

**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 Hearing Stream 13 –  
Queenstown Mapping  
Annotations and  
Rezoning Requests

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**SECTION 42A REPORT / STATEMENT OF EVIDENCE OF ROBERT BUXTON  
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

**GROUP 2 RURAL**

**24 May 2017**

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Appendix 1: Recommendations on submissions

Appendix 2: Section 32AA analysis of recommended changes

Appendix 3: Supplementary information provided by submitters and referred to  
in my evidence

## 1. INTRODUCTION

- 1.1 My name is Robert Bruce Buxton. I am a Director of Buxton & Walker Limited, a resource management consultancy and I have been engaged by Queenstown Lakes District Council (**Council**) to prepare this officer's report / evidence for rezoning requests in the Urban Queenstown area. I hold a Master of Science (Hons) in Resource Management and a Bachelor of Engineering.
- 1.2 I have 28 years' experience in resource management planning working in Auckland, Waikato, Wellington, Marlborough, Canterbury and Otago. My experience includes working for both district and regional councils, in both consenting and plan preparation (including assessing requests for private plan changes). I have provided evidence at hearings on submissions for both regional and district proposed plans, and attended Environment Court mediation and hearings on district plan references and appeals.
- 1.3 As a consent planner or team leader, I have processed and approved resource consent applications for district councils, and given evidence in the Environment Court. I have also presented regional council submissions at district council resource consent application hearings. My current role includes processing consents for the Auckland and Dunedin City councils. I have not previously been involved in the Queenstown Lakes Proposed District Plan (**PDP**) process.
- 1.4 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.
- 1.5 This evidence provides recommendations to the Hearings Panel (**Panel**) on submissions to the Proposed District Plan (**PDP**) grouped as Rural (Group 2). These submissions are on mapping zoning and annotations for land that is outside the Queenstown Urban Growth Boundary (**UGB**) and zoned Rural in the notified PDP.

- 1.6** All references to PDP provision numbers, are to the Council's Reply version of those provisions (unless otherwise stated). I refer to documents included in the Council's Bundle (**CB**), Supplementary Bundle (**SB**) and Second Supplementary Bundle of Documents (**SSB**).
- 1.7** I have attached in **Appendix 1**, my recommendations on the submissions I have considered.
- 1.8** Ms Kim Banks' strategic statement of evidence sets out the relevant statutory tests on which I have relied; and a range of assessment principles and context factors which I have also considered to assist in the assessment of the appropriateness of the rezoning requests.
- 1.9** I refer to the Strategic evidence at section 4 which sets out those submissions that are not on Stage 1 PDP land, and in particular relating to Group 2 Rural, the submissions of:
- (a) Lloyd James Veint, Arcadia Station (480.1); and
  - (b) Cabo Limited (481.1 in terms of supporting the Visitor Accommodation Subzone on the Township zone in Glenorchy).
- 1.10** No recommendations have been made on these submissions points as they are considered by the Council to not be "on" Stage 1 of the PDP.
- 1.11** I have read and considered the relevant documents associated with the substantive hearings on the PDP chapters to ensure that I have adequately considered matters of integration and consistency across the PDP. In particular, I have read and considered the s42A report and replies for the following parts of the PDP:
- (a) Chapters 1 (Introduction) and 5 (Tangata Whenua) of Mr Anthony Pickard [**CB1 and CB5**];
  - (b) Chapter 2 (Definitions) of Ms Amanda Leith [**CB2**];

- (c) Chapters 3 (Strategic Direction) and 4 (Urban Development) **[CB3, CB35 and CB39]** of Mr Matthew Paetz;
- (d) Chapters 7 (Low Density Residential) **[CB7, CB50 and CB51]** of Ms Amanda Leith;
- (e) Chapter 11 (Large Lot Residential) **[CB10, CB54 and CB55]** of Ms Amanda Leith;
- (f) Chapter 21 (Rural) **[CB15, CB41 and CB42]** of Mr Craig Barr;
- (g) Chapter 22 (Rural Residential and Lifestyle) **[CB16, CB43 and CB44]** of Mr Craig Barr; and
- (h) the Ski Area Sub Zone hearing stream, reply.

**1.12** I refer to and rely on the evidence of:

- (a) Dr Marion Read (Landscape)
- (b) Mr Glenn Davis (Ecology);
- (c) Mr Ulrich Glasner (Infrastructure);
- (d) Mr Denis Mander (Transport);
- (e) Mr Timothy Heath (Commercial Retail); and
- (f) Mr Philip Osborne (Commercial Office and Industrial).

**1.13** I note that some submitters have provided supplementary information to Council to provide further detail to their submission and clarify the relief sought. I have taken this supplementary information into account in my analysis and overall recommendation and have attached it in **Appendix 3**. This relates to the submissions below:

- (a) The Station at Waitiri (331);
- (b) Te Anau Developments Limited (607);
- (c) Queenstown Park Limited (806); and
- (d) Gibbston Valley Station Limited (827).

## **2. SUMMARY**

**2.1** I have considered 31 submissions seeking rezoning or mapping annotation changes, in this Group 2 area (Rural) evidence. The following changes are recommended to the notified PDP Planning

Maps (and an evaluation under section 32AA is set out in **Appendix 2**):

- (a) amend the Outstanding Natural Landscape (**ONL**) line at and adjacent to the rural properties on Kingston Road (Lot 1 DP 443946 for submission 409 and Lot 2 DP 300643 for submission 710), which are immediately north and south of the Remarkables Ski-field access road to follow the most recent decision of the Environment Court (Neil McDonald (409)) and to follow the change in landscape character north of the MacDonald property (Reavers NZ Limited (710));
- (b) amend the Outstanding Natural Feature (**ONF**) line at Mt Alfred, Glenorchy to exclude the Dart River flats on the western side of Mt Alfred (New Zealand Tungsten Mining Limited (519)); and
- (c) amend the location and shape of the Rural Residential zone at Camp Hill, Glenorchy (Mount Christina Limited (764)).

**2.2** I have not amended the planning maps at this point in time, however Council intends to provide updated planning maps that reflect final recommendations following the hearing of evidence and submissions during the course of the hearing, with the Council's Right of Reply. Council's GIS team does not have capacity to provide these through each evidence exchange, when there is a possibility that recommendations may still change.

**2.3** Otherwise, I consider that the notified zones are more appropriate than the zonings being pursued by submitters. Many of the other submissions do not provide sufficient information to be able to make a recommendation other than to agree with the s32 assessment underpinning the notified zones and maps.

### **SUBMISSIONS IN SUPPORT OF PDP**

#### **3. TEMPLE PEAK LTD (486.1 and 486.2)**

**3.1** This submitter supports the Rural Lifestyle Zone on their land on the Rees Valley Road and seeks adoption of the Rural Lifestyle zoning. Note submission point 486.1 was deferred from Hearing Stream 02 to

this mapping hearing, but is identical to submission point 486.2 and therefore the two submission points can be addressed together.

- 3.2** Given that the submission points 486.1 and 486.2 support the zone in the PDP I recommend that the request to adopt the Rural Lifestyle zoning is accepted.

**4. CABO LIMITED (481.1, 481.3)**

- 4.1** The submitter seeks adoption of the Rural Lifestyle zone provisions (inclusive of the Building Restriction Area) and Rural Lifestyle zoning as it relates to the Wyuna Station Rural Lifestyle Zone. This was the notified zone. I note that submission point 481.3 was deferred from Hearing Stream 02 to this mapping hearing, but is almost identical to submission point 481.1 except that it also refers to adopting the zone provisions of Chapter 22 and therefore the two submission points can be addressed together. Given that the submission points 481.1 and 481.3 support the zone in the PDP I recommend that the submission points are accepted, although 481.3 will need to be accepted in part if the provisions of Chapter 22 are amended.

- 4.2** I note that the title of Table 4 in Chapter 22 misspells Wyuna as "Wynuna". This should be corrected as a minor correction under clause 16, Schedule 1 of the RMA.

