works within the root protection zone of a tree.	D

Comment [RL15]: Submitter 383

Comment [RL16]: Clarification and consequential change from submission 179, 191, 421, 781 on minor trimming

Comment [RL17]: Submitter 809

Comment [RL18]: Submitters 179, 191, 421, 781

PROTECTED TREES 32

Table 3	Trees and groups of trees within the Arrowtown Residential Historic Management Zone identified on the planning maps and scheduled as a character tree in Part 32.7.	Non-compliance Activity Status
32.4.4516	Significant trimming, removal, destruction or damage of a tree or hedgerow.	RD
32.4.4617	Minor trimming of a tree or hedgerow.	P
32.4.4718	Any works within the root protection zone of a tree or hedgerow, whether on the same site not.	RD
32.4.4819	Any building, excavations or trenching for underground services within the root protection zone of a tree or hedge, whether on the same site not.	RD
32.4.4920	Maintenance of a character hedgerow comprising the trimming of not greater than 50% of the canopy, provided such work is carried out under the authority and supervision by a qualified <u>and experienced</u> arborist first approved by the Queenstown Lakes District.	P
32.4.2021	<p>The removal or significant trimming of a character where the tree is dead, diseased or damaged and likely to cause an imminent hazard to life or property.</p> <p><u>Notification of Prior to</u> the removal or significant trimming <u>is required to be made to Council prior to commencing the works.</u></p> <p><u>Following the works</u> persons must provide to the Council a report from a qualified <u>and experienced</u> arborist outlining <u>that the tree was dead, diseased or damaged and likely to cause an imminent hazard to life or property. the reasons for removal or significant trimming. Works must not commence prior to the Council confirming the permitted activity status of the removal or significant trimming of a protected tree.</u></p>	P

Comment [RL19]: Submitter 383

Comment [RL20]: Submitter 809

Comment [CB21]: Entire Plan s42A recommendation is to delete these additional words and retain the notified version of the rule

Comment [RL22]: Submitter 809

Comment [RL23]: Submitter 809

Comment [CB24]: Entire Plan s42A recommendation is to delete these additional words and retain the notified version of the rule

Comment [RL25]: Grammatical clarification

32.5 Rules - Assessment Matters of Discretion

Matters of discretion for restricted discretionary activities are Discretion is restricted to all of the following matters listed for each specific rule:

Comment [RL26]: Grammatical clarification

Significant trimming, removal, destruction or damage pursuant to rule 32.4.16:

Comment [RL27]: Clarification

32.5.1.1 The significance of the character, cultural and amenity values of the tree(s) and the degree to which the proposed trimming, works or removal would impact on those values.

32.5.1.2 Whether [The works are reasonably necessary to enable the efficient use of land and resources, including to improve situations where there is inadequate natural reasonable sunlight or to ensure vegetation is not adversely impacting on buildings into dwellings and building maintenance.

Comment [RL28]: Submitter 809

32.5.1.3 Whether the proposed works would maintain the values for which the tree item(s) was protected.

32.5.1.4 The merits of any proposed substitution or compensating tree planting or landscaping.

Comment [RL29]: Submitter 809

32.5.1.5 Whether the removal of the tree or group of trees would create a cumulative adverse effect due to previous tree removals, whether on the same property or not.

PROTECTED TREES 32

32.5.1.6 The effects on the health and structural stability of the tree or hedgerow from any significant trimmings and the possibility of any viable alternatives, as well as whether best practice methods are to be used.

Comment [RL30]: Submitter 809

Works within the root protection zone pursuant to rules 32.4.18 and 32.4.19:

Comment [RL31]: Clarification

32.5.1.67 Potential effects on the health or structural stability of the tree or hedgerow

Comment [RL32]: Submitter 809

32.5.1.78 Whether best practice methods will be used

32.5.1.89 Whether any viable alternatives are available

Comment [RL33]: Submitter 809

32.6 Rules - Non-Notification of Applications

The provisions of the RMA apply in determining whether an application needs to be processed on a notified basis. No activities or non-compliances with the standards in this chapter have been identified for processing on a non-notified basis.

32.7 Schedule of Character Trees in the Arrowtown Residential Historic Management Zone

Item	Address	Legal Description	Species	Contribution
1	3 Berkshire Street 5 Berkshire Street	Lot 1 DP 9213 Lot 2 DP 9123	Hawthorn hedge (Crataegus monogyna) English Oak (Quercus robur) cluster	Contributes to amenity of Arrow Lane and Town Centre
2	5 Berkshire Street	Lot 2 DP 9123	Cypress (Cupressus sp)	Tall columner distinctive evergreen tree in backdrop to Town Centre.
3	7 Berkshire Street	Lot 3 DP 9123	Norway Spruce (Picea abies)	Tall landmark tree planted by settlers. Heritage and amenity values
4	9 Berkshire Street 11 Berkshire Street	Lot 4 Lot 2 DP 9123 Lot 5 Lot 2 DP 9123	Hawthorne hedge (Crataegus sp)	Heritage and amenity value on Berkshire St
5	9, 11, 12, 58 Wiltshire Street 10, 12, 14, 14a Merioneth Street 5, 7 Hertford Street 2 Arrow Lane	Lot 2 DP 19690 Lot 1 DP 19537 Sections 1-4 SO 14012 Block I Town of Arrowtown Section 6 Block I Town of Arrowtown Section 7 Block I Town of Arrowtown Lot 2 DP 19573	Sycamore (Pseudoplatanus) Common Elm (Ulmus procera)	Collectively significant grouping to character and amenity of lower Wiltshire St, Buckingham St and Library Green. Follows first terrace
6	16, 18 Wiltshire Street	Lot 1 DP 23743	Hawthorne hedge	Heritage and amenity
7	5 Denbigh Street	Lot 2 DP 11779	Copper beech (Fagus sylvatica)	Amenity value. Only tall tree in this block. Provides

Appendix 4. Section 32AA for Recommended Amendments to Chapter 32 – Protected Trees

Appendix 4

Section 32AA Assessment

Note: The recommended changes to Chapter 32 – Protected Trees above those recommended by Ms Law in her right of reply dated 6 July 2016 are shown in green underline or ~~strike through~~ text.—The section 32AA assessment then follows in a separate table underneath each of the provisions.

Updated Rule – 32.4.4

Recommended updated Rule – 32.4.4

Maintenance of protected hedgerows comprising the trimming of not greater than 50% of the canopy provided such work is supervised by a qualified and experienced arborist first approved by the Queenstown Lakes District Council.

Updated Rule 32.4.5

New Recommended Rule – 32.4.5

The removal or significant trimming of a protected tree where the tree is dead, diseased or damaged and likely to cause an imminent hazard to life or property subject to the following permitted activity standards:-

Notification of ~~Prior to~~ the removal or significant trimming is required to be made to Council prior to commencing the works.

Following the works persons must provide to the Council a report from a qualified and experienced arborist outlining that the tree was dead, diseased or damaged and likely to cause an imminent hazard to life or property. the reasons for removal or significant trimming. Works must not commence prior to the Council confirming the permitted activity status of the removal or significant trimming of a protected tree.

Updated Rule 32.4.20

Recommended Deleted Rule 32.4.20

Maintenance of a character hedgerow comprising the trimming of not greater than 50% of the canopy, provided such work is carried out under the authority and supervision by a qualified and experienced arborist first approved by the Queenstown Lakes District.

Updated Rule 32.4.21

Recommended Deleted Rule 32.4.21

The removal or significant trimming of a character where the tree is dead, diseased or damaged and likely to cause an imminent hazard to life or property.

Notification of ~~Prior to~~ the removal or significant trimming is required to be made to Council prior to commencing the works.

Following the works persons must provide to the Council a report from a qualified and experienced arborist outlining that the tree was dead, diseased or damaged and likely to cause an imminent hazard to life or property. the reasons for removal or significant trimming. Works must not commence prior to the Council confirming the permitted activity status of the removal or significant

~~trimming of a protected tree.~~

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none">• None identified.	<ul style="list-style-type: none">• The recommended amendment removes ambiguity as the required level of experience is not defined and nor is it easy for plan administrators to assess when a report is submitted.	<ul style="list-style-type: none">• The recommended amendments are effective and efficient as they will remove potential confusion as to who is suitable to provide the required report.

**Appendix 5. Memorandum of Counsel for QLDC dated 23
November 2016**

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

IN THE MATTER of the Resource
Management
Act 1991

AND

IN THE MATTER of the Proposed
District Plan

**MEMORANDUM OF COUNSEL FOR QUEENSTOWN LAKES DISTRICT
COUNCIL REGARDING APPROACH TO STAGE 1 AND STAGE 2**

23 November 2016

 **Simpson Grierson**
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MAY IT PLEASE THE PANEL:

1. The purpose of this memorandum is to provide an update to the Hearings Panel (**Panel**) on the approach taken by the Queenstown Lakes District Council (**Council**) to Stages 1 and 2 of the Proposed District Plan (**PDP**).
2. The Council's approach, as at 4 March 2016, was set out in the Council's opening legal submissions for Hearing Streams 1A and 1B (Strategic Direction).¹ An excerpt of the key paragraphs is attached in **Schedule 1**.
3. On 29 September 2016, the Council approved the commencement of Stage 2 of the review of the Operative District Plan (**ODP**). The Council's report is attached in **Schedule 2**. The resolutions passed (as recommended in the report, plus one additional resolution) are attached in **Schedule 3**.
4. Following these resolutions, the review remains a partial review of the ODP.
5. The Stage 2 components subject to the Council's 29 September 2016 resolution are issues on which there is currently reasonable certainty about the need for a review. If other matters arise and require review or variation, those will be subject to a further resolution of Council. A further Memorandum of Counsel will be provided to update the Panel if necessary.
6. The Council's approach to Stages 1 and 2 has evolved since the filing of opening legal submissions for Hearing Streams 1A and 1B. A table showing the Council's updated approach to Stage 2 is set out in paragraph 19.2 below. The red font is new text compared to the equivalent table provided in our 4 March opening legal submissions. This table represents the Council's current intended position. The full Council will make any final decisions as to what is notified in Stage 2, and hence this memorandum is expressly subject to that position.

"Two Volume" District Plan – outcome at end of partial review process

7. As part of the 29 September 2016 resolutions, the Council addressed what the plan outcome would be at the end of the partial review, and approved the

¹ Opening Representation / Legal Submissions for Queenstown Lakes District Council, Hearing Streams 1A and 1B – Strategic Chapters in Part B of the Proposed District Plan, dated 4 March 2016, at paragraphs 5.1 – 5.4.

separation of the District Plan into two volumes. The volumes will be as follows:

- 7.1 Applicable across both volumes:** the PDP Introduction and Strategy chapters as notified in Stage 1, will apply across both Volumes A and B. These chapters consist of PDP Chapters 1, 3, 4, 5 and 6. There will also be one Designations chapter, which applies across both Volume A and B geographic areas;
- 7.2 Volume A,** which would comprise the geographic areas that have been notified in either Stages 1 or 2 of the PDP, and District Wide chapters to cover these areas, included PDP definitions; and
- 7.3 Volume B,** which would comprise the ODP as it relates to geographic areas that are excluded from the partial review, and are therefore not being notified in either Stages 1 or 2 of the PDP, and the operative district wide chapters to cover these areas, including ODP definitions.

Council resolutions regarding Stage 2 of the PDP

- 8.** The Council recommendations are set out in **Schedule 3**. Along with the resolutions recommended in the report, they include an additional resolution which was to "*ask that the transport and other district wide chapters be notified earlier to inform the mapping hearings*".
- 9.** The Council's detailed rationale for review of each of the Stage 2 components is set out in the Council's report, attached in **Schedule 2**.
- 10.** The resolutions (in **Schedule 3**) confirm the exclusion of the following land (as covered by the following ODP zones), from the District Plan Review (together, "**excluded ODP zones**"):
 - 10.1** Frankton Flats B Zone;²
 - 10.2** Northlake Special Zone;³
 - 10.3** Ballantyne Road Industrial and Residential extension;⁴
 - 10.4** Queenstown Town Centre extension;⁵

² Plan Change 19.

³ Plan Change 45.

⁴ Plan Change 46.

⁵ Plan Change 50.

10.5 Peninsula Bay North;⁶

10.6 Remarkables Park Zone.

- 11.** The PDP Introduction and Strategic chapters notified in Stage 1, being PDP Chapters 1, 3, 4, 5 and 6, are to continue to apply district-wide, as intended through notification at Stage 1. Consistent with legal submissions presented through the course of hearings on the PDP, as a matter of law through Stage 1 notification the district-wide chapters apply district-wide, with the exception of subdivision which had a specific qualifier included within it at notification of Stage 1.
- 12.** A variation made under clause 16A of the First Schedule of the RMA will however be required to formally amend the other Stage 1 district-wide chapters⁷ so that they include a statement to the effect that the respective chapters apply to Volume A land only, and do not apply to the excluded ODP zones, which are instead located in Volume B of the district plan. For the Volume B geographic area, the operative ODP district-wide chapters remain applicable.
- 13.** The 29 September 2016 resolution of the Council cannot change where those Stage 1 district-wide chapters apply as a matter of law, and as mentioned a formal variation under clause 16A of the First Schedule of the RMA will be necessary.
- 14.** A further withdrawal, under clause 8D of the First Schedule will be required for all Stage 1 provisions (except for those in PDP Chapters 1, 3, 4, 5 and 6) as far as they apply to excluded ODP land. For avoidance of any doubt, this withdrawal will also need to specify any particular site or zone specific standards in the notified Stage 1 chapters, that relate to excluded ODP land and therefore should be withdrawn.

Clarification of applicability of PDP Chapters 1, 3-6 in the PDP

- 15.** Council proposes to add a note at the start of the District-wide strategic chapters in Part Two of the PDP (ie, PDP Introduction 1, Strategic Direction 3, Urban Development 4, Tangata Whenua 5, and Landscape 6) clarifying that

⁶ Plan Change 51.