- 4.3** Overall I recommend that submission points 481.1 and 481.3 be accepted in part.

**SUBMISSIONS REGARDING SIGNIFICANT NATURAL AREAS (SNAS) ONLY**

**5. LAKE WAKATIPU STATIONS LIMITED (702.19)**

- 5.1** The submitter seeks that the planning maps be amended to reduce the extent of SNA C24A on its property on Kingston Road, Wye Creek. The submitter states that the SNA is impractical to maintain and destock and does not reflect the most important values in need of protection.

## **Ecology**

- 5.2** Mr Davis does not oppose the submission regarding the proposed realignment of the SNA boundary as it is the same as the notified boundary in the maps. He was involved in the consultation process with the submitter on this proposal and can confirm that the realignment shown in the submission is consistent with the consultation on this SNA.

## **Analysis**

- 5.3** It appears that the submitter has referred to the draft SNA boundaries (the blue outline in the figure attached to their submission) rather than the notified boundaries. The boundary of SNA C24A on the PDP maps was reduced through the consultation process and is the boundary that the submitter requests.
- 5.4** Based on the fact that the boundaries of SNA C24A in the notified version of the PDP is the same as requested by the submitter, I recommend that the submission on the boundary of SNA C24A is accepted. For completeness I note that there is no need to amend the boundary of SNA C24A in the PDP.

## **SUBMISSIONS REGARDING LANDSACPES (ONLs and ONFs) ONLY**

### **6. N T McDONALD (409.2)**

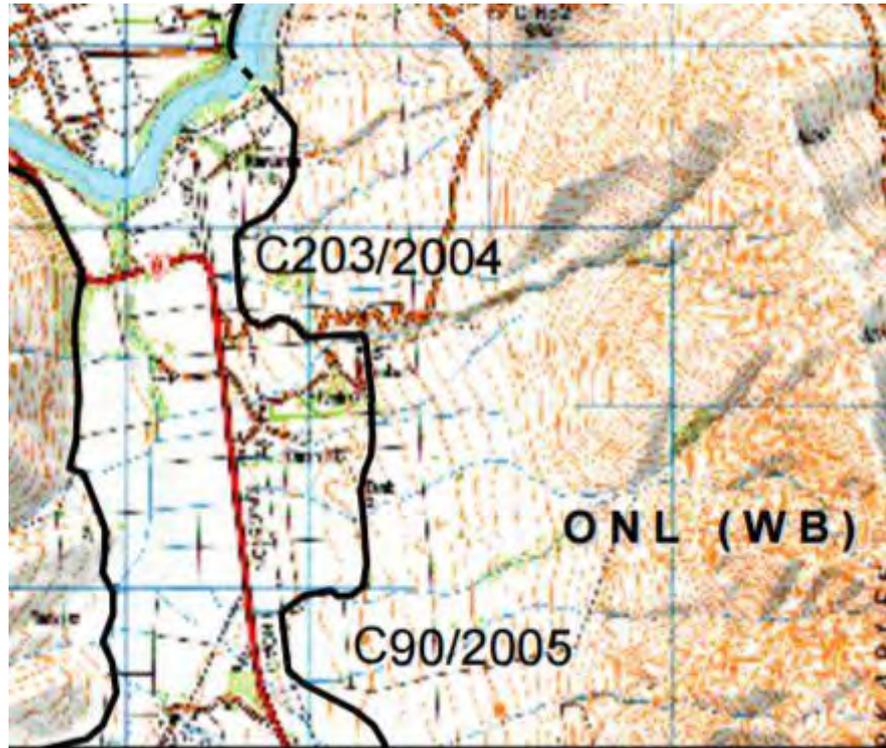
- 6.1** The submitter seeks that the PDP Landscape Category Boundary at their rural property on Kingston Road (Lot 1 DP 443946, Assessment No 2913100605), which is immediately south of the Remarkables Ski-field access road, is amended to reflect the most recent Environment Court Decision. The notified boundary reflects Appendix 8: Landscape Categories of the ODP.
- 6.2** The submitter has supplied an Environment Court decision dated 18 July 2005 that required the Council to amend Appendix 8: Landscape Categories of the ODP to follow the line as shown on the map

"landscape line as determined by Environment Court Decision C203/2004", which is as follows:



**Figure 1:** ONL for Appendix 8 of ODP as shown in Environment Court Decision C203/2004. The black line indicates the ONL boundary, the ONL is to the east of the line.

- 6.3** The ONL as shown in Appendix 8 of the ODP and replicated on the notified PDP maps does not include all of the land that the above decision included. Appendix 8 and the PDP maps are as follows:



**Figure 2:** ONL as currently shown in Appendix 8 of the ODP



**Figure 3:** ONL on PDP maps. The brown dashed line identifies the ONL/RCL boundary.

## **Landscape**

- 6.4** Ms Mellsop considers the Court order boundary of the Remarkables ONL in the vicinity of these properties, which is sought by submitter **409**, is appropriately located. She has provided a map to show where she considers the location of the ONL should be.

## **Analysis**

- 6.5** On the basis of Ms Mellsop's comments, I recommend that the change to the boundary of the ONL to reflect the most recent Environment Court decision is accepted as shown on the map prepared by Ms Mellsop.

## **7. NEW ZEALAND TUNGSTEN MINING LIMITED (519.64)**

- 7.1** The submitter seeks that the boundary for the ONF, which in the PDP follows the edge of the Dart River, be realigned. It states that the ONF boundary does not follow the most appropriate boundary on the western side (alongside the Dart River). The request would move the boundary to the toe of Mt Alfred.
- 7.2** Further submitter FS1015.100 (Straterra) supports the submission on the basis that moving the ONF boundary would provide for mineral and mining activities.
- 7.3** Further submitter FS1356.64 (Cabo Limited) opposes the submission on the basis that it does not result in sound resource management planning.

## **Landscape**

- 7.4** Dr Read considers that the requested realignment of the ONF/ONL is logical. She considers that by removing the river flats from the ONF, the activities that would be enabled by the change in activity status for buildings and mining could be absorbed within this environment. She does not oppose the request to move the ONF boundary.

## Analysis

**7.5** The effect of moving the ONF line as requested would result in the land below the ONF becoming ONL. The Rural zone has specific controls over mining activities in an ONF whereas there is not the same control in an ONL (Rural Rule 21.4.30.d **[CB15]**). In the Rural zone (including an ONL) some mining operations are permitted (Rural Rule 21.4.30 a to c) including:

- (a) mineral prospecting;
- (b) mining by hand-held equipment; and
- (c) up to 1000m<sup>3</sup>/year mining aggregate for farming activities except in ONFs where these activities are discretionary activities.

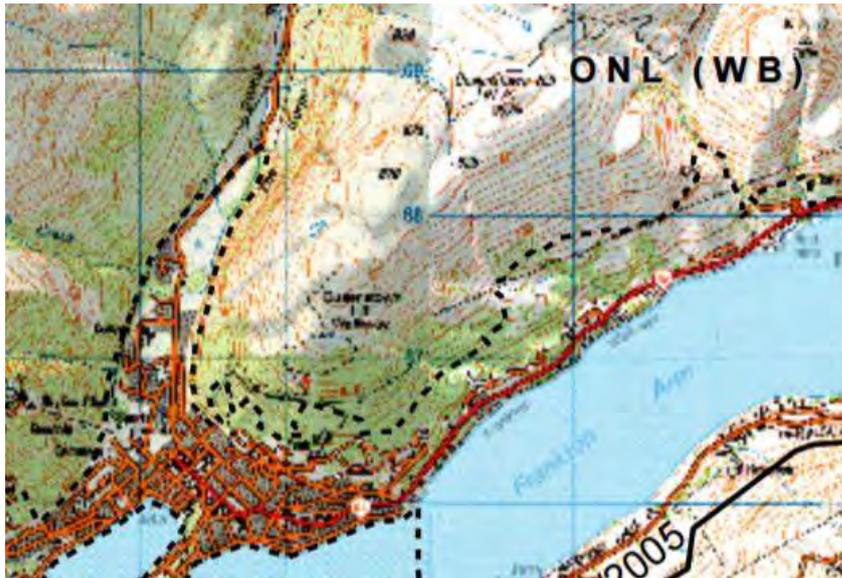
**7.6** Apart from that all other rules regarding mineral exploration and mining (Rural Rules 21.4.31 and 21.4.32) do not have specific controls for ONFs and ONLs. Also all farm buildings in ONFs are restricted discretionary activities (Standard 21.5.18.3) whereas they are permitted up to 4m height and 100m<sup>2</sup> in ONLs (Standard 21.5.18.4).