⁷ PDP Chapters 26 (Historic Heritage), 27 (Subdivision and Development), 28 (Natural Hazards), 30 (Energy and Utilities), 32 (Protected Trees), 33 (Indigenous Vegetation & Biodiversity), 34 (Wilding Exotic Trees), 35 (Temporary Activities and Relocated Buildings) and 36 (Noise).

they do apply across both Volumes A and B of the new plan, and therefore across the District. This will ensure that the Council's clear position presented in evidence at the Strategic Directions hearing, that the chapters apply district wide, is the outcome. This also ensures the clear intent of the public notice in Stage 1 is implemented through into the new district plan. This note will also be needed in the Designations chapter.

16. This change will be made under clause 16(2) of the First Schedule of the RMA, being a change of minor effect. Similar changes will also be required to the Introduction chapter of the PDP, to explain the two volume approach confirmed by Council resolution.

ODP Signs and Earthworks chapters

17. The Council has resolved to include the ODP Signs and Earthworks chapters in Stage 2 of the PDP, as far as they relate to Volume A land. This will mean that these two chapters will be reviewed as far as they apply to the geographic area of land that will be covered by Volume A, whereas the ODP version of the two chapters will remain operative, for the Volume B land.
18. Through decisions on the two chapters for Volume A land, the equivalent provisions in the ODP versions of the two chapters, will be replaced as far as they apply to Volume A land, only.

Differences between 4 March 2016 legal submissions and present memorandum

19. The differences between the position provided in March 2016 and in this memorandum are as follows:

Confirmed through resolutions to be excluded from review:

- 19.1 the geographic area covered by:⁸
 - (a) Frankton Flats B Zone;⁹
 - (b) Northlake Special Zone;¹⁰
 - (c) Ballantyne Road Industrial and Residential extension;¹¹

8 Recognising that a variation to the Stage 1 district-wide chapters in Part Five (District-wide matters) will be required, to state they do not apply to the excluded ODP land

9 Plan Change 19.

10 Plan Change 45.

11 Plan Change 46.

- (d) Queenstown Town Centre extension,¹²
- (e) Peninsula Bay North;¹³
- (f) Remarkables Park Zone.

Proposed to be included in Stage 2

19.2 The changes between the version given on 4 March 2016 and present, are shown in red font:

PDP	Stage 1 chapter	Stage 2 chapter/provisions
		<i>[Key: Where a chapter number is included, this refers to the PDP chapter, already notified in Stage 1. Otherwise, this is referring to topics and/or zones from the ODP]</i>
Part 1	Introduction	
	1. Introduction 2. Definitions	
Part 2	Strategy¹⁴	
	3. Strategic Direction 4. Urban Development 5. Tangata Whenua 6. Landscapes	
Part 3	Urban Environment	
	7. Low Density Residential 8. Medium Density Residential 9. High Density Residential 10. Arrowtown Residential Historic Heritage Management Zone 11. Large Lot Residential 12. Queenstown Town Centre* (part withdrawn) 13. Wanaka Town Centre 14. Arrowtown Town Centre 15. Local Shopping Centres 16. Business Mixed Use Zone 17. Queenstown Airport Mixed Use	<ul style="list-style-type: none"> • Township zones • Industrial A and B zones (and Arrowtown Design Guidelines as they relate to the Industrial A Zone at Bush Creek) • Visitor Accommodation provisions within Urban zones (including the Registered Holiday Homes Appendix) • 8. and 9. Residential Design Guidelines for the Medium Density and High Density Residential zones (Variation may be required, depending on the outcome of the review and whether they are statutory or non-statutory) • 9. High Density Residential at

12 Plan Change 50.

13 Plan Change 51.

14 The Strategic chapters cover all of the District, not just the geographic area covered by the notified Stage 1 zones. The only exception to this is that they do not cover the geographic area covered by PC50, given the Council's withdrawal of *all provisions as they relate to the geographic area addressed by Plan Change 50 – Queenstown Town Centre Zone.*

		Gorge Road (including natural hazards for this land)
Part 4	Rural Environment	
	21. Rural Zone 22. Rural Residential and Lifestyle 23. Gibbston Character Zone	<ul style="list-style-type: none"> • 21. Mapping of the Ferry Hill building restriction area and the Glenorchy building restriction area (Bible Face)
Part 5	District Wide Matters	
	26. Historic Heritage 27. Subdivision and Development 28. Natural Hazards 30. Energy and Utilities 32. Protected Trees 33. Indigenous Vegetation and Biodiversity 34. Wilding Exotic Trees 35. Temporary Activities and Relocated Buildings 36. Noise 37. Designations	<ul style="list-style-type: none"> • 26. Historic Heritage schedule – mapping of sites of significance to iwi • 27. Subdivision chapter as it relates to Stage 2 zones, site specific standards for Stage 2 zones, and structure plan guidance • Signs • Earthworks • Affordable and Community Housing • Transportation chapter • Solid and Hazardous Waste Management • Hazardous Substances chapter • Open Space and Recreation • Open Space Zone – Landscape Protection zone • Appendices: <ul style="list-style-type: none"> • Appendix 6: Road Hierarchy • Appendix 7: Traffic Design Standards • Appendix 12: Standards for a Registered Holiday Home or Registered Homestay.
Part 6	Special Zones	
		<ul style="list-style-type: none"> • Rural Visitor Zone (Cecil Peak, Walter Peak, Cardrona, Blanket Bay, Arthurs Point, Arcadia Station, Windermere) • Penrith Park Zone • Bendemeer Zone • Hydro Generation Zone including Financial Contributions <i>[relocated from Part 5 in 4 March version of this table]</i> • Quail Rise Zone • Meadow Park Zone (and Arrowtown Design Guidelines as they apply to this zone) • Frankton Flats Zone • Mount Cardrona Station Zone • Ballantyne Road Mixed Use

		<p style="color: red;">Zone</p> <ul style="list-style-type: none"> • Three Parks Zone • Kingston Village Zone • Shotover Country Zone • Arrowtown South Zone
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Timing

- 20.** In terms of timing, the Council report prepared for the meeting on 29 September 2016 indicated that all the Stage 2 components could be notified by September 2017. The report also noted that the Stage 1 hearings on chapters are scheduled to finish in March 2017 with Stage 1 mapping hearings beginning after Easter 2017. The report also recommended notifying the five District Wide components of Stage 2 before the rezoning hearings. Resolution 3 was to "*Ask that the transport and other district wide chapters be notified earlier to inform the mapping hearings*". The Council's report, attached in **Schedule 2**, states that because the full set of Stage 2 components would not be ready to notify before the hearings commence on mapping, it is preferred that the remaining District Wide chapters and any necessary variations to Stage 1 components are notified in advance, if possible.
- 21.** As already mentioned, the Signs and Earthworks chapters will also be notified in Stage 2, but only to the extent that they apply to Volume A land.

Variation 1

- 22.** Variation 1 was notified on 20 July 2016. The variation proposes that the Arrowtown Design Guidelines 2016 (**ADG 2016**) be incorporated into the PDP, replacing the Stage 1 notified 2006 version. As well as notifying the 2016 Guidelines themselves, Variation 1 makes the necessary changes to Stage 1 text, in order to show that the 2016 ADG replaces the 2006 version.¹⁵ Council's section 42A report on Variation 1 was released on 14 October 2016, and the hearing took place on 7 November 2016.
- 23.** Clause 16B of Schedule 1 of the RMA provides that every variation initiated under clause 16A shall be merged in and become part of the proposed plan, as soon as the variation and proposed plan are both at the same procedural

¹⁵ <http://www.qldc.govt.nz/assets/Uploads/Your-Views/Arrowtown-Design-Guidelines-Variation-1/Changes-to-PDP-text-arising-from-Variation-1.pdf>

stage. The Council will be undertaking this "merge" in the PDP, formally, in December 2016.

Clause 16(2) amendments

24. Council advised through legal submissions in the Strategic Directions hearing (opening and reply), that it intends to make a number of amendments of minor effect and/or to correct minor errors in the PDP through clause 16(2) of Schedule 1 of the RMA. Council proposes to formally make these changes in December 2016, and full details will be provided to the Panel when that has been completed.

25. At the same time, the PDP will be updated to remove the withdrawn text associated with Visitor Accommodation.

DATED this 23rd day of November 2016



J G A Winchester / S J Scott
Counsel for Queenstown Lakes District Council

SCHEDULE 1

Extract from Council's opening submissions for Hearing Streams 1A and 1B Scope of Intended Review of the PDP as at 4 March 2016

5. SCOPE OF STAGE 1 OF THE PDP

5.1 The Council notified Stage 1 of the PDP on 26 August 2015. Since notification of Stage 1, the Council has withdrawn the following provisions under clause 8D of Schedule 1 of the RMA (the text of the public notice is in **Schedule 2** of these submissions):

- (a) all provisions as they relate to the geographic area addressed by Plan Change 50 (**PC50**);¹⁶ and
- (b) specific Visitor Accommodation provisions from residential chapters 7 to 11 of the PDP.

5.2 As all provisions that apply to the geographic area addressed by PC50 have been withdrawn, this area is now excluded from Stage 1 of the Review.

5.3 Set out in the table below is a summary of the scope of the PDP chapters notified in Stage 1, and an indication of what is intended to be notified in Stage 2, at the time of filing these submissions.

Table 1 – clarification of scope of staged (partial) Review

PDP	Stage 1 chapter	Stage 2 chapter/provisions
Part 1	Introduction	
	1. Introduction 2. Definitions	
Part 2	Strategy	
	3. Strategic Direction 4. Urban Development 5. Tangata Whenua 6. Landscapes	
Part 3	Urban Environment	
	7. Low Density Residential 8. Medium Density Residential 9. High Density Residential 10. Arrowtown Residential Historic Heritage Management Zone 11. Large Lot Residential 12. Queenstown Town Centre* (part withdrawn)	<ul style="list-style-type: none"> • Townships • Industrial • Visitor Accommodation provisions within Urban zones

16 PC50 - Queenstown Town Centre Zone. PC50 is currently under appeal in the Environment Court.

	13. Wanaka Town Centre 14. Arrowtown Town Centre 15. Local Shopping Centres 16. Business Mixed Use Zone 17. Queenstown Airport Mixed Use	
Part 4	Rural Environment	
	21. Rural Zone 22. Rural Residential and Lifestyle 23. Gibbston Character Zone	
Part 5	District Wide Matters¹⁷	
	26. Historic Heritage 27. Subdivision and Development 28. Natural Hazards 30. Energy and Utilities 32. Protected Trees 33. Indigenous Vegetation and Biodiversity 34. Wilding Exotic Trees 35. Temporary Activities and Relocated Buildings 36. Noise 37. Designations	<ul style="list-style-type: none"> • Affordable and Community Housing • Transport • ‘Financial Contributions’ (for the Hydro Generation Zone only) • Solid and Hazardous Waste Management • Hazardous Substances • Open Spaces Recreation • Open Space Zone – Landscape Protection • Appendices: <ul style="list-style-type: none"> • Appendix 6: Road Hierarchy • Appendix 7: Traffic Design Standards • Appendix 12: Standards for a Registered Holiday Home or Registered Homestay.

¹⁷ The District-wide chapters cover all of the District, not just the geographic area covered by the notified Stage 1 zones. The only exception to this is that they do not cover the geographic area covered by PC50, given the Council's withdrawal of *all provisions as they relate to the geographic area addressed by Plan Change 50 – Queenstown Town Centre Zone*.

Part 6	Special Zones	
	41. Jacks Point Zone ¹⁸ 42. Waterfall Park 43. Millbrook Resort Zone	<ul style="list-style-type: none"> • Frankton Flats (A) • Frankton Flats (B) • Rural Visitor • Penrith Park • Bendemeer • Remarkables Park • Quail Rise • Meadow Park • Mt Cardrona Station • Ballantyne Road • Three Parks • Kingston Village • Shotover Country • Hydro Generation

5.4 The following zones/matters from the Operative District Plan (**ODP**) are not part of either Stages 1 or 2 of the Review:

- (a) the geographic area addressed by PC50 – Queenstown Town Centre;
- (b) District Wide chapters:
 - (i) Signs (Chapter 18); and
 - (ii) Earthworks (Chapter 22);
- (c) Special Zones:
 - (i) Arrowtown South (within Chapter 12); and
 - (ii) Northlake (within Chapter 12).

¹⁸ The matter of Hanley Downs / PC44 is being considered at the time of this hearing, as raised in the Panel's Memorandum of Counsel dated 15 February 2016.

SCHEDULE 2

**Queenstown Lakes District Council Report for Agenda Item 4: Ordinary Meeting of
the Queenstown Lakes District Council held on 29 September 2016**

QLDC Council
29 September 2016

Report for Agenda Item: 4

Department: Planning & Development

District Plan Review Stage 2

Purpose

- 1 The purpose of this report is to:
 - a. Provide an update on the District Plan Review.
 - b. Confirm the components to be reviewed in Stage 2 of the District Plan Review that could therefore be notified to form part of the Proposed District Plan.
 - c. Confirm specific components (i.e. areas of land) of the Operative District Plan that are excluded from the District Plan Review.
 - d. Confirm that the method for managing the excluded components from the Proposed District Plan is to locate them in a separate volume of the district plan.
 - e. Foreshadow that changes will be required to the Stage 1 Proposed District Plan to integrate Stage 2 and make consequential changes associated with separating the district plan into two volumes.
 - f. Outline the indicative timing of Stage 1 and Stage 2 processes.

Executive Summary

- 2 Five hearing streams on submissions on the PDP have been completed, involving the Strategic, Rural, Indigenous Vegetation and Wilding Exotic Trees, Heritage, Protected Trees, Subdivision and District Wide components comprising sixteen individual chapters.
- 3 A number of plan changes to the ODP that were underway when the PDP was notified, and were not included in the PDP, have been completed. It is recommended that they are excluded from the PDP.
- 4 It is recommended to separate specified areas of land from the District Plan Review (both Stage 1 and Stage 2). The result of this will be to split the District Plan by geographic area into two volumes.
- 5 **Volume A** would be the Stage 1 and Stage 2 PDP components as they become operative, including the recently made operative Signs and Earthworks components subject to minor changes to ensure cross referencing and consistency with the PDP.