**7.7** On the basis of Dr Read's comments that the requested realignment of the ONF is logical and that the resultant changes to the rules affecting the status of mining and farming activities can be absorbed by the river flat environment, I recommend that the request to change the ONF boundary to that shown in Dr Read's evidence is accepted.

## **8. D & M COLUMB (624.4)**

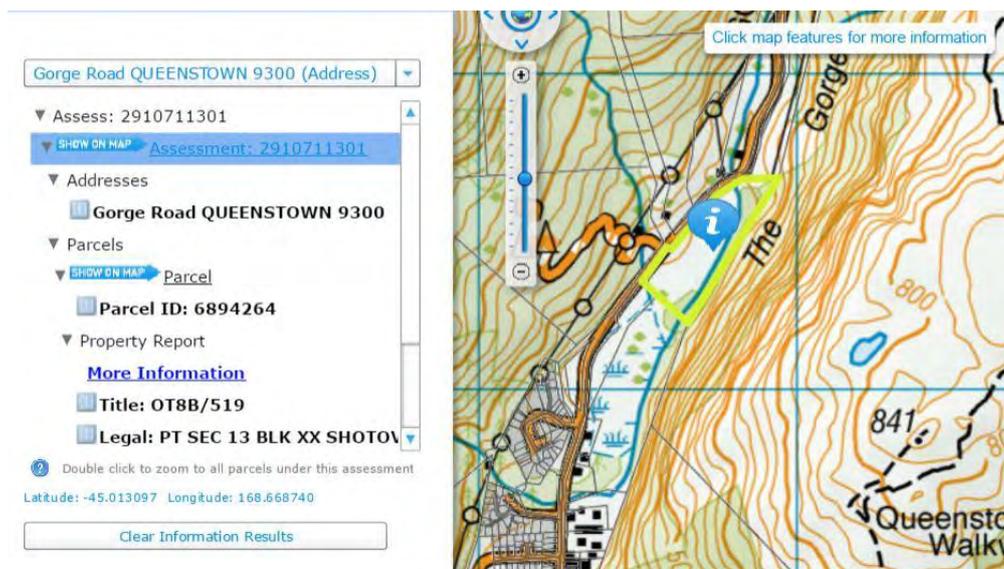
**8.1** The submitter seeks that the ONL boundary is shifted to its previous location under the ODP (the subject land being on or about the boundary of the ONL under the ODP).

**8.2** The ODP does not include the ONL on the planning maps, but includes "Appendix 8A – Map 1 Landscape Categorisation in the Wakatipu Basin", which maps the ONL (WB) near the submitter's land as shown below:



**Figure 5:** ONL in Appendix 8A – Map 1 of the ODP

**8.3** As can be seen above, the mapping in Appendix 8A is not very precise. However, based on the location of the stream and the kink in the road, I am reasonably certain that the ONL in Appendix 8A does cover the submitter's site, i.e. the northern most land along Gorge Road that is just outside the ONL is Council owned land (Assessment number 2910711301) as shown on the map below. Therefore their submission to shift the ONL to the previous position of the ODP would mean that the ONL would still remain on their land.



**Figure 6:** Location of the Council owned land highlighted in green that is just outside the ONL in Appendix 8A – Map 1 of the ODP

## Landscape

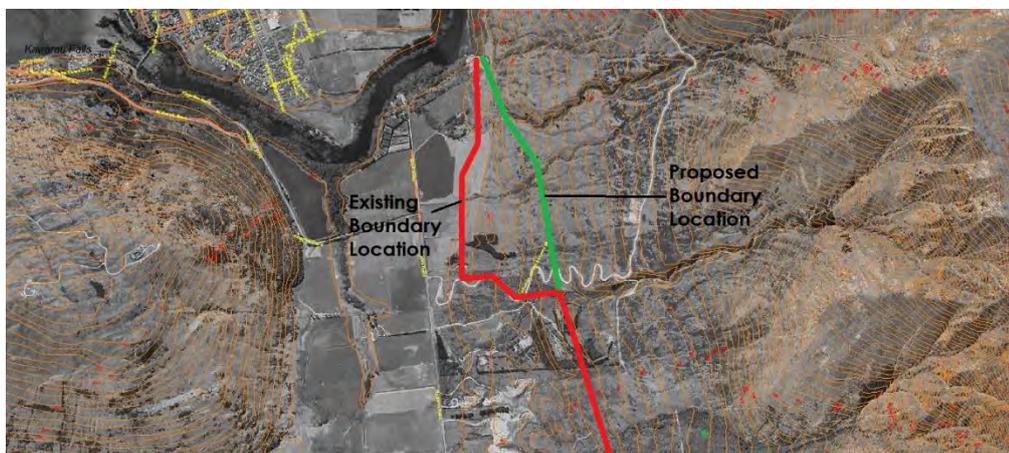
8.4 Where the actual boundary of the ONL is on the ODP is relevant to establish scope of the submission, but of more particular relevance to its location, Dr Read states that in preparing the PDP the ONL boundary was moved to the south to include a Council reserve. She confirms that neither boundary excluded the submitter's land and considers that the proposed boundary, as notified in the PDP, is appropriate.

## Analysis

8.5 On the basis of Dr Read's comments that the ONL boundary should remain as notified, I recommend that the request to change the ONL boundary is rejected.

## 9. REAVERS NZ LIMITED (710.2)

9.1 The submitter seeks that the ONL boundary line in the vicinity of its rural property on Kingston Road (Lot 2 DP 300643), which is immediately north of the Remarkables Ski-field access road on Planning Map 13, is amended to align with the plan in the figure below. The submitter states that the boundary line in the locality of the submitter's property is arbitrary and does not reflect topographical or landscape features. To the south of the site, the boundary follows contours, fence lines, roading and tree lines and the submitter considers that the boundary in this locality is more representative of the landscape.



**Figure 7:** Requested change to the ONL shown in green

## **Landscape**

**9.2** Ms Mellsop considers that the boundary of the Remarkables range ONL north of the Remarkables ski field road zigzag should be relocated to follow the fenceline that demarcates the change in landscape character between the cultivated valley and the more natural steeper alluvial fan slopes, and to exclude the dwelling and curtilage at 27 Kingston Road. She has provided a map to show where she considers the location of the ONL should be with her evidence.

## **Analysis**

**9.3** On the basis of Ms Mellsop's evidence that the ONL boundary should be amended to follow the change in landscape character, I recommend that the request to change the ONL boundary is accepted in part as shown on the map prepared by Ms Mellsop.

## **10. REMARKABLES PARK LIMITED (807.76)**

**10.1** The submitter seeks that the ONL line along the Kawarau River near the Remarkables Park Zone (**RPZ**) be moved and placed along the foot of the slopes of the northern face of the Remarkables. The submitter states that a more detailed analysis of the District's landscapes and appropriate use and development within is required. In particular, the ONL classification near the RPZ contains many anomalies and severely restricts development on flat land near existing urban centres and infrastructure. An example of an anomaly is that the Shotover River is highly modified and there are manmade structures along this stretch of the Kawarau River.

**10.2** In terms of the RPZ, the effect of the request would be to remove the ONL from the portion of land shown as Activity Area 2a identified in Figure 1 Activity Areas Structure Plan of the zone. This portion of the RPZ is not owned by the submitter and is part of the river itself.

## Landscape

- 10.3** Ms Mellsop considers that the stretch of the Kawarau River between Lake Wakatipu and the Shotover River is appropriately classified as an ONF within the wider ONL in the PDP. She notes that it is designated as an ONF in the Otago Regional Plan: Water. The stretch of river is also covered by the Water Conservation (Kawarau) Order.

## Analysis

- 10.4** Placing an ONL overlay on land that is not zoned Rural has been discussed in the Strategic evidence of Ms Kimberley Banks (Section 30). The approach is not opposed, but Ms Banks confirms in her paragraph 30.9 that, "*where an ONF or ONL is located within a zone other than the Rural Zone there should be objectives or provisions that manage the respective landscape values and issues to the extent contemplated by the Zone.*" It is noted in Ms Kimberley Banks' evidence that she considers the ONL should remain over the RPZ.
- 10.5** Based on the following provisions that are within the ODP RPZ, I consider that the zone does include objectives/policies and provisions that manage the respective landscape values and issues to the extent necessary, to protect the ONL:

- (a) the RPZ Chapter of the ODP includes the following introductory statement about the river:

*Development of the Remarkables Park Zone acknowledges the outstanding physical resources and landscape value of the land.*

- (b) the Explanation and Principal Reasons for Objective 1 recognises the importance of the river:

*In all respects, the Remarkables Park Zone is a riverside development. As such, development of the Remarkables Park Zone strongly recognises and embraces the*

*presence of the Kawarau River. The river is an important component of the local landscape and has the potential to be a significant beneficial aspect of future development. The river and its margins are presently under-utilised in terms of public access and enjoyment. Encouraged by Council's approach to the nature of reserve contributions the development of the Remarkables Park Zone will enhance riverside utilisation beyond the Remarkables Park Zone by the establishment of accessible open space, amenities and physical and functional linkages with this waterbody.*

(c) under Objective 2 Development Form, Policy 3 states:

*To enable the establishment of open space and recreation activities in any of Activity Areas 2a, ...*

(d) Policy 4 states:

*To provide for a number of identified Activity Areas within the Structure Plan as follows:*

*...*

*Activity Area 2*

- To develop and enhance the Riverside Public Recreation Activity Area at the location and to the extent shown on the Structure Plan and in a comprehensive and integrated manner.*

- To continue, in general terms, the reserve provisions already in force in relation to land in the southern portion of the Remarkables Park Zone, being Activity Areas 2a, 2b and 2c.*

*...*

(e) the Explanation and Principal Reasons for Objective 2 includes the following detail about area 2a:

*Activity Area 2 - Riverside Public Recreation Activity area 2a on the river peninsula adjoining the Kawarau River, to*

*the south covers land owned by the Council and is proposed to be developed for predominantly public open space. This element of the southern Riverside Public Recreation area is the proposed River Access Area. This area will be a public place carefully located on the river's edge in order to take advantage of the opportunities of such a location for river access. It may provide stopping points and a terminal/ticketing facility for water transport between the Frankton locality, Queenstown and other parts of the District as well as focus for limited commercial uses, eg restaurants, ticketing facilities.*

(f) Objective 3 includes:

*Protection of areas of important vegetation, and land form in close proximity to the river from development.*

**10.6** The Explanation and Principal Reasons for Adoption for Objective 3 include:

*While future development of the Remarkables Park Zone will involve some modification to the natural environment, the retention and protection of natural features and places which have significant heritage or landscape value is of primary importance in order to retain and enhance the outstanding environmental qualities of the District.*

*The Kawarau River and its margins are significant components of the overall landscape within the zone. Much of the amenity of the zone is based on, and takes advantage of, the proximity of the river and the quality of its edges. At present, there are substantial stretches of the riverside which are host to inappropriate vegetation cover, including willows, which affect water flow and cause sediment build-up. The removal of inappropriate species and subsequent restorative planting using suitable species will secure the amenity to be derived from the area. Further, this amenity can be enhanced*

*through appropriate design and location of structures and the creation of public access in order to capitalise on the potential of the site.*

*The establishment of activities and structures within the river access area must be undertaken in a manner which recognises the high level of ecological amenity within this area. Landscaping in conjunction with structures of appropriate scale can serve to enhance such amenities.*

- (a) Within Activity Area 2 the rules for RPZ provide for buildings and Commercial Recreation activities as controlled activities, with control including "Effect on landscape and visual amenity values and view corridors".

**10.7** On this basis I recommend the ONL be retained over the Remarkables Park zone in its current location as recommended by Ms Mellsop so that it can be taken into account when assessing resource consent applications (under the ODP RPZ framework) as recommended by Ms Kimberley Banks.

**10.8** Overall I recommend that the request to remove the ONL from the Remarkables Park zone be rejected.

## **SUBMISSIONS REGARDING RURAL RESIDENTIAL ZONE**

### **11. MOUNT CHRISTINA LIMITED (764.18)**

<b>Overall Recommendation</b>	
Recommendation	Accept in part
Summary	The existing Rural Residential zone is accepted as being poorly located because it rolls over an escarpment towards the Glenorchy Road and the zone should be relocated on to the upper terrace closer to Camp Hill.

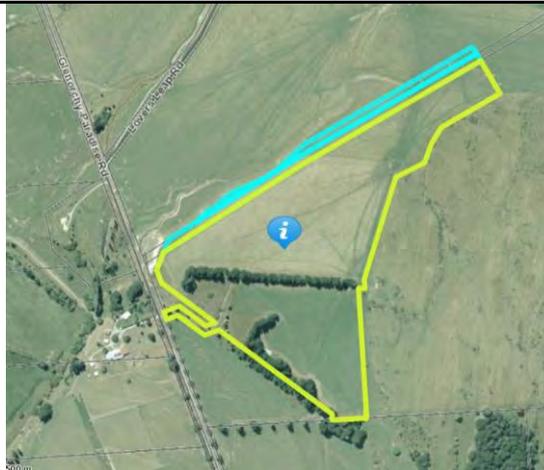
<b>Property and submission information</b>	
Further Submitters	None
Land area/request referred to	Camp Hill

as	
PDP Zone and Mapping annotations	Part Rural Residential and part Rural
Zone requested and mapping annotations	All Rural Residential
Supporting technical Information or reports	None
Legal Description	Lots 1 & 2 DP 395145 Sec 2 SO 404413
Area	28.8648ha
QLDC Property ID	24911
QLDC Hazard Register	Alluvial Fans Liquefaction Risk – Possibly susceptible

#### Summary of Council assessments and recommendations

Landscape	Not opposed in part
Ecology	Not opposed
Infrastructure	Not opposed
Traffic	Opposed

#### Aerial Photograph of the site



Aerial photograph of the land subject to the submission outlined in yellow and blue, with the blue showing a thin strip on the northern side of the paper road.

**PDP planning map**



Excerpt of PDP Planning Map 09, yellow is Rural zone, green is Rural Residential zone

- 11.1** The submitter seeks to amend the Rural Residential zone boundaries to better recognise topography and the landscape values of the area, by amending the zone boundaries to lie within the cadastral boundaries shown in the aerial photograph above.

**Landscape**

- 11.2** From a landscape perspective Dr Read does not oppose part of rezoning, provided the total area of the zone on the site is not increased and the zone is instead located close to the eastern boundary of the site so that it would be backed by Camp Hill.

**Ecology**

- 11.3** Mr Davis does not oppose the rezoning from an ecological perspective due to the lack of ecological values.