- 6 **Volume B** would be the land covered by the following:
 - a. Plan Change 19: Frankton Flats B Zone.
 - b. Plan Change 45: Northlake Special Zone.
 - c. Plan Change 46: Ballantyne Road Industrial and Residential extension.
 - d. Plan Change 50: Queenstown Town Centre extension.
 - e. Plan Change 51: Peninsula Bay North.
 - f. Remarkables Park Zone.
 - g. Any subsequent plan changes to the Operative District Plan.
- 7 Volume B land would be excluded from the District Plan Review. A separate resolution would be required if any text in the PDP referencing these Volume B components were to be withdrawn from the PDP.
- 8 The table attached at **Attachment A** sets out identified issues, zones and district wide chapters that are recommended to be reviewed and notified as Stage 2, and what could be notified as a variation to the Stage 1 Proposed District Plan. Identified issues include:
 - a. Visitor Accommodation
 - b. Residential Development Guidelines
 - c. Gorge Road Natural Hazards
 - d. Affordable and Community Housing
 - e. Ferry Hill and Glenorchy Building Restriction Areas
- 9 Changes will be required to the Stage 1 PDP text and planning maps to reflect Stage 2 topics and make consequential changes associated with separating the district plan into two volumes. Other structural or advisory note changes suggested by the Hearings Panel through the hearings may also be initiated.
- 10 Overall, it is preferred to include as many components as practicable in Volume A, to provide the public with the most up to date and accessible volume of the District Plan in one document. For this reason it is considered less than ideal to advance any new plan changes to the Operative District Plan.
- 11 In particular, it is recommended that private plan changes should be discouraged unless there is a compelling reason not to, noting the requirements of the RMA as to accepting/rejecting plan change requests. Accepting private plan changes or initiating plan changes to the ODP would inflate Volume B. The current ODP is complicated and in addition to achieving environmental, economic and social well-being outcomes, a focus of the PDP is to simplify the district plan, make it more accessible and reduce transaction costs associated with administration of the district plan.

12 It would add to resourcing and administration costs for both the Council and the public if more land, in particular land zoned for residential purposes, were to be located in Volume B (the Operative District Plan).

Recommendation

That Council:

1. **Note** the contents of this report and:
2. **Approve** pursuant to section 79(1) of the Resource Management Act 1991 (RMA) to commence Stage 2 of its review of the Operative District Plan, including the review of following components of the Operative District Plan and identified other matters:
 - a. Township Zones
 - b. Industrial A and B Zones
 - c. Transportation Chapter
 - d. Hazardous Substances Chapter
 - e. Designations. Limited to five designations that were not identified by the New Zealand Transport Agency for notification as part of Stage 1
 - f. Open space and recreation
 - g. Open Space – Landscape Protection Zone
 - h. Affordable and Community Housing
 - i. Rural Visitor Zone
 - j. Penrith Park Zone
 - k. Bendemeer Zone
 - l. Hydro Generation Zone including Financial Contributions
 - m. Quail Rise Zone
 - n. Meadow Park Zone
 - o. Frankton Flats Zone
 - p. Mt Cardrona Station Zone
 - q. Ballantyne Road Mixed Use Zone
 - r. Three Parks Zone
 - s. Kingston Village Zone

- t. Shotover Country Zone
 - u. Arrowtown South Zone
 - v. Visitor Accommodation including the Registered Holiday Homes Appendix
 - w. Residential development guidelines
 - x. Gorge Road High Density Residential and Business zones
 - y. Gorge Road natural hazards investigation
 - z. Ferry Hill and Glenorchy building restriction areas
 - aa. Mapping sites of significance to iwi
 - bb. Include the stage 2 zones and structure plan guidance within PDP Chapter 27 Subdivision and Development
 - cc. Arrowtown Design Guidelines 2016 as they relate to the Stage 2 zones.
 - dd. Updating references and format of the Signs and Earthworks chapters.
3. **Note** that following the review of the matters in (a) to (dd) in 2 above, Council officers will report back to Council on the components recommended to be notified.
4. **Note** that the components that will be excluded from the District Plan Review have changed since the 17 April 2014 Council meeting, including the review of Community and affordable housing, which will now be included.
5. **Approve** the establishment of the preparation of the District Plan by way of territorial sections pursuant to section 73(3) of the RMA to create of two volumes to better manage the land excluded from the district plan review.
6. **Confirm** the exclusion of the land covered by the following from the District Plan Review:
- a. Plan Change 19: Frankton Flats B Zone.
 - b. Plan Change 45: Northlake Special Zone.
 - c. Plan Change 46: Ballantyne Road Industrial and Residential extension.
 - d. Plan Change 50: Queenstown Town Centre extension.
 - e. Plan Change 51: Peninsula Bay North.

- f. Remarkables Park Zone.
- g. Any subsequent plan changes to the Operative District Plan.

7. **Note** while appreciating its duties to consider plan change requests under Clause 25 of Schedule 1 of the Resource Management Act 1991, council strongly discourages private plan change requests during the District Plan review.

Prepared by:

Craig Barr
Acting Planning Policy
Manager

20/09/2016

Reviewed and Authorised by:

Tony Avery
General Manager
Planning and Development
20/09/2016

Background

13 Council formally commenced the District Plan Review (**DPR**) via a resolution at its meeting on 17 April 2014. This resolution excluded the following components of the ODP from the review:

TABLE 3: Not to be included in Review

No.	Section	Existing Chapter	Age years	Benefits	Staff
	Frankton Flats A	Existing	6		N/A
	Frankton Flats B (once operative)	New	0		N/A
	Remarkables Park	Existing	10	Excluded by agreement with landowner	N/A
	Mount Cardrona Station	Existing	2		N/A
	Three Parks	Existing	2		N/A
	Kingston Village Special Zone	Existing	3		N/A
	Registered Holiday Homes Appendix	Existing	4		N/A
	Open Space	Existing	6		N/A
	Affordable housing provisions	Existing policy	1		N/A
	Signs	Existing	10	Already notified in dependent of Review March 2014	TP

Figure 1. Table 3 of the April 2014 Resolution to formally commence the District plan Review.

14 At the 30 July 2015 Council meeting the Council approved the PDP (Stage 1) for notification pursuant to section 73 and clause 5 of the First Schedule of the Resource Management Act (**RMA**). The PDP was notified in August 2015, submissions and further submissions were substantially completed by the end of 2015 and hearings on submissions commenced in March 2016.

- 15 Five hearing streams have been completed involving the Strategic, Rural, Indigenous Vegetation and Wilding Exotic Trees, Heritage, Protected Trees, Subdivision and district wide components comprising sixteen individual chapters.
- 16 The residential hearing comprising five chapters will commence in early October. The Designations hearing is also being held in mid-October with a separate Hearings Panel presiding.
- 17 Following the hearing on strategic and rural chapters the Hearing Panel suggested a more detailed study be undertaken on the Wakatipu Basin floor. The Council agreed to undertake a study. The request for proposal for the Wakatipu Basin research has been released. The study will be completed in January 2017.
- 18 Depending on the outcome of the study, the Council can use the outcomes of the study as part of its evidence in the hearings on rezoning submissions or initiate a variation to Stage 1 of the PDP.
- 19 Variation one (incorporating by reference the Arrowtown Design Guidelines 2016) to the Proposed District Plan was notified on 20 July, submissions closed on 17 August. Only 28 submissions were received and this has enabled the hearing to be held as part of the Residential hearing Stream in October.
- 20 A table is attached at **Attachment A** that shows the Stage 1 and recommended Stage 2 components of the District Plan Review. The right hand column of the Table notes whether the Hearing on submissions has been completed, or when it is scheduled to be held for Stage 1 components.

Clarifying what is in and out of the District Plan Review.

Since notification of the proposed District Plan in August 2015, the following plan changes have been made to the ODP:

- a. Plan Change 45: Northlake Special Zone.
 - b. Plan Change 46: Ballantyne Road Industrial and Residential extension.
 - c. Plan Change 48: Signs.
 - d. Plan Change 49: Earthworks.
 - e. Plan Change 50: Queenstown Town Centre extension.
- 21 Plan Change 44: in addition, the decision on Plan Change 44 Hanley Downs was made in March 2016 and appealed. The appeals are expected to be settled within the next month. The land area covered by the Hanley Downs plan change is also part of the PDP Jacks Point Zone and is part of Stage 1 of the District Plan Review. The parties involved in the appeal on Plan Change 44 seek that this land is retained in the PDP and it is not recommended to exclude this land.
 - 22 Plan Change 51: Peninsula Bay North was notified in December 2015 and a hearing was held in August 2016. Commissioners have not yet recommended a decision to Council. It is anticipated a decision will be made before the end of this

year. If this plan change is approved it is recommended to form Volume B of the district plan

- 23 Plan Change 46: Northlake Special Zone and, Plan Change 50: Queenstown Town Centre extension, were appealed to the Environment Court. Both appeals have been resolved and the provisions now form part of the ODP. It is possible the same issues could be submitted on and appealed if these matters were again open to submission through the District Plan Review. This would be inefficient, costly and unnecessary, and create plan integration risks. It also creates uncertainty for development of this land in the interim.
- 24 Changes to the ODP after notification of the PDP create complexities in terms of the relationship between the ODP and PDP. Ideally, there would be no changes made to the ODP once the PDP is notified because the aim of the PDP is to replace the ODP and this is frustrated when changes are made to the ODP during this process.
- 25 To integrate these components of the ODP into the PDP, it is possible to notify these components as part of the notification of Stage 2, however this is not recommended in most instances because it would 'reopen' the ability for submissions and appeals.
- 26 It is recommended therefore, that the district plan is separated into two volumes:
 - a. **Volume A** would comprise the PDP Stage 1 and Stage 2 land (and associated chapters) and District Wide Chapters including the Signs and Earthworks Chapters (subject to reference and format changes) that have recently been made Operative.
 - b. **Volume B** would be the ODP as it relates to the geographic areas that have been the subject of recent plan changes PC 19: Frankton Flats B Zone, PC 45: Northlake, PC 46: Ballantyne, PC 50: Queenstown Town Centre and PC 51: Peninsula Bay North (if approved). In addition, the geographic area and chapter of the Remarkables Park Zone would also be included as this zone is subject to an agreement with the landowner that excludes this zone from the district plan review until 2018. Any further plan changes to the ODP would also form Volume B of the district plan.
- 27 The separation of these components into two volumes will provide certainty for the public and the PDP Hearings Panel. To integrate the PDP as it becomes operative, consequential changes are likely to be required to the Operative Signs and Earthworks Chapters to align numbering and cross referencing, and to change terminology where zone names have changed.
- 28 It is likely that a plan change to the Signs Chapter, or alternatively a variation to some of the PDP Stage 1 chapters would be required to ensure alignment. For example, the Large Lot Residential Zone (PDP Chapter 11) does not currently have any rules relating to signs, and the Operative Signs Chapter does not identify the Large Lot Residential Zone because this zone is new in the PDP.
- 29 Work on Stage 2 components has been initiated, and subject to resourcing and budget constraints, all the Stage 2 components could be notified by September

2017. The timing of notification is also subject to whether the Council seek to undertake consultation over and above the statutory consultation required under the RMA. If it is the Council's desire to expedite the notification of Stage 2, there would not be time for full consultation. However the majority of the land area of the District and the Strategic Directions were notified as part of Stage 1 and it is not likely that the same level of consultation would be necessary for the Stage 2 components.

- 30 It is however, preferable that the Stage 2 components are notified before the hearings on rezoning and mapping annotations commence. The hearings on Stage 1 Chapters are scheduled to run up until the end of March 2017 and the rezoning hearings are planned to commence after Easter 2017. Work is underway planning the hearing and assessing submissions.
- 31 Notifying the Stage 2 components before the hearings commence on rezoning submissions would assist the public and the Hearings Panel to assess the overall environmental outcomes envisaged by the PDP.
- 32 For instance, notification of the Transportation Chapter would assist because it would set out a regulatory framework for car parking and on site manoeuvring and the consequential opportunities or constraints for activities in the respective zones, as well as dealing with the approach to roads and addressing existing uncertainty, arising from the ODP not having a zone or regulatory regime for roads. The Transportation Chapter could also provide a framework to encourage other types of transport in addition to private vehicle use, and reinforce a desire for any future development to occur around key transportation routes.
- 33 On the basis that it is not likely the full set of Stage 2 components would be ready to be notified before the hearings commence on mapping after Easter 2017, it is likely that Council officers will recommend that the remaining District Wide Chapters, and any necessary variations to Stage 1 are notified in advance, if possible. The identified operative District Wide components that are recommended to be reviewed are:
 - a. Transportation Chapter
 - b. Hazardous Substances Chapter
 - c. Designations. Limited to five designations that were not identified by the New Zealand Transport Agency for notification as part of Stage 1
 - d. Open space and recreation
 - e. Open Space – Landscape Protection Zone
- 34 While from an administration perspective this is not as efficient as notifying all of the Stage 2 components at once, it is considered important to assist the public and the Hearings Panel understand the regulatory effect that any District Wide rules might have on their land, and the overall implications associated with submissions for rezoning requests.

Confirmation of what is to be included in Stage 2 of the District Plan Review

- 35 The table attached at **Attachment A** identifies the components to be reviewed as part of Stage 2.
- 36 It is considered important to reiterate that the Stage 2 components are those where there is reasonable certainty at this time that these issues should be reviewed. It is possible that other matters may arise and require review, or a variation to a component notified as part of Stage 1. If this is the case, these matters will be subject to a further resolution of Council.
- 37 It is also possible that the review of these components could identify that it is not practicable, necessary or efficient to make significant modifications to a zone or chapter. It is likely the scope of the Stage 2 notification would then be confined to marrying the existing component with the PDP, while acknowledging that notifying a chapter in full would open it up to potentially a broad range of submissions.
- 38 The Council can use mechanisms such as initiating a variation to the notified Stage 1 PDP, or formally withdrawing text, both of which would require additional resolutions from the Council. The Council can also use Clause 16 of the first Schedule of the RMA to make minor changes. The latter mechanism sits within Council officers' delegations and does not require a resolution from Council. The majority of changes are likely to be associated with the Stage 1 District Wide chapters and not on the strategic chapters or zone chapters of the PDP.
- 39 The following provides a summary of the respective Stage 2 components and a brief rationale for review. It is also noted that agreeing to review these components does not necessarily predetermine there would be significant modification or replacement of the components, but a review to identify resource management issues and determine whether changes (if any) are the best practicable option.