**Infrastructure**

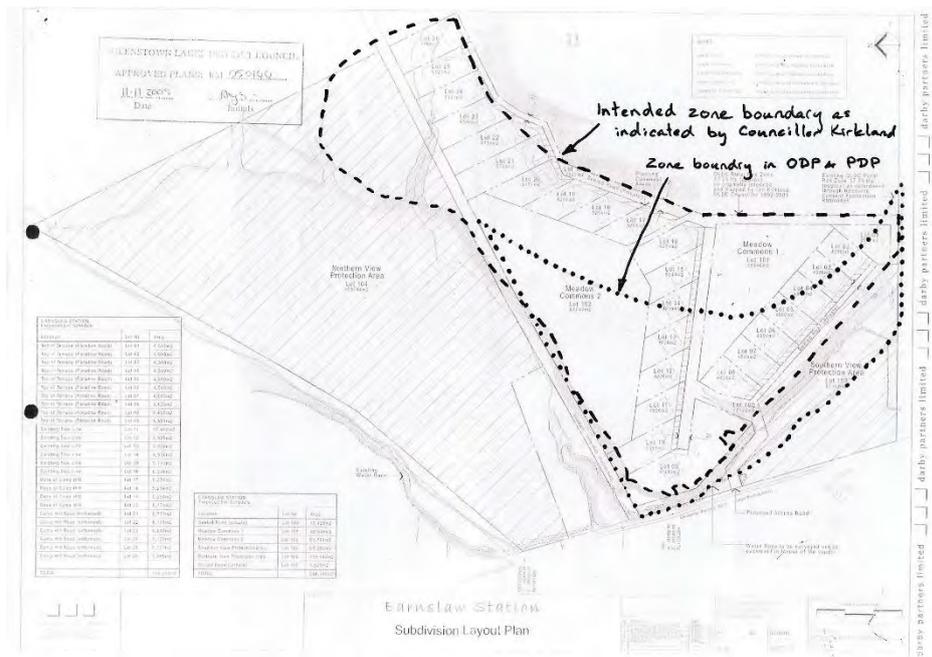
- 11.4** Mr Glasner does not oppose the rezoning from an infrastructure perspective because if the zone continues to be serviced by private infrastructure at the developer's cost there is no increase in the Council's infrastructure requirements.

## **Traffic**

- 11.5** Mr Mander considers that the increased size of zone would increase demand on Council services to maintain and possibly upgrade the unsealed section of road, and he also has road safety concerns. He therefore opposes the rezoning from a traffic perspective.

## **Analysis**

- 11.6** The boundary of the Rural Residential zoning in PDP is the same as the ODP.
- 11.7** The site has been subject to two resource consents, RM040445 for 36 rural residential allotments within the existing Rural Residential zone boundary and RM050144 for 26 allotments partly within the Rural Residential zone and partly to the east within the Rural zone closer to the toe of Camp Hill. Consent RM0505144 has been granted a number of extensions to the lapse date however the submission states this expired on 9 May 2017. It is therefore no longer an existing (but unimplemented) consent.
- 11.8** In reviewing the consents, I note that the commissioner for RM050144 refers to evidence presented by former Councillor Ian Kirkland, who identified where he considered the Rural Residential zone was meant to be mapped, which takes in the upper terrace and amounts to 33.29ha, as opposed to the existing zoning which amounts to 17.89ha. These areas were shown on a map presented at the hearing, see below. That map also shows faintly the consented subdivision. The commissioner noted the more logical location for the entire zoning would have been solely on the upper terrace.



**Figure 8:** Approved plan for RM050144 showing the current Rural Residential boundary (dotted line) and the boundary identified by Councillor Ian Kirkland (dashed line)

- 11.9** I consider that any development would be better placed on the upper terrace as it would be further from the Glenorchy-Paradise Road and could be more easily screened. I do note that in RM050144 thirteen lots outside the Rural Residential zoning and close to the toe of Camp Hill, had restrictions on building height of 5.5m (Lots 14-20) or 5.0m (Lots 21-26) and a large landscaped earth bund was required beside the northeastern-most lot (Lot 26) to provide screening from the Rees Valley Road. RM050144 also included requirements for screening/landscape planting and two large "common meadows" of 81747m<sup>2</sup> and 30546m<sup>2</sup>. The "common meadows" were to be co-owned by all owners of the rural residential lots. There was also a requirement for areas between the development and the Glenorchy-Paradise Road to be "view protection areas". Both the "common meadows" and the "view protection areas" were to be maintained in pasture and not to be built on.
- 11.10** The submitter states that "aligning the zone boundary to better follow topography and the landscape values of the site would avoid the need to secure protection through consent and create a more enduring form of management of the natural and physical resources

of the site". Given the detailed conditions on RM050144, I consider that it is not simply a matter of extending the zone to the east in order to provide for a development similar to RM050144. Some of the conditions in RM050144 were in response to the allotments being on land zoned Rural, and these conditions could not be applied if that land was zoned Rural Residential.

**11.11** Rezoning the whole site (28.9ha) could potentially result in approximately 49 dwellings, compared with the 36 dwellings within the existing zone (as per RM040445) or 26 dwellings (as per RM050144). Although in the Right of Reply version of the Subdivision Chapter, subdivision of the site would be a Restricted Discretionary activity, I note that landscape values are not a matter for discretion (new Rule 27.5.7). Also under the Rural Residential zone provisions dwellings would be a permitted activity at a density of 1 per 4000m<sup>2</sup> without the need to subdivide, although this type of development is considered unlikely as it would not give individual title to residents.

**11.12** I consider that there are two options for addressing this submission. One is to change the location of the zoning and not to increase its size. The other is to increase the size of the zone and create specific zone rules. Overall I recommend that the request to amend the zone boundary be accepted in part by adopting the simpler option, Option 1.

### ***Option 1 – Shift the location of the Rural Residential zone***

**11.13** The area of Rural Residential zoning in the PDP is approximately 15ha when measured on Council's GIS system. The primary issue is that the zone rolls over the escarpment and any development on, or in front of, it would be highly visible from the Glenorchy-Paradise Road. I consider that, rather than rezoning the whole site as requested by the submitter, the zone could be shifted to the east so that none of it is on the escarpment and is positioned close to the toe of Camp Hill as recommended by Dr Read.

**11.14** This option would be the simplest, in line with the intention to keep the PDP as simple as possible. It recognises that the current zoning

in the PDP does not have any additional controls over and above the Rural Residential zone provisions, and deals with the primary issue of the location of the zone by shifting it onto a more appropriate location.

***Option 2 – Create a Rural Residential subzone***

**11.15** This second option would involve rezoning the whole site as requested, and to include specific controls over and above the Rural Residential zone provisions. Specific controls could include:

- (a) limiting the number of dwellings/lots to 26 (similar to the Ferry Hill subzone);
- (b) restricting dwellings to the upper terrace;
- (c) limiting the height of dwellings; and
- (d) requiring screening of the dwellings and open spaces to reduce visual impact from Glenorchy-Paradise Road and Rees Valley Road.

**11.16** The number of dwellings/lots and their location could be addressed through standards in the Subdivision and Rural Residential zone provisions, and the height and screening could be addressed through controlled activity status for the dwellings.

**11.17** This second option would to some extent address the sensitive nature of the site (as was reflected in the conditions on RM050144). Included within the Council's Rezoning Assessment Principles is that zoning is not determined by existing resource consents and existing use rights, but these will be taken into account. Although RM050144 has lapsed it does give an indication of what controls might be appropriate if the whole site was rezoned.

**11.18** The resource consent and its conditions were relatively complicated and therefore to replicate them as rules in the zone would require quite a level of detail. By doing so, the zone would not provide flexibility if plans for the development were to change. For example, part of the consent required large areas of "view protection areas" between the existing zone and Glenorchy-Paradise Road and an earth bund to the northeast corner to screen the development which,

to be able to be considered in any future resource consent, would require extending the Rural Residential zone over these areas as well.

**12. GARRY STRANGE (168.1 and 168.2) and NICK CLARK (298.1 and 298.2)**

<b>Overall Recommendation</b>	
Recommendation	Reject
Summary	The existing range of zoning and controls (being Rural, Rural Residential, Rural Residential Subzone, Rural Lifestyle, Visitor Accommodation Subzone, ONL classification, SNA, Building Restriction) recognise the special qualities of Wilson Bay and its backdrop, and are considered the more appropriate method to manage qualities than a blanket Rural Residential zone.

<b>Property and submission information</b>	
Further Submitters	None
Land area/request referred to as	Wilson Bay and Closeburn
PDP Zone and Mapping annotations	Rural, Rural Residential, Rural Residential Subzone, Rural Lifestyle, Visitor Accommodation Subzone, ONL classification, SNA, Building Restriction, Historic Heritage Features
Zone requested and mapping annotations	<u>Wilson Bay and Closeburn</u> 168.1 Address the different zoning of Wilson Bay. <u>Closeburn</u> 298.2 Rural Lifestyle rezoned Rural Residential. <u>ONL</u> 168.2 Remove ONL classification from Wilson Bay and surrounding highly developed areas. <u>BRA</u> 298.2 Remove the building restriction
Supporting technical Information or reports	None
Legal Description	168.1 and 168.2: Not specified

	298.2: Lots 20 – 28 (incl) DP 12816
Area	Not specified
QLDC Property ID	Not specified
QLDC Hazard Register	For all of the area: Alluvial Fans – active Seismic Liquefaction – Possibly susceptible Landslide – Schist Debris

**Summary of Council assessments and recommendations**

Landscape	Opposed
Ecology	Not opposed
Infrastructure (wastewater and water supply)	Not opposed
Traffic	Opposed

**Aerial photograph of the site**

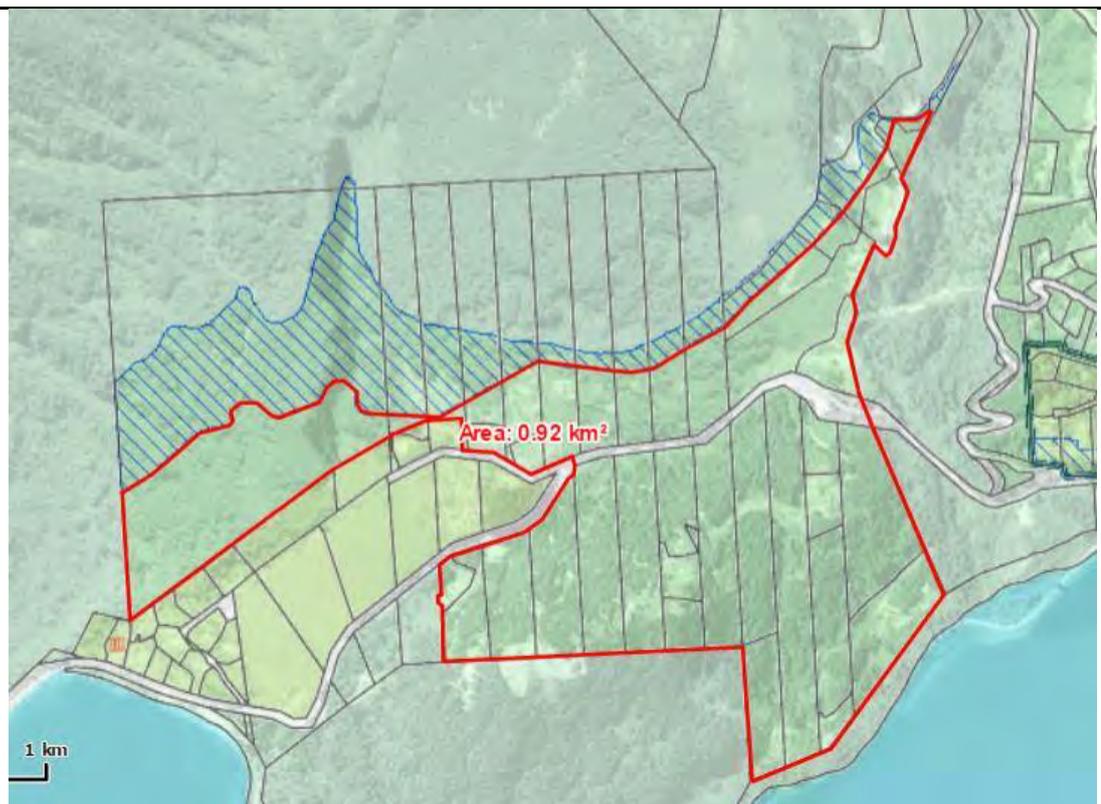


The sites referred to in Submission 298 are shown in red.

**PDP planning map**



Excerpt from PDP Planning Map 38 showing sites referred to in Submission 298.



Excerpt from PDP Planning Map 38 showing Rural Lifestyle zone outside of the BRA.

**12.1** Mr Strange (168) seeks:

- (a) address the different zonings in the Wilson Bay and Closeburn area; and

(b) removal of the ONL from Wilson Bay and surrounding highly developed areas.

**12.2** Mr Strange's submission states that the Council does not want to address anything in relation to the four different zonings in Wilson Bay and submits that the Council should let development take place within the rules of the district scheme without the ONL. This would use land that is "useless" and overgrown with wilding pines.

**12.3** Mr Clark (298) seeks that Lots 20 – 28 DP 12816, be rezoned from Rural Lifestyle to Rural Residential and that the building restriction be removed. Mr Clark's submission states that this would better reflect the patterns of development that already exist; that the land has few landscape values as it is presently covered in pine trees; and is steep, and only suitable for building. I note that submission 298.1 was deferred to this hearing from Stream 02 although the two submission points 298.1 and 298.2 were summarised identically.

**12.4** Mr Clark also requested that the density restrictions of one residential unit per hectare with an overall density of one residential unit per 2 ha be removed. Presumably this is for the Rural Lifestyle zone. It seems that this comment by Mr Clark has not been summarised. However, I note that the issue he raises was raised by other submitters and has been recommended to be rejected in section 8 of Mr Barr's s42A report on Chapter 22 Rural Residential and Rural Lifestyle **[CB43]**.

### **Landscape**

**12.5** Dr Read opposes the rezoning and removal of the ONL from a landscape perspective because the land within the ONL has high natural character that is part of the backdrop to Lake Wakatipu. Her evidence is also that although the requested rezoning from Rural Lifestyle to Rural Residential may result in the removal of the wilding conifers, the resultant large number of dwellings would reduce the natural character and rural qualities of the area.

## **Ecology**

- 12.6** Mr Davis does not oppose the rezoning from an ecological perspective because the vegetation associated with the lots that are the subject of submissions 168 and 298 are largely covered in mature exotic conifer trees. There is some bracken fern on the lower slopes of the lots but it appears likely that without intervention all of the sections subject to the submissions will be covered in exotic pine trees over time. He notes that development of the lots may be beneficial to the control of wilding exotic conifers in the area if increased density resulted in the removal of conifers from these lots.

## **Infrastructure**

- 12.7** Mr Glasner does not oppose the rezoning from an infrastructure perspective because if the zone continues to be serviced by private infrastructure at the developer's cost there is no increase in the Council's infrastructure requirements.

## **Traffic**

- 12.8** Mr Mander considers that the proposal by submitter 168 could generate a significant increase in traffic movements which has potential to affect the safety and efficiency of the Queenstown-Glenorchy Road and the submitters have provided no information on this. He therefore opposes the rezoning from a traffic perspective.

## **Analysis**

- 12.9** The PDP zoning in Wilson Bay provides greater residential density close to the bay on the flatter portions, and less density further away on the steeper sloping land. In addition to this, the Building Restriction Area (**BRA**) and the ONL on the Rural zone beyond applies to the higher areas to reduce the prominence of buildings (and earthworks for access ways) on the backdrop to the bay or when approaching the bay from Queenstown. Viewed from the bay itself, the BRA follows the 420m contour approximately, and then rises to the 480m contour further away. I consider that the zoning and other provisions are a

reasonable approach to controlling development within an important landscape close to Queenstown.