General components to be reviewed

- 40 Those parts of the ODP subject to the following zones, and the following existing District Wide Chapters of the ODP, are recommended to be reviewed. Many of these have been operative for more than ten years and under the RMA they are obliged to be reviewed:
- a. Township Zones
 - Lake Hawea
 - Albert Town
 - Makarora
 - Glenorchy
 - Kingston

- Kinloch
- b. Industrial A and B Zones
- c. Transportation Chapter. Including research encouraging multiple types of transportation and a move away from reliance on private vehicle usage where alternative transportation options are possible.
- d. Hazardous Substances Chapter
- e. Designations. Limited to five designations that were not identified by the New Zealand Transport Agency for notification of Stage 1.
- f. Open Space and recreation (existing Operative District Wide Chapter)
- g. Open Space Zone – Landscape Protection Zone
- h. Affordable and Community Housing (existing Operative District Wide Chapter)
- i. Rural Visitor Zone
- j. Penrith Park Zone
- k. Bendemeer Zone
- l. Hydro Generation Zone including Financial Contributions in terms of the Operative Subdivision Chapter (Part 14 ODP)
- m. Quail Rise Zone
- n. Meadow Park Zone
- o. Frankton Flats A Zone
- p. Mt Cardrona Station Zone
- q. Ballantyne Road Mixed Use Zone
- r. Three Parks Zone
- s. Kingston Village Zone
- t. Shotover Country Zone
- u. Arrowtown South Zone
- v. Visitor Accommodation including the Registered Holiday Homes Appendix (refer to discussion below).
- w. Residential development guidelines (refer to discussion below)
- x. Gorge Road High Density Residential and Business zones

- y. Gorge Road natural hazards investigation (refer to discussion below)
- z. Ferry Hill and Glenorchy building restriction areas (refer to discussion below)
- aa. Mapping sites of significance to iwi (refer to discussion below)
- bb. Include the stage 2 zones and structure plan guidance within PDP Chapter 27 Subdivision and Development
- cc. Arrowtown Design Guidelines 2016 as they relate to the Stage 2 zones.
- dd. Updating references and format of the Signs and Earthworks chapters.
- ee. Updating references and format of the Signs and Earthworks chapters.

Visitor Accommodation (VA)

- 41 The provisions of the PDP relating to visitor accommodation in the Low Density Residential, Medium Density Residential, High Density Residential, Large Lot Residential and Arrowtown Residential Historic Management Zone were withdrawn from the PDP in November 2015.
- 42 The relatively recent proliferation of ‘peer-to-peer’ accommodation such as ‘airbnb’, coupled with high visitor numbers and a lack of capacity in dedicated motel type accommodation led the Council to become concerned that VA was exacerbating the already tight market for longer term rental and permanent accommodation options. In particular, the use of residential housing in the Queenstown area for peer-to-peer VA. It was agreed that further research was needed into different policy responses possible in the different zones and the consequences (unintended as well as intended), as evidenced already in resorts overseas.
- 43 A primary reason for the withdrawal was associated with the perceived effects of VA utilising housing supply exacerbating the shortage of permanent accommodation options, particularly in Queenstown. The focus of the PDP VA rules as notified was on managing the effects on amenity. The following points were recorded in Council’s resolution of 23 October 2015 associated with the withdrawal of the VA provisions:

“Agrees the following reasons for the withdrawal:

- ***Provides greater public certainty as to Council’s position.***
- ***Removes the potential perceptions of inconsistency and uncertainty in Council’s approach.***
- ***Allows for a more in-depth and robust study and analysis of issues and policy options, and for potential non-statutory consultation with key stakeholders.”***

44 The following passage from the Agenda report is considered to provide important context and is cited below:

Visitor Accommodation- Withdrawal of Particular Provisions in the Proposed District Plan

12 Regulating the commercial letting of dwellings in the District is a complex matter for a number of reasons. Whilst this form of visitor accommodation is growing in popularity, and is an important part of the District's tourism offering, its increasing popularity means it is becoming an increasingly lucrative business. Evolving analysis suggests the growing use of residential dwellings for commercial letting may be having a significant impact on both the availability and cost of both permanent rental accommodation and seasonal rental accommodation, with resulting socio-economic impacts. Questions still remain, too, as to potential impacts on the cohesion and amenity values of residential neighbourhoods resulting from this land use activity.

13 Consideration was given to submitting, as part of the Corporate Submission, to seek an amendment to the provisions relating to the commercial letting of dwellings as visitor accommodation, with a reversion to the generally more restrictive status quo (with slight variation). This would have recognised the complexities and issues raised above, and indicated that Council was reconsidering the proposed approach. However, it is considered that a cleaner, less ambiguous and more transparent approach is to formally withdraw particular visitor accommodation provisions from the Proposed District Plan.

14 This will allow further analysis and investigations to proceed in Stage 2 of the District Plan Review. The final proposed provisions will be notified as part of Stage 2 in 2017. In the meantime, the status quo (Operative District Plan provisions) applies.

45 It is also important to acknowledge that the effects of VA and housing/accommodation supply could be different between Wanaka and Queenstown. Wanaka has less formal, motel or resort type VA, however Wanaka also suffers from a lack of accommodation options for shorter term residential housing for seasonal workers.

46 It is further acknowledged that the use of VA including Airbnb type activities has positive effects for those undertaking the activity. This matter will also be taken into account as part of the research and recommended regulatory approach.

47 The Stage 2 work intended for VA is to research the matter and determine the extent to which residential housing supply is affected by VA, and what are the best practicable options and resource management methods to manage these matters. It is expected that methods used by other New Zealand councils and

overseas will be investigated, including alternative regulatory options to district plan regulation.

Community and Affordable Housing

- 48 The Council initially decided not to review the specific ODP provisions for community and affordable housing in the April 2014 resolution, because these had been made operative relatively recently and involved substantial litigation.
- 49 Plan Change 24: Community and Affordable Housing was notified in 2007 and made operative in August 2013. The plan change was appealed to the Environment Court, High Court and Court of Appeal. The mediated result was significantly different from the original plan change, which had provided much of the initial resource for the Queenstown Lakes Housing Trust.
- 50 The PDP Strategic Direction and Urban Development Chapters are alive to the District's housing supply and affordability issues. The Objectives and policies in the PDP Strategic Chapters flow through to the respective residential chapters through increasing density opportunities to provide more housing options.
- 51 Housing affordability and accommodation options for shorter term/seasonal workers and permanent residents/families is a significant issue in this District.
- 52 By way of background, discussion at the 30 April 2015 Council meeting between Council and the Community Housing Trust led to subsequent agreement from Council to include discussion on affordable and community housing in Stage 2 of the District Plan review.
- 53 Furthermore, Resolution 8 of the 3 June 2015 Council meeting on the first wave of Special Housing Area expressions of interest confirmed the following:

“Instruct the General Manager Planning and Development to table a report on how to progress the broader issues of housing affordability in the district. This to include, but not be limited to, how to balance the housing needs and special character of Arrowtown, the District Plan review, availability of Council land, an expert forum, and the participation of nationwide developers, Queenstown Lakes Community Housing Trust and the government.”

- 54 While this report has not yet been advanced, relevant components identified to be undertaken are underway through the following work streams:
 - a. Variation 1: Arrowtown Design Guidelines 2016, and
 - b. The Wakatipu Basin Land Use Planning Study, explained further in Paragraph 70 below.
 - c. Investigations are also underway to provide a structured land use and planning approach to the areas adjacent to State Highway 6 in the Ladies Mile and Lake Hayes and Shotover Country areas associated with Special Housing Area expressions of interest.

- d. The assessment of submissions on Stage 1 of the PDP and preparation of evidence for the hearings on submissions. In particular, the finalising of evidence to address submissions and advance the Council's position on the upcoming Residential Hearing Stream to be held in October 2016 comprising the Low, Medium and High Density Residential Zones. The Arrowsmith Residential Historic Management Zone, and the Large Lot Residential Zone (located in Wanaka).
- e. In addition to (d) above, the Heritage and Protected Trees hearing stream (3) completed in June 2016 responded to submissions on the Council's position to identify and protect trees through a regulatory approach in the District Plan. This includes the survey and identification of trees to be protected on private land and the blanket protection of trees on streets and public places within the Arrowsmith Residential Historic Management zone.
- f. Work has commenced on the refinement of the Council's Dwelling Capacity Model (DCM) as part of the Council's evidence basis on the District Plan Review and to foreshadow the introduction by Government of the National Policy Statement on Urban Development Capacity (NPSUDC), which is expected to be in effect in the next 12 months. The NPSUDC would require councils to create and keep up to date a dwelling capacity model and that it include market related parameters to ensure the models are not just based on theoretical supply. The NPSUDC would encourage councils to have an oversupply of land. The Council is considered well placed in terms of this work and its evidence base to support Stage 1 of the PDP.

In addition, Council formally received the Roadmap and Report of the Queenstown Lakes Community Affordable Housing Group, identifying a broad range of initiatives for local and central government and the broader community over two, ten and thirty-year horizons, at an extraordinary meeting on March 1. This work, led by Catalyst Trust, provided input from a range of sectors (including financial, planning, architectural, business and community) on the broad issues of housing affordability and helped trigger various work streams being adopted for the Chief Executive's 2016/17 work plan, including a review of strategic property into possible affordable housing sites within Council property holdings and investigation of a housing policy.

55 Based on the above it is important to revisit this matter through research and investigations of Stage 2 of the District Plan Review. It is important to note that this does not predetermine that any substantive changes to the Operative provisions that resulted from Plan Change 24 would follow, but to advance complementary provisions that encourage the betterment of housing affordability in the District, not just in Queenstown but Wanaka.

Residential Design Guidelines

56 It is important that quality urban planning and design are given appropriate consideration in the Medium and High Density Residential Zones, because the built environment of these areas has a higher impact on the environment. Good quality development makes a positive impact on the amenity of residents and the

street and public spaces, making them better places to both live and visit. It is considered good practice to provide guidelines for these two zones.

- 57 This research could also further advance the encouragement and use of Green Star and Homestar building efficiency techniques and the benefits to the occupants that can be derived from sustainable approaches to building design and energy consumption.
- 58 It is intended that these residential development guidelines would be incorporated by reference into the PDP, similar to the process and reference for the Arrowtown Design Guidelines 2016. A variation may be required to integrate them into the Stage 1 residential zones.
- 59 It is noted in Council's resolution of 23 October 2015 on the Council's corporate submission on Stage 1 of the PDP that a commitment would be made to preparing the guidelines.
- 60 In particular, the following components of the 23 October Agenda Report are considered to be particularly important:

Urban Design and Related Provisions

9 Good design is an important aspect of increasing the density of development. Whilst the Proposed District Plan contains a number of provisions promoting good design, it is considered that a Residential Design Guide, which is ultimately incorporated by reference in to the Proposed District Plan, would help reinforce design expectations. A workstream will be pursued to develop a Design Guide, with community and design professional involvement.

Gorge Road Natural Hazards Investigation

- 61 The land currently zoned operative High Density Residential in the Gorge Road area of Queenstown was intended to be included in Stage 1. Initial non-statutory consultation was undertaken in 2015. An outcome of this exercise was acknowledgement that collation of geotechnical information already held in Council files under building and resource consents and additional technical engineering work would be of benefit in fully understanding the known hazards in this area and developing a suitably balanced policy and regulatory response. For this reason, this area was to be deferred until Stage 2 of the District Plan Review.
- 62 At the 30 July 2015 Council meeting, a resolution was made to agree that the operative High Density Residential Zone land in the Gorge Road area was to be deferred until Stage 2 of the DPR. In particular, the matter of alluvial fan hazards will be further researched.

Ferry Hill and Glenorchy Building restriction areas

- 63 These two areas were intended to have building restriction areas identified over them on the PDP Planning Maps, replicating long standing Operative District Plan

provisions. These were inadvertently left out of the respective PDP Planning Maps at the date of notification. These planning map annotations will need to be notified in Stage 2.

Mapping of sites of significance to iwi

64 An outcome of Hearing Stream 1A (Introduction and Tangata Whenua) held in March 2016 is that iwi will identify and map sites of significance in the Planning Maps. It is acknowledged that the result of separating the District Plan into two volumes means that any sites identified by iwi on land contained in Volume B, would not apply. However the land subject to Volume B has been through relatively recent plan changes and iwi have had the opportunity through statutory consultation processes to submit on these plan changes, if sites of significance were present.

Subdivision and Development

65 The PDP subdivision chapter will require a variation to include the Stage 2 zones. This would include zone specific site standards and existing provisions that are still applicable. It also provides the opportunity to improve, or remove provisions where the subdivision and development have been completed.

66 The notified subdivision chapter encourages future plan changes to include a structure plan. However this could be made clearer. It is recommended that research is undertaken with a view to including information requirements and guidance for future structure plans associated with future plan changes in this chapter.

Special Housing Areas (SHA)

67 Immediately prior to or since notification of the PDP, the Council has approved 7 Special Housing Areas under the Housing Accords and Special Housing Areas Act 2013 in various locations around the Wakatipu Basin.

68 It is noted that the SHA process is not related to the statutory requirements and processes of the RMA associated with the district plan review. However, any changes to the environment from SHA approvals will be taken into account as part of the ongoing research associated with the district plan review.

Wakatipu Basin Land Use Planning Study

69 Upon completion of the hearing of submissions on the Strategic Direction, Landscape, Urban Development and Rural Zone chapters, the Hearing Panel issued a memorandum on 1 July 2016 which stated:

that continuation of the fully discretionary development regime of the Rural General Zone of the ODP, as proposed by the PDP, was unlikely to achieve the Strategic Direction of the PDP in the Wakatipu Basin over the life of the PDP. We are concerned that, without careful assessment, further development within the Wakatipu Basin has the potential to cumulatively and irreversibly damage the

character and amenity values which attracts residents and other activities to the area

In addition, we consider there is some merit in the proposition that the rural character and amenity values of the Wakatipu Basin do not derive predominantly from farming and agricultural practices.