- 12.10** Applying the Rural Residential Zone to the whole area would create development that would make a significant change to the character of the area and adversely affect amenity values. The request in submission 168 to address the four different zones is not clear in terms of what zone is preferred and the extent, but if for example all the Rural Lifestyle zone in Wilsons Bay was rezoned to Rural Residential (92ha) this could result in theoretically an additional 125 allotments to the backdrop of the bay.
- 12.11** The request in submission 298, on Lots 20-28 DP 12816, to replace the existing Rural Lifestyle zone (19ha) with Rural Residential zone without a BRA, could result in theoretically an additional 25 allotments on steep land. While there may be practical limitations to the actual numbers due to the topography, as mentioned above it is not only the dwellings but also the earthworks to provide access that will affect the character of the area. Earthworks could be particularly prominent on the land requested to be rezoned in submission 298, which relates to a line of 9 narrow lots that rise relatively steeply. I consider that this increased development from the requested rezoning would have a significant detrimental effect on the character of the Bay.
- 12.12** Regarding the request to remove the ONL, I assume that this request is to remove the ONL from all Rural zoned land within Wilsons Bay. As mentioned above and by Dr Read, the Rural zoned land in Wilsons Bay is the higher land and provides an important backdrop to the Bay, and also Lake Wakatipu. Removing the ONL from Wilsons Bay would not lead to a consistent approach to the outcomes of Objective 6.3.1, amended Policies 6.3.1.1 and 6.3.1.2 **[CB6]**, and Assessment Matters 21.7.1 and 21.7.3 **[CB15]**.
- 12.13** Neither submission is accompanied by any technical reports evaluating this proposal, the effects that the rezoning would create, or how they could be managed.

**12.14** Overall, I recommend that that submission 168.1 by Mr Strange and submissions 298.1 and 298.2 by Mr Clark seeking rezoning and submission 168.2 by Mr Strange seeking removal of the ONL are rejected.

**13. GLENTUI HEIGHTS LTD (694.2, 694.20, 694.30, 694.4, 694.6); BOB'S COVE DEVELOPMENT LIMITED (712.10, 712.3, 712.5, 712.6, 712.7, 712.8, 712.9)**

<b>Overall Recommendation</b>	
Recommendation	Reject
Summary	<p>The existing range of zones and subzones (being Rural Residential, Rural Residential Bob's Cove and subzone) recognise the special qualities of Bob's Cove, and are considered the more appropriate method to manage qualities than a blanket Rural Residential zone.</p> <p>The requested 0.34ha addition to the Rural Residential zone (712.3) contains indigenous vegetation and is of a size and shape not appropriate for the Rural Residential zone.</p>

<b>Property and submission information</b>	
Further Submitters	None
Land area/request referred to as	Bob's Cove
PDP Zone and Mapping annotations	Rural Residential Bob's Cove and subzone
Zone requested and mapping annotations	Rural Residential
Supporting technical Information or reports	None
Legal Description	NA
Area	Whole zone and subzone
QLDC Property ID	Whole zone and subzone
QLDC Hazard Register	Not relevant

<b>Summary of Council assessments and recommendations</b>	
Landscape	Opposed in part
Ecology	Opposed
Infrastructure (wastewater and water supply)	Not opposed
Traffic	Not applicable

**Aerial Photograph of the site**



Aerial photograph of Bob's Cove.

## PDP planning map



Excerpt of PDP Planning Map 38 showing the RR zone in green shading and the subzone in green outline.

- 13.1** The submitters are essentially seeking that the provisions in the Rural Residential zone that are specific to the Bob's Cove Rural Residential (except for Objective 22.2.7) and the Bob's Cove Rural Residential subzone are removed so that only the Rural Residential provisions apply.
- 13.2** Submissions 694.2, 694.30 and 712.5 seek the deletion of the Bob's Cove Rural Residential subzone as shown on the planning maps, and that it be shown as Rural Residential Zone with no subzone. The submitters consider that a specific subzone relating to Bob's Cove is unnecessary with no particular benefit.
- 13.3** Submissions 694.20 and 712.10 seek the deletion of "Table 5: Rural Residential Bob' Cove and subzone" from Chapter 22 **[CB16]** on the basis that:
- (a) these rules have been largely carried over from the ODP;
  - (b) the principles have been reflected in the theme and consent conditions of subdivisions approved and implemented in Bob's Cove;

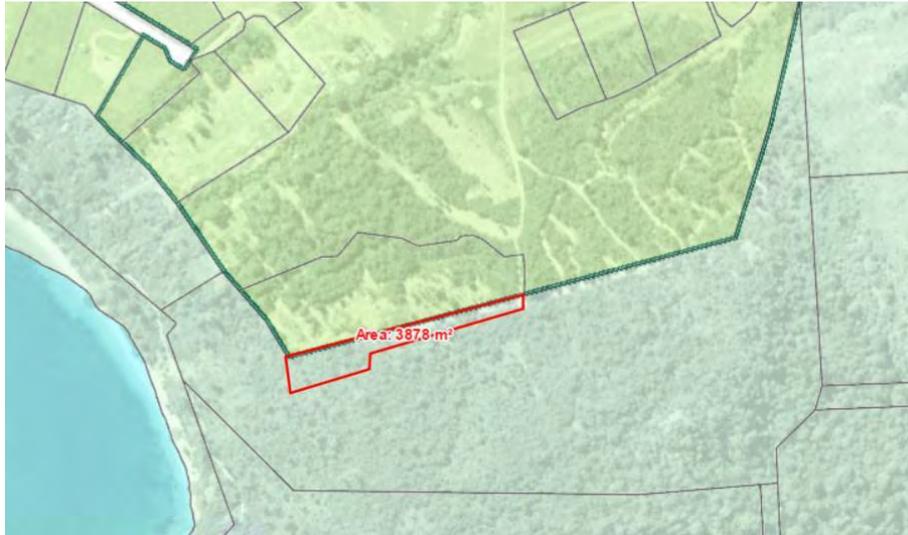
- (c) the proposed rules are excessive and inefficient regulations that promote focus on compliance at the expense of design innovation and case-by-case assessments; and
- (d) the general objectives and policies under 27.2.7 should set the outcomes sought for this area.

**13.4** Submission 694.20 also states that it does not plan to deviate from the theme of development.

**13.5** Submissions 694.4 and 712.6, 712.7, 712.8 seek deletion of Objective 22.2.6 and Policies 22.2.6.1 and 22.2.6.2 **[CB16]**. The reasons are that these policies are unusually prescriptive and in some instances are more reminiscent of methods. Now that Bob's Cove has been established and the developer has shown that they are developing in accordance with the general philosophy promoted by the operative plan, deletion of this objective and related policies will encourage a move from a focus on compliance to assessing how a proposal complies with the overall principles set out in the Bob's Cove subzone via Objective 22.2.6 and subsequent policies.

**13.6** Submissions 694.6 and 712.9 seek adoption of Objective 22.2.7 and Policies 22.2.7.1 and 22.2.7.2 on the basis that they provide an appropriate level of guidance for assessing applications for resource consents.

**13.7** Submission 712.3 seeks rezoning of the land identified below, from Rural to Rural Residential. This land is 0.34ha in area and is located on the south west corner of the Bob's Cove Subzone. The submitter states that the subject land is being exchanged for private residential use, and rural residential zoning is considered to be the most appropriate zoning.



**Figure 10:** Approximate position of the land requested to be rezoned Rural Residential.

### **Landscape**

**13.8** Dr Read opposes the removal of the specific provisions for Bob's Cove as they ensure that development within the zone will have a distinct character that is subservient to the surrounding ONLs. Of the ten performance standards for the Bob's Cove Subzone she considers that removing the 4 relating to physical measurements (height, setbacks, density, and internal setbacks) would have a moderately small impact on the character and quality of the subzone, but the remaining 6 (relating to landscaping, planting and undomesticated area) would have a significant impact.