70 The Hearing Panel considered that an additional study of the Wakatipu Basin was required and the Council has agreed to undertake such a study. In their memo, the Panel's preliminary view was that a detailed study was required so as to:

- a. Identify the environmental characteristics and amenity values of the area that should be maintained and enhanced, noting that these will vary across the Wakatipu Basin floor;
- b. Identify those areas able to absorb development without adversely affecting the values derived in (a) and without adversely affecting the values associated with the surrounding Outstanding Natural Landscapes and Outstanding Natural Features;
- c. Identify those areas that are unable to absorb such development;
- d. Determine whether, given the residual development already consented, there is any capacity for further development in the Wakatipu Basin floor and, if there is, where it should be located and what form it should take;

71 The Council has also requested that the study identify, at a high level, other constraints and opportunities for land use planning in the Wakatipu Basin including hazards, transportation and infrastructure.

72 The results of this investigation will be used to assist the Council in determining how it can address the matters raised by the Hearings Panel and submissions on the PDP. By way of example, two options include either using this information as part of the evidence for the hearings on submissions for rezoning and mapping to be held in 2017, or initiating a variation to Stage 1 of the PDP.

Exclusion of the Remarkables Park Zone and Frankton Flats B ODP Zone from the district plan review

73 Part of the settlement of Plan Change 19 (Frankton Flats B Zone), involved the signing of a deed between Shotover Park Limited, Remarkables Park Limited and the Council.

74 The parties entered a deed to settle a judicial review proceeding in respect of the Five Mile shopping centre development. The deed of agreement sets out that the Council will not initiate or support any plan review or plan changes within the boundaries of the PC 19 land from the date it is made operative.

75 According to this deed the Frankton Flats B Zone cannot be reviewed until 12 December 2024, ten years from the date it is made operative.

76 The deed also states that any District Plan review process commenced before 2018 does not affect, compromise or remove any of the existing development opportunities contained within the Operative District Plan Remarkables Park Zone.

77 The deed does not require the exclusion outright of the RPZ, however, the drafting does not provide certainty for the Council as to whether any PDP provisions promulgated would 'affect' the RPZ. Therefore, it is recommended that the RPZ zone is excluded from the PDP and located within Volume B.

Options

78 This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002:

79 The first step is to identify all "reasonably practicable" options. If an option is not reasonably practicable, then it will not require consultation. One option that should always be considered is the option of doing nothing – the status quo.

80 Option 1 Do nothing

Advantages:

81 None identified.

Disadvantages:

82 Doing nothing would add to uncertainty and complexities associated with the status of the PDP Stage 1 and recently completed plan changes to the ODP.

83 Option 2 Include the abovementioned plan changes in the PDP.

Advantages:

84 The end result would be one district plan. All areas of the District would be located in one document. The ODP could be phased out and in the long term this would assist with reducing complexities and transaction costs.

Disadvantages:

85 It would require the notification of the land covered by these plan changes and open this land up to litigation processes that have already occurred. This could be costly and time consuming and discourage, or even halt the development of this land that is provided for in the ODP.

86 Option 3 Separate the District Plan into territorial sections.

Advantages:

87 This method provides certainty for the public and the Hearings Panel on the status of the PDP and land covered by Plan Changes 45, 46, 50, 51 and the Remarkables Park Zone. The land can be developed as contemplated by the

ODP provisions and does not face the uncertainty of being open to further regulatory changes through the PDP submission process.

- 88 This method will make the research and statutory processes associated with Stage 2 of the District Plan review more efficient and certain.

Disadvantages:

- 89 It is less than ideal to have two volumes of the District Plan and it will create an administrative burden to keep a legacy plan current when the overall intent of a district plan review is to replace and phase out dated components. However this is considered a minor cost relative to the disadvantages of pursuing with Option 2.

- 90 This report recommends Option 3 for addressing the matter because overall the costs associated with having two volumes are outweighed by the benefits in terms of providing certainty to investment in the land covered by these areas to be located in Volume B, and clarity associated with administration of the PDP.

Significance and Engagement

- 91 This matter is of high significance as determined by reference to the Council's Significance and Engagement Policy because the matter relates to the confirmation of a substantial component of the district plan review and makes a recommendation to exclude specified areas of land from the district plan review. the district plan, meaning both the ODP and PDP are significant statutory documents in terms of the social, economic and environmental wellbeing of the District.

Risk

- 92 This matter relates to the strategic risk SR1 'Current and future development needs of the community (including environmental protection)' as documented in the Council's risk register. The risk is classed as high. This matter relates to this risk because it is considered to be of significant importance in terms of the managed growth and regulation of development for the District.

- 93 The recommended options considered above mitigate the risk by:

- 94 Treating the risk – putting measures in place which directly impact the risk.

- 95 Council resolving to confirm the components of Stage 2 of the Proposed District Plan, and resolving to separate specified land areas from the district plan review process addresses the risk by providing certainty of the relationship of the PDP with land that is subject to a recently completed, or in-train plan change.

Financial Implications

- 96 The recommended option provides certainty and will assist with increasing the efficiency of the PDP process, which has already been budgeted for. More certainty moving forward will reduce the potential for matters of scope arising. There are not any direct financial implications.

Council Policies, Strategies and Bylaws

97 There are no Council policies, strategies or bylaws relating to this matter because it is primarily associated with process.

98 This matter is included in the 10-Year Plan/Annual Plan as part of the District Plan commitment.

Local Government Act 2002 Purpose Provisions

99 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

Consultation: Community Views and Preferences

100 The persons who are affected by or interested in this matter are parties who have submitted on the Proposed District Plan or a Plan Change. It is also noted that the Remarkables park Zone representatives prefer that the Remarkables park Zone is excluded from the District plan review.

Legal Considerations and Statutory Responsibilities

101 Development of the PDP has occurred in accordance with the requirements of the RMA. Particular clauses of relevance include Sections 5-11, 31 and 32 and Schedule 1. The recommendations accord with the provisions of the RMA. In particular section 73(3) that allows a district plan to be prepared in territorial sections.

Attachments

Attachment A: Table 1 Stage 2 Review Programme.

ATTACHMENT A: District Plan Review: Stage 2

TABLE 1: Stage 2 Review Programme

'To be reviewed' does not predetermine that particular component of the ODP will be included for notification or being subject to modifications, but a review and evaluation is proposed to be undertaken to confirm whether the best option to manage that component is to retain unmodified, modify or remove.

PDP	Stage 1 Review Programme	Stage 2 Review Programme	Not Being Reviewed (Retained in Volume A)	Status (August 2016)
Part 1	Introduction			
1.	Introduction			Hearing completed
2.	Definitions	Any new definitions or amendments to Stage 1 definitions		Hearing to be held in March 2017 for Stage 1 definitions.
Part 2	Strategy			
3.	Strategic Direction			Hearing completed
4.	Urban Development			Hearing completed
5.	Tangata Whenua			Hearing completed
6.	Landscapes			Hearing completed
Part 3	Urban Environment			
7.	Low Density Residential	Visitor Accommodation		Stage 1 - Hearing to be held in October 2016.
8.	Medium Density Residential	Visitor Accommodation Medium Density Residential Design Guidelines		Stage 1 - Hearing to be held in October 2016.
9.	High Density Residential	Visitor Accommodation Gorge Road (The geographic area as shown on the PDP)		Stage 1 – Hearing to be held in October 2016

PDP	Stage 1 Review Programme	Stage 2 Review Programme	Not Being Reviewed (Retained in Volume A)	Status (August 2016)
		Planning Maps as High Density Residential and Business in the Operative District Plan). High Density Residential Design Guidelines		
10.	Arrowtown Residential Historic Heritage Management Zone	Visitor Accommodation		Stage 1 - Hearing to be held in October 2016
11.	Large Lot Residential	Visitor Accommodation		Stage 1 Hearing to be held in October 2016.
12.	Queenstown Town Centre			Stage 1 - Hearing to be held in December 2016
13.	Wanaka Town Centre			Stage 1 - Hearing to be held in December 2016
14.	Arrowtown Town Centre			Stage 1 - Hearing to be held in December 2016
15.	Local Shopping Centres			Stage 1 - Hearing to be held in December 2016
16.	Business Mixed Use Zone	Gorge Road (The geographic area as shown on the PDP Planning Maps as High Density Residential and Business by way of Operative District Plan annotations).		Stage 1 - Hearing to be held in December 2016
17.	Queenstown Airport Mixed Use			Stage 1 - Hearing to be held in December 2016
18.		Townships <ul style="list-style-type: none"> • Lake Hawea • Albert Town • Makarora • Glenorchy • Kingston • Kinloch 		
19.		Industrial A and B		

PDP	Stage 1 Review Programme	Stage 2 Review Programme	Not Being Reviewed (Retained in Volume A)	Status (August 2016)
	<p>Arrowtown Design Guidelines 2016 (Variation 1)</p> <p>As these relate to the following Stage 1 components:</p> <ul style="list-style-type: none"> • Low Density Residential Zone • Medium Density Residential Zone • Arrowtown Residential Historic Management Zone • Arrowtown Town Centre Zone. 	<p>As these relate to the following Stage 2 components:</p> <ul style="list-style-type: none"> • Meadow Park Special Zone • Industrial A Zone (Bush Creek) 		Stage 1 - Hearing to be held in October 2016
Part 4	Rural Environment			
21.	Rural Zone	<p>Mapping Ferry Hill building restriction area</p> <p>Mapping Glenorchy building restriction area (Bible Face)</p>		Stage 1 - Hearing completed.
22.	Rural Residential and Rural Lifestyle Zones			Stage 1 - Hearing completed.
23.	Gibbston Character Zone			Stage 1 - Hearing completed.
Part 5	District Wide			

PDP	Stage 1 Review Programme	Stage 2 Review Programme	Not Being Reviewed (Retained in Volume A)	Status (August 2016)
24.		Change Chapter & number references; align zones to those in PDP	Signs	Operative 24 June 2015.
25.		Change Chapter & number references; align zones to those in PDP	Earthworks	Operative 27 July 2015.
26.	Historic Heritage	Historic Heritage Schedule - Mapping of sites of significance to iwi		Stage 1 Hearing completed.
27.	Subdivision and Development	<p>The following zones:</p> <ul style="list-style-type: none"> • Townships • Industrial A and B • Rural Visitor Zone • Penrith Park Zone • Bendemeer Zone • Hydro Generation Zone • Quail Rise Zone • Meadow Park Zone • Frankton Flats • Frankton Flats B • Mt Cardrona Station • Ballantyne Road Mixed Use • Three Parks • Kingston Village • Shotover Country • Arrowtown South <p>Provisions for developing/information requirements for Structure</p>		Stage 1 - Hearing completed.

PDP	Stage 1 Review Programme	Stage 2 Review Programme	Not Being Reviewed (Retained in Volume A)	Status (August 2016)
		Plans		
28.	Natural Hazards			Hearing to be Held in March 2017
29.		Transportation		
30.	Energy and Utilities			Hearing to be Held in September 2016
31.		Hazardous Substances		
32.	Protected Trees			Stage 1 - Hearing completed.
33.	Indigenous Vegetation and Biodiversity			Stage 1 - Hearing completed.
34.	Wilding Exotic Trees			Stage 1 - Hearing completed.
35.	Temporary Activities and Relocated Buildings			Hearing to be held in September 2016
36.	Noise			Hearing to be Held in September 2016
37.	Designations	Five NZTA designations sought to be rolled over by NZTA not included in Stage 1.		Hearing to be Held in October 2016
38.		Open Space and Recreation		
39.		Open Space Zone – Landscape Protection		
40.		Affordable and Community Housing		
Part 6	Special Zones			
41.	Jacks Point			Hearing to be Held in February 2017
42.	Waterfall Park			Hearing to be Held in February 2017
43.	Millbrook Resort Zone			Hearing to be Held in February 2017
44.		Rural Visitor Zone		

PDP	Stage 1 Review Programme	Stage 2 Review Programme	Not Being Reviewed (Retained in Volume A)	Status (August 2016)
45.		Penrith Park Zone		
46.		Bendemeer Zone		
47.		Hydro Generation Zone and Financial Contributions		
48.		Quail Rise Zone		
49.		Meadow Park Zone		
50.		Frankton Flats		
51.		Mt Cardrona Station		
52.		Ballantyne Road Mixed Use		
53.		Three Parks		
54.		Kingston Village		
55.		Shotover Country		
56.		Arrowtown South		

Operative District Plan Components excluded from the District Plan Review and to form Volume B of the District Plan

The geographic area covered by:

- **Plan Change 45: Northlake (Identified as the greyed out area on PDP Planning Maps 08, 18, 19 and 20).**
- **Plan Change 46: Ballantyne Road industrial and residential extension (Plan change boundary area identified on PDP Planning Maps 34, 35 and 36).**
- **Plan Change 50: Queenstown Town Centre Zone extension (Identified on PDP Planning Maps 08, 18 and 23)**
- **Plan Change 51: Peninsula Bay North**
- **The Remarkables Park Zone (Identified on PDP Planning Maps 31, 31a and 33)**
- **Frankton Flats B Zone (Identified on PDP Planning Maps 31, 31a and 33)**

SCHEDULE 3

Council resolutions of 29 September 2016

Minutes of an ordinary meeting of the Queenstown Lakes District Council held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday 29 September 2016 commencing at 1.00pm

Present:

Mayor Vanessa van Uden; Councillors Aoake, Cocks, Ferguson, Forbes, Gazzard, Gilmour, Lawton, MacLeod, Stammers-Smith and Stevens

In attendance:

Mr Stewart Burns (Acting Chief Executive/General Manager, Finance and Regulatory), Mr Peter Hansby (General Manager, Property and Infrastructure), Mr Tony Avery (General Manager, Planning and Development), Mr Stephen Quin (Parks and Reserves Planning Manager), Mr Lee Webster (Manager, Regulatory), Ms Heidi Thomson (Regulatory Support Coordinator), Mr Paul Speedy (Manager Strategic Projects and Support), Mr Richard Pope (Property Manager), Mr Simon Battrick (Sport and Recreation Manager), Mr Craig Barr (Acting Planning Policy Manager), Mr Nick Whittington (Solicitor, Meredith Connell Ltd), Mr Blake Hoger (Property Manager, APL Property Ltd), Mr Aaron Burt (Planner, Parks and Reserves), Mrs Meghan Pagey (Human Resources Manager) and Ms Jane Robertson (Senior Governance Advisor); two members of the media and approximately 16 members of the public

Apologies

There were no apologies or requests for leave of absence.

Declarations of Conflicts of Interest

- Councillor Aoake declared a conflict in respect of Jigsaw (item in Mayor's Report), as he was an employee of this organisation.
- Councillors Aoake, Forbes, Gazzard and Gilmour declared a conflict of interest in Item 2 ('Proposed New Right of Way Easement application by Skyline Enterprises Ltd') because they were all shareholders in Skyline Enterprises.
- Councillors MacLeod and Stevens declared a conflict of interest in item 6 ('Alcohol Licensing Fee Reduction Policy') as they both had an interest greater than 10% in a business with a liquor licence.

The Mayor asked that for all except Councillor Aoake's Jigsaw conflict the affected members leave the meeting for the item.

Matters Lying on the Table

There were no matters lying on the table.

Confirmation of agenda

The agenda was confirmed without addition or alteration.

Public Forum

1. Ben Calder

Mr Calder spoke as a previous owner of Licenced Premises Tour operator, 'Big Night Out'. He expressed opposition to the proposed Activities in Public Places Bylaw under which he believed Licenced Premises Tours were deemed a nuisance. He questioned how this could be concluded as there had been no public complaint about their activities or any need for attendance by emergency services. He believed the recommendation to introduce provisions to control these activities was contrary to the 540 submissions which had opposed their introduction. He considered that the outcome of the consultation process had been pre-determined. He encouraged the Council to vote in opposition to the bylaw's adoption and instead to work in cooperation with affected businesses.

In reply to questions Mr Calder stated that the bylaw would impact upon the ability of businesses to operate, citing in particular the proposed staffing ratio. He was also fearful that once in place the regulations would get tighter and would make it impossible for businesses to operate. He believed that these businesses were different from daytime walking tours as the tours worked closely with bar security, participants walked only a short distance and staff were well trained.

2. Basil Walker

Mr Walker presented a proposal for an area of affordable housing to be developed on a site of 30 acres in West Lake, adjoining Sunshine Bay. This proposal had a board of directors and was accessed from two partly formed roads off Arawata Terrace. It complied with the Council's lead policy in terms of location and it was planned to provide options for long term rental properties and affordable houses and apartments. Preliminary reports indicated the presence of services nearby, there were extensive plantings on site and the development would not be visible from the roadway because of its distance from the road.

3. Gavin Larsen

Mr Larsen stated that he was a Director of 'Kiwi Crawl', a Licence Premises Tour operator. He disagreed with the heavy handed approach by the Council to develop and introduce the proposed Activities in Public Places bylaw. He considered that the proposed permit system would give too much control to the Council and would make it unviable to operate Licenced Premises Tours. Mr Larsen expressed concern about the proposed staff ratio, adding that the current ratio of 1:20 had never presented any problems or need to be higher whilst staff were trained to deal with large groups. He did not consider Licenced Premises Tours were comparable with daily walking tours in terms of a staff ratio as the latter was an activity that required little staff training.

Mr Larsen stated that the proposed restriction on hours of operation for Licence Premises Tours would come into force too soon and operators did not have time to put in place the changes needed in this timeframe.

4. Matthew Sutherland

Mr Sutherland stated that he was Director of 'Big Night Out'. He had concerns about how the bylaw had come about. He believed that its introduction had been inevitable regardless of public opinion. He believed that the recent meeting with Council staff to discuss permit conditions had been a waste of time because operators' opinions and ideas had not been accepted and they had been told to 'take it or leave it'. He was particularly concerned about how the bylaw would restrict the hours and days of operation and would limit group size. He stated that clauses restricting music were not needed as this was not a feature of the tours. He expressed concern about the date of the bylaw's implementation which he considered showed the Council failed to understand how long the conditions would take to implement. He believed that it would take 90 days to get staff in place and train appropriately.

5. Dexter Devlin

Mr Devlin spoke in opposition to the provisions of the Activities in Public Places Bylaw in relation to Licenced Premises Tours. He highlighted the following:

- The current operation had a 1:20 staff ratio and 1:12 was too low. Staff spent about 2-3 minutes/hour moving the group and new staff would have to hired and paid for 4-5 hours of work for only 12 minutes of moving a tour.
- It was unreasonable to restrict hours.
- He requested more time before the bylaw came into force to provide time for staff training and recruitment.

6. Inspector Olaf Jensen

Inspector Jensen stated that he was the Otago Lakes-Central Area Police Commander. He noted that the police purpose was to keep people safe and to prevent them becoming either a victim or an offender. He observed that at night intoxicated people in queues outside premises often created situations where there was the potential for conflict. Queenstown was over-represented by alcohol-related harm and whilst police did not oppose Licenced Premises Tours per se, they sought the introduction of a permit to keep people safe. Police did not want to ban the tours but would like to see some structure around the activity.

On the motion of Councillors Forbes and Gilmour it was resolved to suspend Standing Orders to extend the Public Forum.

7. Alastair Porter

Mr Porter expressed concern about the timing for construction of the Eastern Access Road ('EAR'). He hoped that the Council had sufficient funds for the works to proceed. He considered that the Remarkables Park to Glenda Drive extension was a priority and a partial opening of the EAR by May 2017 would have a significant effect on traffic congestion and delays at the BP corner.

He stated that there had never been an agreement that Remarkables Park would fund the road.

8. Evan Jenkins

Mr Jenkins encouraged the Council to get rid of the wall along Marine Parade. He believed that the current works in the street provided the opportunity to open up the promenade properly. He also commented about street signage, the unkempt appearance of tear-drop signs and recent tree trimming for the Night Noodle Markets. He agreed with some of the views expressed by Licenced Premises Tour operators as they should not have to notify Council of a staff change and there needed to be further negotiation with Council about operating hour provisions, but he also encouraged them to stop being cry-babies and just get on with it. In relation to the bylaw provisions, he suggested that homeless and begging clauses should be introduced and that a better definition for 'busking' than what was currently provided was 'to perform in public for a voluntary donation'. He again correct 'aerobatics' to 'acrobatics' and suggested that a description of what buskers do was unnecessary. He did not believe that an on-line busker permit system would work, instead believing that buskers should have to come into the office to get a permit and should also be required to show it when performing, as by nature buskers were free-spirited people and needed these rules. He also tabled pictures showing overflowing rubbish bins in the CBD near the Rees statue and on Earnslaw Park.

On the motion of Councillors Gilmour and Lawton it was resolved that Standing Orders be reinstated.

1. **Activities in Public Places Bylaw 2016**

A covering report from Heidi Thomson (Regulatory Support Co-ordinator) presented the final version of the proposed Queenstown Lakes District Council Activities in Public Places 2016 following completion of the Special Consultative Procedure.

The report was presented by Mr Webster and Ms Thomson.

Ms Thomson responded to the comments in the Public Forum which had been especially critical that the Council had accepted a late submission from police. She stated that there had been no 'badgering' of police, adding that police had made it clear from the start of the consultation process of their intention to lodge a submission. Some opposing Licence Premises Tour submitters had sought leave to make a late submission one month after the closing date and had been refused.

Mr Webster explained the background reasons for developing the Licenced Premises Tours provisions of the proposed bylaw. He believed that the proposed bylaw was an opportunity to put in place some moderate controls. He could appreciate the concerns expressed but did not consider that the bylaw provisions or the proposed permit conditions were overly cumbersome.

Mr Webster noted that because the permit was being adopted separately from the bylaw, the conditions could be altered without amending the bylaw, as changes to the latter would require the special consultative procedure. Accordingly, he considered that if the recommended staff ratio of 1:12

proved unworkable, this could be reviewed. It was also noted that the report recommended that the Licensed Premises Tour Permit Conditions be reported back to Council after 12 months of operation to test if the proposed provisions were successful and whether changes were needed.

Councillor Stammers-Smith questioned whether the effects of the bylaw on other operators who operated group tours such as wine-tasting tours and trips to bungy-jumping sites had been considered. Mr Webster confirmed that regard had been had to these.

The Mayor questioned whether there was any barrier to pushing out the implementation date of the bylaw to address some of the concerns expressed during the Public Forum. It was agreed it would be reasonable to amend the date from 31 October 2016 to 30 November 2016.

A correction of 'aerobatics' to 'acrobatics' was made [Interpretation: definition of 'Busk']. To avoid constraining the definition of busking it was suggested that the idea raised in the Public Forum that the definition be simplified to 'performing for a voluntary donation' but concern was expressed that this could also encompass begging. The inclusion of the words 'including but not limited to....' was agreed instead.

On the motion of Councillors Gazzard and Stevens it was resolved that the Council:

- 1. Note the contents of this report;**
- 2. Accept the recommendation from the Activities in Public Places Bylaw hearing panel to adopt the Bylaw as amended and formalise the permit conditions for Licenced Premises Tours;**
- 3. Adopt the proposed Queenstown Lakes District Council Activities in Public Places Bylaw 2016 as amended, to be implemented on Wednesday 30 November 2016 and direct officers to publicly notify the Council's decision; and**
- 4. Agree that the Licensed Premises Tour Permit Conditions be reported back to Council after 12 months of operation.**

Councillor Stammers-Smith recorded his vote against the motion.

Councillors Aoake, Forbes, Gazzard and Gilmour left the meeting at 2.25pm (conflict of interest).

Councillor MacLeod also left the meeting at this point.

2. Proposed New Right of Way Easement application by Skyline Enterprises Limited

A report from Aaron Burt (Planner, Parks and Reserves) presented the recommendation from the hearings panel which had heard submissions in relation to an application from Skyline Enterprises Ltd ('SEL') for a new right of way easement pursuant to Section 48 of the Reserves Act 1977 over the adjoining land, legally described as Lot 2 Deposited Plan 345184. The panel had recommended that the right of way easement be approved, subject to conditions.

The report was presented by Mr Burt and Mr Quin. Mr Burt confirmed that all other effects would be considered as part of the resource consent. Much of what had been presented at the hearing had been deemed out of scope with this application dealing with the easement only.

Councillor MacLeod returned to the meeting at 2.26pm.

On the motion of Councillors Stammers-Smith and Stevens it was resolved that the Council:

1 Note the content of this report;

2 Approve a Right of Way Easement over Council Reserve Land (Lot 2 Deposited Plan 345184) in favour of Skyline Enterprises Limited (Section 1 SO 22971 & Lease 'Area A' (carpark); subject to the following terms and conditions:

Commencement To be determined and only subsequent to any potential grant/and conditions of, resource consent RM160647.

Extent of Easement To be confirmed prior to commencement, having regard to any potential grant/and conditions of, resource consent RM160647, and the advice of SEL and ZJV(NZ) Ltd (trading as Ziptrek Ecotours) communicated at the hearing on 1 September 2016.

Fees As per QLDC's Easement Policy 2008, and subject to the extent of the easement being confirmed. This shall also include any outstanding application fees.

3 Delegate authority to approve final terms and conditions, including commencement, location, extent, fees and execution authority to the General

Manager – Property & Infrastructure, provided all relevant requirements of the Easement Policy 2008 are addressed; and

- 4 Agree to the exercise of the Minister’s consent (under delegation from the Minister of Conservation) to the granting of a Right of Way Easement over Council Reserve Land (Lot 2 Deposited Plan 345184) in favour of SEL.**

Councillors Forbes and Gilmour returned to the meeting at 2.27pm.

3. Stanley Street Opportunity

A report from Meaghan Miller (General Manager, Corporate Services) presented information about the Council’s land in Stanley Street and initial thoughts about its possible use in the future. The report sought authority to seek community feedback on potential future uses.

The report was presented by Mr Speedy.

Councillor Aoake returned to the meeting at 2.28 pm.

The Mayor identified various other organisations which used the QPACT and Queenstown Art Society rooms and asked what measures were in place to ensure that all the different groups had been identified. She asked staff to make every effort to make contact with all small ad hoc users of the site in a structured way.

Councillor Gazzard returned to the meeting at 2.29pm.

Councillor Gilmour was critical of the proposed method of seeking feedback as detailed in paragraph 23 of the report. She stated that it was not adequate to publish something on a website and expect the community to respond. She also did not consider that a month of consultation via email was a satisfactory time period and she questioned the adequacy of the map. She suggested that a communications plan was needed to ensure the entire community of stakeholders who used the site was reached.

On the motion of Councillors MacLeod and Stevens it was resolved that the Council:

- 1. Note the content of this report;**
- 2. Confirm that the Council supports development of a masterplan to strategically develop the reserve blocks known as the Stanley Street holding;**
- 3. Agree to enable an opportunity for community feedback on the intended and potential future use**

of the reserve blocks known as the Stanley Street holding; and

- 4. Direct the Chief Executive to brief the newly appointed Council in relation to the feedback, after 8 October 2016.**

4. Stage Two, District Plan Review

A report from Craig Barr (Acting Planning Policy Manager) presented:

- a. An update on the District Plan Review;
- b. Confirmation of the components to be reviewed in Stage 2 of the District Plan Review that could be notified to form part of the Proposed District Plan;
- c. Confirmation of specific components (i.e. areas of land) of the Operative District Plan that were excluded from the District Plan Review;
- d. Confirmation that the method for managing the excluded components from the Proposed District Plan has been to locate them in a separate volume of the District Plan;
- e. A signal that changes will be required to the Stage 1 Proposed District Plan to integrate Stage 2 and make consequential changes associated with separating the district plan into two volumes; and
- f. Information about the indicative timing of Stage 1 and Stage 2 processes.

The report was presented by Mr Barr and Mr Avery.

The Mayor expressed concern that the work on alluvial fans in Gorge Road that the Council had asked for immediately in 2015 had not been started. She asked about its current timing as it was an issue that was wider than simply Stage 2 of the District Plan Review. Mr Avery stated that it was part of natural hazards chapter that was due to be heard in March. This timing was good because by that time, a decision on the Regional Policy Statement would be available which would provide a guide. He confirmed that the technical work could now be prepared.

Councillor Gilmour stated that research and technical work on Visitor Accommodation, affordable housing and design guidelines also needed to be complete before staff could start the Stage Two chapters. Mr Avery observed that present resources meant this would be difficult.

Councillor Gilmour considered it was important to expedite the notification of the district-wide chapters because they would inform the others. She specifically requested for the transport and other district wide chapters to be notified earlier to inform the mapping hearings and asked for the recommendation to be altered accordingly. This addition was supported.

Mr Avery acknowledged the work of Council officers on the District Plan Review thus far.

On the motion of Councillors Gilmour and MacLeod it was resolved that the Council:

- 1. Note the contents of this report;**
- 2. Approve pursuant to section 79(1) of the Resource Management Act 1991 (RMA) to commence Stage 2 of its review of the Operative District Plan, including the review of following components of the Operative District Plan and identified other matters:**
 - a. Township Zones**
 - b. Industrial A and B Zones**
 - c. Transportation Chapter**
 - d. Hazardous Substances Chapter**
 - e. Designations. Limited to five designations that were not identified by the New Zealand Transport Agency for notification as part of Stage 1**
 - f. Open space and recreation**
 - g. Open Space – Landscape Protection Zone**
 - h. Affordable and Community Housing**
 - i. Rural Visitor Zone**
 - j. Penrith Park Zone**
 - k. Bendemeer Zone**
 - l. Hydro Generation Zone including Financial Contributions**
 - m. Quail Rise Zone**
 - n. Meadow Park Zone**
 - o. Frankton Flats Zone**
 - p. Mt Cardrona Station Zone**
 - q. Ballantyne Road Mixed Use Zone**
 - r. Three Parks Zone**
 - s. Kingston Village Zone**
 - t. Shotover Country Zone**
 - u. Arrowtown South Zone**
 - v. Visitor Accommodation including the Registered Holiday Homes Appendix**
 - w. Residential development guidelines**
 - x. Gorge Road High Density Residential and Business zones**

- y. Gorge Road natural hazards investigation
 - z. Ferry Hill and Glenorchy building restriction areas
 - aa. Mapping sites of significance to iwi
 - bb. Include the stage 2 zones and structure plan guidance within PDP Chapter 27 Subdivision and Development
 - cc. Arrowtown Design Guidelines 2016 as they relate to the Stage 2 zones.
 - dd. Updating references and format of the Signs and Earthworks chapters.
3. Ask that the transport and other district wide chapters be notified earlier to inform the mapping hearings.
 4. Note that following the review of the matters in (a) to (dd) in 2 above, Council officers will report back to Council on the components recommended to be notified.
 5. Note that the components that will be excluded from the District Plan Review have changed since the 17 April 2014 Council meeting, including the review of Community and affordable housing, which will now be included.
 6. Approve the establishment of the preparation of the District Plan by way of territorial sections pursuant to section 73(3) of the RMA to create of two volumes to better manage the land excluded from the district plan review.
 7. Confirm the exclusion of the land covered by the following from the District Plan Review:
 - a. Plan Change 19: Frankton Flats B Zone.
 - b. Plan Change 45: Northlake Special Zone.
 - c. Plan Change 46: Ballantyne Road Industrial and Residential extension.
 - d. Plan Change 50: Queenstown Town Centre extension.
 - e. Plan Change 51: Peninsula Bay North.
 - f. Remarkables Park Zone.
 - g. Any subsequent plan changes to the Operative District Plan.

- 8. Note while appreciating its duties to consider plan change requests under Clause 25 of Schedule 1 of the Resource Management Act 1991, council strongly discourages private plan change requests during the District Plan review.**

The meeting adjourned at 3.00pm and reconvened at 3.15pm.

5. Special Consultative Procedure (SCP) to help determine the Wanaka Airport future governance and management model

A report from Richard Pope (Property Manager) presented the Business Case and proposed Statement of Proposal for the Wanaka Airport's future governance and management model and sought approval to undertake the Special Consultative Procedure on these issues.

The report was presented by Mr Pope, Mr Hansby and Mr Whittington.

In reply to a question, Mr Whittington noted that whilst the Local Government Act 2002 required the preparation of a Statement of Proposal, a judgement could be made on the preparation of a Summary Statement of Proposal depending upon the complexity of the issue being considered. In this case, the recommendation was not to have a Summary and the Council needed to resolve as such.

Councillor Gilmour expressed concern about the lack of detail in the Statement of Proposal especially about governance. Staff confirmed that the plans would accompany it along with information about the different governance structures. Members considered that the governance options currently given were not particularly clear and asked under paragraph 2.4 for further explanation about present governance arrangements in comparison with governance options in the future.

Councillor Lawton stated that there was a general lack of identification of disadvantages. She questioned whose development aspirations were being described and suggested that there needed to be greater discussion about potential resistance to development.

Concern was expressed that in the discussion of advantages the benefits of a lease did not come across clearly. It was suggested that these needed to describe not only the financial impact but also the impact on the community and to stress the levels of control still possible under a lease arrangement.

A request was made to reword clause 9.4 to ensure it did not read that special circumstances needed to apply in order to make an oral submission.

It was suggested that paragraph 3.1 was too Queenstown-centric and that opportunities for increased demand should not only focus on demand from this direction.

On the motion of Councillors Aoake and MacLeod it was resolved that the Council:

1. Note the contents of this report;
2. Adopt the Statement of Proposal for consultation on the Wanaka Airport future governance and management model;
3. Determine that it is not necessary to prepare a summary of the proposal for the public;
4. Direct Council officers to report back to the Council following the completion of the Special Consultative Procedure on the Wanaka Airport future governance and management model; and
5. Note that the Councillors to hear public submissions on the proposal will be determined following the forthcoming local body elections.

Councillors MacLeod and Stevens left the meeting at 3.28pm.

6. **Alcohol Licensing Fee Reduction Policy**

A report from Lee Webster (Manager, Regulatory) presented the proposed alcohol licensing fee reduction policy for adoption.

Mr Webster presented this report and the item following.

On the motion of Councillor Gilmour and Forbes it was resolved that the Council:

1. Note the contents of this report;
2. Adopt the proposed Queenstown Lakes District Council Alcohol Licensing Fee Reduction Policy; and
3. Delegate the role of administering the Queenstown Lakes District Council Alcohol Licensing Fee Reduction Policy to the Manager; Regulatory.

Councillors MacLeod and Stevens returned to the meeting at 3.30pm.

7. **Wanaka Recreation Centre – Alcohol Policy**

A report from Lee Webster (Manager, Regulatory) presented a proposed Alcohol Policy for the Wanaka Recreation Centre for adoption in response to a request for such a policy from the Wanaka Community Board.

Councillor Lawton noted that the Wanaka Alcohol Group had been very proactive about identifying ways to work with Council to inform the community about responsible alcohol use. She supported the recommendation as she considered it was important for the Council to show some leadership in relation to the harm to the community caused by alcohol use. She considered it was a token gesture as the policy would not stop alcohol from being served at the venue, but would simply place some controls around it. To reflect this Councillor Gilmour suggested that the poster note that the centre was alcohol-free 'except by special licence'.

Councillor Stammers-Smith spoke against the recommendation stating that it was an ad hoc decision that was a mistake because it was inconsistent with the Memorial Centre and Queenstown Events Centre. Councillor Gazzard noted that such a policy for all Council facilities would be a major impediment for them hosting events.

Councillor Stevens indicated that whilst he supported the community making its own decisions, he did not support the proposed policy. He advised of his intention to abstain from voting.

On the motion of Councillors Lawton and Forbes it was resolved that Council:

- 1. Note the content of this report; and**
- 2. Adopt the Queenstown Lakes District Council Alcohol Policy for the Wanaka Recreation Centre for immediate implementation.**

Councillors Gazzard and Stammers-Smith voted against the motion; Councillor Stevens abstained.

8. Development of sports fields at the Wanaka Recreation Centre

A report from Stephen Quin proposed the Council funding irrigation and turf works from the Wanaka reserve improvement development contributions to establish sports fields at the Wanaka Recreation Centre in the 2016/17 financial year.

The report was presented by Mr Quin and Mr Burns.

The Mayor acknowledged that there was funding available for this project from within the development contributions fund, but she questioned whether it was still permissible to do the project if it was not identified in the 10 Year Plan. Mr Burns stated that the effect of part (2) of the recommendation was to add the project to the Development Contributions schedule for the following year meaning that no borrowing would be required, with the Council collecting for the project from next year onward. He considered that something of this materiality could be determined by the Council at this time.

On the motion of Councillors Gilmour and Lawton it was resolved that Council:

1. **Note the contents of this report;**
 2. **Agree to include a new capital project to develop two sports fields at the Wanaka Recreation Centre with a budget of \$260,000 for the 2016/17 financial year;**
 3. **Agree to fund this through the Wanaka Improvement Development Contributions; and**
 4. **Note the requirement to include additional operational funding per annum to maintain the new sports fields for 2017/18 and beyond.**
9. **Proposed new grazing licence for Jacks Point Recreation Reserve**

A report from Joanne Conroy (Property Advisor, APL Property Ltd) presented and assessed an application for a new grazing licence for an area of recreation reserve at Jacks Point. The report recommended that the Council grant the licence subject to conditions.

This report and the two following were presented by Mr Hoger and Mr Burt.

On the motion of Councillors Aoake and Gazzard it was resolved that the Council:

1. **Note the content of this report;**
2. **Approve a new grazing licence to Jack Point Farm Limited over Lot 13 DP 364700 subject to the following conditions:**

Commencement	1 September 2016
Term	Five years
Renewals	One of a further five years at Council's discretion
Rent	\$1.00 (if demanded)
Rent Reviews	Upon renewal
Insurance	Licensee to provide \$2 million public liability insurance
Use	Grazing sheep only, ability to spray, fertilise and seed
Other	Council able to give 12 months' notice of early termination Licensee to control noxious weeds on the land at his cost.

3. Delegate signing authority to the General Manager, Property and Infrastructure.

10. New licence for Wanaka Farmers' and Gardeners' Market

A report from Joanne Conroy (Property Advisor, APL Property Ltd) presented a recommendation from the Wanaka Community Board to grant a new licence to the Wanaka Farmers' and Gardeners' Market to operate on part of Pembroke Park, a recreation reserve. The report recommended that the licence be granted subject to conditions.

Mr Hoger stated that the recommended termination notice was now one year rather than the three month notice originally recommended by the Wanaka Community Board. This was because the policy on community lease and licence terms had changed in the interim. In addition, the Board had asked that condition (i) requiring public access to be maintained at all times also cover the path and had added 'including the path' to the condition.

Councillor Lawton noted that the Wanaka Craft Market occupied the area indicated by the red line in Appendix A which showed the licence area, adding that the Board had asked for the area to be extended down to the end of the skatepark to accommodate the Farmers' and Gardeners' Market. She stated that this was important because the groups were two separate entities and should not be mixed up. The Mayor asked staff to ensure the correct area was identified on the plan.

On the motion of Councillors Aoake and MacLeod it was resolved that Council

- 1. Note the report;**
- 2. Approve a new licence to the Wanaka Farmers and Gardeners Market Inc over part of the Recreation Reserve legally described as Section I Block L Town of Wanaka, certificate of title 130939 and known as Pembroke subject to the following terms:**
 - a. Term to be for a period of 3 years, with two further renewals of 3 years each by mutual agreement of both parties;**
 - b. Rent pursuant to the Community Pricing Policy;**
 - c. Rent reviewed upon renewal in accordance with the Community Pricing Policy;**
 - d. Early termination with 1 year notice by Council if the land is required for core infrastructure purposes (but not in the first 3 year term);**
 - e. Public Liability Insurance of \$2 million to be provided;**
 - f. Operating health and safety plan to be received;**

- g. Applicant to ensure appropriate food and liquor licenses are held if required;**
- h. Operating day and hours to be limited to Sundays between 10am and 2pm;**
- i. Public access to be maintained at all times including the pathway. Adequate safety measures to be put in place to ensure public safety is maintained;**
- j. Market to sell domestically sourced handcrafted goods, with exclusion placed on the sale of manufactured or imported goods;**
- k. Reinstatement of the area to be completed within 2 hours of closing;**
- l. Craft market permitted to operate from the same area, subject to the craft market holding a current licence or hire agreement.**

3. Agree to exercise of the Minister's prior consent (under delegation from the Minister of Conservation) to the granting of a licence to the Wanaka Farmer's and Gardener's Market Inc.

4. Delegate signing authority to the General Manager, Property and Infrastructure.

11. Easement – Reserve Adjacent to Sugar Lane, Frankton

A report from Blake Hoger (Property Manager, APL Property Ltd) presented and assessed an application from Aurora Energy Ltd for an in-ground easement over Local Purpose (Marina and Accessway) Reserve at the Frankton Marina to lay electrical cables for street lighting and CCTV as part of the Frankton Marina Development.

The report also considered whether the easement should be publicly notified and concluded that this was not necessary because the easement would not affect the ability of people to use and enjoy the reserve nor would it create any long term permanent effect on the reserve. Overall, the report recommended that the easement be approved, subject to conditions.

On the motion of Councillors Gilmour and Aoake it was resolved that Council:

- 1. Note the contents of this report;**
- 2. Approve an underground easement over Local Purpose Reserve, Sections 52 & 53 Blk XXI Shotover SD subject to section 48 (1)(d) of the Reserves Act 1977, in favour of Aurora Energy Limited subject to the following conditions:**
 - a. Aurora Energy Limited to notify and liaise with QLDC Infrastructure Department in**

- advance of any onsite works so that they can oversee and provide input relating to existing in ground infrastructure;
- b. Operating health and safety plan to be received;
 - c. Certificate of adequate public liability cover to be received;
 - d. Reinstatement of the area to be completed immediately following installation and to the satisfaction of QLDC's Infrastructure Department. Reinstatement to include any fencing or other structures.
3. Agree that notification of the intention to grant the easement is not required as the statutory test in section 48(3) of Reserves Act 1977 is met;
 4. Delegate authority to approve final terms and conditions, including location, and execution authority to the General Manager – Property & Infrastructure; and
 5. Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of an easement to Aurora Energy Limited over Sections 52 & 53 Blk XXI Shotover SD.
12. **Delegations to the Chief Executive during the interim election period October 2016**

A report from Michele Poole (Communications Manager) asked the Council to delegate to the Chief Executive all of its responsibilities, duties and powers under all legislation without limitation, except for those set down in legislation that could not be delegated, from election day until the inauguration of the new Council, in order for the normal business of the Council to be carried out without interruption.

On the motion of Councillors Lawton and Ferguson it was resolved that Council:

1. Note the contents of this report; and
2. Delegate to the Chief Executive all of the functions, duties and powers of the Council under all legislation without limitation, except for those powers set down in legislation that cannot be delegated, from 8 October 2016 until the inauguration of the new Council.

13. QLDC Organisational Health Safety and Wellbeing Performance

A report from Meghan Pagey (Manager, Human Resources) presented information detailing how the Council was fulfilling its statutory health and safety responsibilities.

**On the motion of Councillors Gazzard and MacLeod
it was resolved that Council note the report.**

14. Mayor's Report

A report from the Mayor:

- a) Set out the functions and meetings attended during the period 25 August to 29 September 2016;
- b) Presented a recommendation about the grant in the 2016/17 Annual Plan to the Queenstown Lakes Family Centre Trust;
- c) Presented Portfolio Leader reports; and
- d) Summarised the items from and appended the minutes of the following meetings:
 - Property Subcommittee meeting (23 August 2016)
 - Resource Consent Commissioner Appointments Subcommittee meeting (23 August 2016) (Public Excluded)
 - Property Subcommittee meeting (7 September 2016)
 - Resource Consent Commissioner Appointments Subcommittee meeting (13 September 2016) (Public Excluded)
- e) Detailed the actions taken from previous Council meetings

Councillor Aoake sat back from the table for discussion on the request for the grant approved in the 2016/17 Annual Plan to the Queenstown Lakes Family Centre for rent to instead be paid to Jigsaw.

Councillor Gilmour spoke to the recent announcement by the Housing Minister to extend the special housing areas ('SHA') legislation for a further three years. She considered that the Council had learned much since signing the original housing accord and in the future needed a much stronger lead policy and accord. She expressed the desire for the new Council not to accept new SHA applications until it had updated the lead policy and had a new accord.

It was confirmed that a request had been made for staff to bring a report on this subject to the following week's Council meeting.

Councillor Gilmour questioned the update provided in the Actions Report on affordable housing actions. She noted that the Council had required six monthly reports and whilst one had been presented in a workshop, she stated that instead it should be included on a public agenda every six months. She also questioned the current timing of June 2017 for affordable housing opportunities under the strategic property review, noting that no response had been received to date on the request to bring this project forward under the Chief Executive's work plan.

Requests were also made for updates on the following actions:

- Timing for the preparation of a Reserve Management Plan for the area around the Young Family Zoological Gardens in Frankton;
- LINZ progress on processing statutory procedures for land acquisition and road stopping at Stalker Road.

On the motion of the Mayor and Councillor Forbes it was resolved that Council:

1. Note the report;

2. Note that the Queenstown Lakes Family Centre has recently merged with Jigsaw and agree that the \$26,400 approved in the 2016/17 Annual Plan for their rent shall instead be paid to Jigsaw.

Councillor Aoake did not vote on part 2 of the motion.

15. Chief Executive's Monthly Report

A report from the Chief Executive provided an update for the Council on recent activities and progress with achieving Council priorities.

The Council directed the Chief Executive that no long term leases for the Malaghan Building should be entered into to ensure flexibility going forward.

Members asked for all items in the work programme to be included in the report and not just those under action.

On the motion of Councillors Forbes and Gilmour it was resolved that Council note the report.

Confirmation of minutes

Extraordinary meeting, 11 August 2016

Councillor Gilmour sought the following addition to the presentation by Jeff Staniland of Skyline Enterprises in the Public Forum:

'Councillor Gilmour asked if Skyline Enterprises was looking at providing affordable accommodation for staff and Mr Staniland replied 'yes.'

On the motion of Councillors Gilmour and Stevens the Council resolved that the public part of the minutes of the extraordinary meeting of the Queenstown Lakes District Council held on 11 August 2016 as amended be confirmed as a true and correct record.

Councillors Lawton and MacLeod abstained because they were not at the meeting.

Confirmation of minutes – 24 August 2016

Item 14: Shotover Jet Concession Agreement – Fee Increase

Item 15: Direction on Three Resource Consent Appeals

Item 16: Emergency Management Share Services Delegation

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
14. Shotover Jet Concession Agreement – Fee Increase	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: b)ii) to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	Section 7(2)(b)(ii)
15. Direction sought on Three Resource Consent Appeals	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: g) Maintain legal professional privilege; i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);	Section 7(2)(g) Section 7(2)(i)

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General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
16. Emergency Management Share Services Delegation	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);	Section 7(2)(i)

Agenda items – 29 September 2016

- Item 5 Special Consultative Procedure (SCP) to help determine the Wanaka Airport future governance and management model (Attachment E – Legal advice)**
- Item 14 Resource Consent Commissioner Appointments Subcommittee minutes (23 August 2016 and 13 September 2016)**
- Item 16: Wanaka Recreation Centre and Wanaka Pool Status Update**
- Item 17: Appointment of Hearing Commissioner(s) to hear and determine applications for resource consent under the Housing Accords and Special Housing Areas Act 2013**
- Item 18: Direction on Resource Consent Appeal – Wanaka Watersports Facility**
- Item 19: Delegation to award the construction of the Eastern Access Road (Hawthorne Drive)**

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
5. Special Consultative Procedure (SCP) to help determine the Wanaka Airport future governance and management model (Attachment E – Legal advice)	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: g) Maintain legal professional privilege;	Section 7(2)(g)

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General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
14. Resource Consent Commissioner Appointments Subcommittee minutes (23 August 2016 and 13 September 2016)	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: a) Protect the privacy of natural persons, including that of deceased natural persons.	Section 7(2)(a)
16. Wanaka Recreation Centre and Wanaka Pool Status Update	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: g) Maintain legal professional privilege; h) Enable any local authority holding the information to carry on, without prejudice or disadvantage, commercial activities;	Section 7(2)(g) Section 7(2)(h)
17: Appointment of Hearing Commissioner(s) to hear and determine applications for resource consent under the Housing Accords and Special Housing Areas Act 2013	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: a) Protect the privacy of natural persons, including that of deceased natural persons.	Section 7(2)(a)

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General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
18. Direction on Resource Consent Appeal – Wanaka Watersports Facility	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: g) Maintain legal professional privilege; i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);	Section 7(2)(g) Section 7(2)(i)
19. Delegation to award the construction of the Eastern Access Road (Hawthorne Drive)	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: h) Enable any local authority holding the information to carry on, without prejudice or disadvantage, commercial activities;	Section 7(2)(h)

This resolution is made in reliance on Section 48 [1] [a] of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982 as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above with respect to each item.

The meeting went into public excluded at 4.15pm.

PUBLIC EXCLUDED

Confirmation of public excluded minutes

Extraordinary meeting, 11 August 2016

On the motion of Councillors Stevens and Ferguson the Council resolved that the public excluded part of the minutes of the extraordinary meeting of the Queenstown Lakes District Council held on 11 August 2016 be confirmed as a true and correct record.

Ordinary meeting, 24 August 2016

On the motion of Councillors Gazzard and Stevens the Council resolved that the public excluded part of the minutes of the ordinary meeting of the Queenstown Lakes District Council held on 24 August 2016 be confirmed as a true and correct record.

Councillor Forbes stated that she had omitted to declare a conflict of interest during the public part of the meeting in respect of the Wanaka Waterports Facility as she was a 20% owner of Scope Media which has done a lot of publicity for the parties involved. She stated that she would leave the meeting for the item.

16. Wanaka Recreation Centre and Wanaka Pool Status Update

A report from Simon Battrick (Sport and Recreation Manager) provided a status update on the construction of the Wanaka Recreation Centre and Wanaka Pool project.

The report was presented by Mr Battrick.

Councillor Lawton referred to the changes proposed through the value management process and asked whether it would be possible to retrofit energy efficient materials without too much additional cost. Mr Battrick noted that this should not be necessary as the amount of glazing required had been reduced which had improved the energy efficiency of the building as it had reduced the amount of window space. In addition, the change of materials proposed was in keeping with the same efficiency standards.

The Mayor questioned the continued use of consultants for the project, especially if they replicated in-house staff. She stated that once information had been gained from RCP, staff needed to take the lead in the project.

In reply to a question Mr Battrick noted that whilst the whole project would come in under budget it would not be necessary to refund grants. He stated

that the project goal was to deliver a fit for service facility with nothing extraneous.

On the motion of Councillors Cocks and MacLeod it was resolved that the Council:

- 1. Note the contents of this report;**
 - 2. Note that the Chief Executive is entering into a negotiated construction contract with Cook Brothers for \$9,800,000 + GST for the construction of the Wanaka Pool.**
 - 3. Note that Council officers have conducted a value management exercise to ensure that the approved budget of \$12,280,000 as agreed by Council on 30 July 2015 is achievable for the project.**
 - 4. Note that the recently completed Wanaka Recreation Centre project is projected to be under budget by approximately \$350,000 - \$500,000.**
 - 5. Authorise the Mayor and/or Chief Executive to make a public statement on this report and resolution after the meeting.**
- 17. Appointment of Hearing Commissioner(s) to hear and determine applications for resource consent under the Housing Accords and Special Housing Areas Act 2013**

A report from Blair Devlin (Manager, Planning Practice) sought Council approval to appoint Hearings Commissioners to hear and determine applications for resource consents for qualifying developments within Special Housing Areas, established by the Minister of Housing under the Housing Accords and Special Housing Areas Act 2013 ('HASHA').

The report was presented by Mr Avery.

On the motion of Councillors Aoake and Ferguson it was resolved that the Council:

- 1. Note the contents of this report;**
- 2. Note that some of the HASHA resource consent applications listed below may be able to be processed by officers non-notified under delegated authority, in which case the appointed Commissioners will not be required.**

3. Either appoint the following persons to hear and determine applications for resource consent(s) relating to a qualifying development in the following Special Housing Areas, noting that in the event of a disagreement between the two person panels, the Chairperson shall have the deciding vote:

Arthurs Point Road – Two Commissioner Panel

- a. Andrew Henderson – Chair (planning)
- b. Councillor Simon Stammers-Smith

Or, if either of the above two Commissioners are not available:

- c. David Clarke – Alternate Chair (planning) and Councillor Mel Gazzard

Queenstown Country Club AND Onslow Road – Three Commissioner Panel

- a. David Mead – Chair (planning and urban design)
- b. Jan Caunter – (legal)
- c. Councillor Cath Gilmour

Or, if any of the above three Commissioners are not available:

- d. David Clarke – Alternate Chair (planning) and Councillor Scott Stevens

Arrowtown Retirement Village – Three Commissioner Panel

- a. Andrew Henderson – Chair (planning)
- b. David Whitney (planning)
- c. Councillor Mel Gazzard

Or, if any of the above three Commissioners are not available:

- d. David Mead (planning and urban design), Jan Caunter (legal) and Councillor Cath Gilmour

Shotover Country – Three Commissioner Panel

- a. David Whitney – Chair (planning)
- b. David Clarke – Alternate Chair (planning)
- c. Councillor Scott Stevens

Or, if any of the above three Commissioners are not available:

- d. Councillor Mel Gazzard and Leigh Overton

Gorge Road Business Mixed Use Zone – Two Commissioner Panel

- a. David Mead – Chair (planning and urban design)
- b. Councillor Calum MacLeod

Or, if either of the above two commissioners are not available:

- c. Councillor Mel Gazzard and David Clarke – Alternate Chair (planning)

Or appoint other Commissioners from the list appended as Attachment A.

Councillor Forbes left the meeting at 4.31pm.

18. **Direction on Resource Consent Appeal – Wanaka Watersports Facility**

A report from Blair Devlin (Manager, Planning Practice) sought authority from the Council to mediate and, if necessary, defend the decision of its Commissioners in the Environment Court against the appeals received relating the RM150679 – Wanaka Watersports Facility.

The report was presented by Mr Avery.

The Mayor sought feedback from the Council on its level of comfort with the proposed delegation to the Manager, Planning Practice.

Councillor Gilmour suggested that part (3) of the recommendation be amended to place a rider over the 'concerns of the appellants' that they be 'without derogation of the intent of the resource consent' as she was concerned that the recommendation as currently drafted would permit anything that would meet the concerns of the appellants. She considered that proposed amendment would still allow the objectives of the resource consent to be met whilst still giving the staff a significant amount of discretion. The proposed amendment was supported.

On the motion of Councillors Gilmour and Lawton it was resolved that Council:

1. **Note the contents of this report;**
2. **Note that at the time of writing, the period for parties to join the appeal as a section 274 party had yet to close.**
3. **Delegate to the Manager, Planning Practice, the power to resolve the appeal against the decision on RM150679 by way of mediation with one parameter, that consent be granted subject to the amendment or addition of consent conditions to address the concerns of the appellants, without derogation of the intent of the resource consent, or should mediation fail, defend the decision of its Commissioners in the Environment Court.**

Councillor Forbes returned to the meeting at 4.39 pm.

19. Delegation to award the construction of the Eastern Access Road (Hawthorne Drive)

A report from Myles Lind (Manager, Asset Planning) sought a delegation from the Council to award the contract to construct the Eastern Access Road (Hawthorne Drive) up to a specified figure in order to be able to progress the contract through a change of elected members. The recommendation of the report was to delegate authority up to a value of \$24.2 million.

The report was presented by Mr Hansby.

As signalled in the report, Mr Hansby circulated updated forecast and budget figures. He highlighted a construction contingency in the contract of \$1.17M. This represented about 5% of the total and was risk over the contingency risk that would not be covered in contingency amount. Whilst he would normally be comfortable with the original recommended figure, during the inter-Council period he believed there was value in adding a further \$1.1 M to cover risk. This would take the delegation from \$24.2M to \$25.3M.

Information was circulated about residual risk.

Mr Hansby confirmed that he was confident of the designation for the road being forthcoming in the next few days.

It was agreed that at present there would be no comment about the report or resolution.

On the motion of Councillors Forbes and Aoake it was resolved that Council:

- 1. Note the contents of this report;**
- 2. Authorise the Chief Executive to negotiate final terms with the preferred tender party; and**
- 3. Delegate to the Chief Executive the awarding and execution of the construction of the Eastern Access Road Project, up to a value of \$25.253 million.**
- 4. Delegate the Chief Executive authority to make a public statement about this report/resolution at an appropriate time.**

On the motion of Councillors Stevens and MacLeod the Council resolved that the public be readmitted to the meeting.

The meeting came out of public excluded and concluded at 5.07pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

M A Y O R

6 October 2016

D A T E