**13.9** Dr Read does not oppose submitter 712's request to rezone the 0.34ha piece of land from a landscape perspective because any effects which this would have on landscape character and quality or on visual amenity would be insignificant in extent.

### **Ecology**

**13.10** Mr Davis opposes the rezoning to Rural Residential from an ecological perspective because the PDP specifically recognises at least 50% of the undomesticated area within the zone shall be retained, established, and maintained in indigenous vegetation. He considers this provides clear direction for the protection of the

remaining ecological values of the site and the current zoning should remain.

- 13.11** Regarding Submission 712.3 to add an additional site, the site is covered in vegetation that is in a mid-stage of succession. Mr Davis opposes the rezoning of the site as the Rural Residential zone assumes some level of development will occur to support residential development (roads and building platform etc) and would remove a significant area of the indigenous vegetation on the site.

### **Infrastructure**

- 13.12** Mr Glasner does not oppose the rezoning from an infrastructure perspective because if the zone continues to be serviced by private infrastructure at the developers cost there is no increase in the Council's infrastructure requirements.

### **Traffic**

- 13.13** Mr Mander has no issues with the rezoning from a traffic perspective.

### **Analysis**

- 13.14** It appears that the submitters are of the opinion that given they have consents to develop the land, then the zone provisions under which they applied for those consents are no longer necessary. It does not automatically follow that there is an obligation to provide a statutory framework for an implemented (nor unimplemented) consent. I consider that the zone provisions should stay to ensure that any future developments or amendments to existing development are also assessed under those same provisions.

- 13.15** Dr Read has summarised in her evidence to Hearing Stream 02 **[CB38]** the specific provisions that would be removed if the requests were accepted, and she considers that there would be potential for significant adverse effects from a landscape perspective. Although she mentions that removing some specific provisions relating to physical measurements (height, setbacks, density, and internal

setbacks) may not have significant effect on the overall landscape, such as removing the 6m maximum height which would then revert to the Zone's 8m maximum, I consider the effect of changing bulk and location provisions could be significant on adjoining or nearby properties in terms of views, shading or openness.

- 13.16** Regarding submission 712.3 to add 0.34 ha of land to the southwest corner of the Rural Residential zone, the submitter refers to this land being exchanged for private residential use. No further information has been provided, including what the exchange involves, the vegetation of the site, the access to the site (it appears that the land will also provide access to other consented development). I also note that the site at 3400m<sup>2</sup> (with approximately 1000m<sup>2</sup> appearing to be access, giving a net site area of approximately 2400m<sup>2</sup>) is significantly less than the minimum average site size for residential units of 4000m<sup>2</sup>.
- 13.17** As noted by Mr Davis, the additional site contains indigenous vegetation which should be retained.
- 13.18** Unless the submitter can provide a compelling reason for the additional site to be rezoned Bob's Cove Rural Residential subzone I recommend that the requested rezoning be rejected.
- 13.19** Overall, I recommend that the submissions seeking the removal of the specific provisions of the Bob's Cove Rural Residential zone and the Bob's Cove Rural Residential subzone, and the rezoning of the 0.34ha of land be rejected.

**SUBMISSIONS REGARDING VISITOR ACCOMMODATION SUBZONE**

**14. CHRISTINE BYRCH (243.29 and 243.33), MATAKAURI LODGE LIMITED (595.1) AND MARK SCAIFE (811.15)**

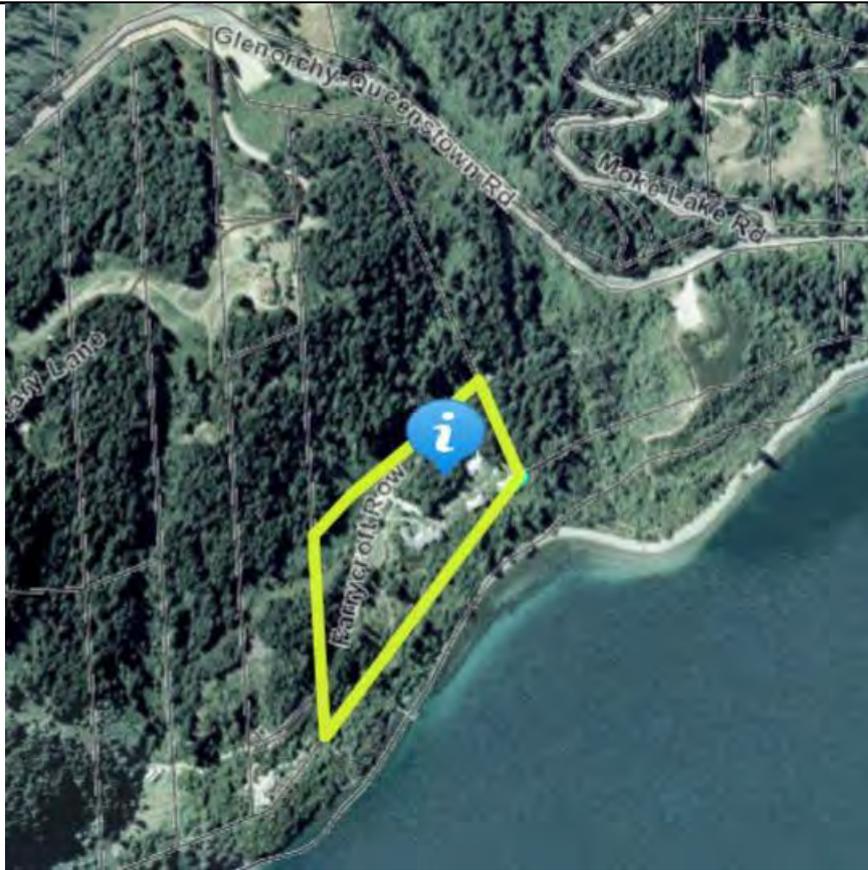
<b>Overall Recommendation</b>	
Recommendation	243.29, 243.33, 811.15: Reject 595.1: Accept
Summary	The Visitor Accommodation Subzone provides a

	<p>method that is an efficient and effective way of controlling the activity within the Rural Residential and Rural Lifestyle zones while enabling visitor accommodation on sites where the activity is existing or proposed.</p> <p>The maximum building coverage standard and the matters for discretion are considered to provide an appropriate level of management.</p>
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<b>Property and submission information</b>	
Further Submitters	FS1224.29 Matakauri Lodge Ltd (to 243.29)
Land area/request referred to as	Matakauri Lodge
PDP Zone and Mapping annotations	Rural Lifestyle and Rural Residential Visitor Accommodation Subzone
Zone requested and mapping annotations	Remove Visitor Accommodation Subzone (243.29 and 811.15) Retain the Subzone (595.1)
Supporting technical Information or reports	None
Legal Description	Lot 2 DP 27037
Area	3.5971ha
QLDC Property ID	
QLDC Hazard Register	None

<b>Summary of Council assessments and recommendations</b>	
Landscape	Not opposed
Ecology	Not applicable
Infrastructure (wastewater and water supply)	Not applicable
Traffic	Not applicable

**Aerial Photograph of the site**



Aerial photograph of the land subject to the submission outlined in yellow.



Excerpt of PDP Planning Map 38

- 14.1** Christine Byrch (243.29) seeks removal of the Visitor Accommodation (VA) Subzone from the PDP on the basis that the rural living zones are for low density rural living not for business (except home occupations). The submitter (243.33) also requests that if the subzone is retained that maximum building coverage be reduced from 2500m<sup>2</sup> to 2000m<sup>2</sup> and that where the maximum building coverage is exceeded then an additional matter for discretion be added as follows:

*whether the building would be visually prominent, especially in the context of the wider landscape, rural environment and as viewed from neighbouring properties.*

- 14.2** Matakauri Lodge Limited (**MLL**) (595.1) supports in part the PDP, and seeks that the VA Subzone for Lot 2 DP 27037 is confirmed, and that the Objectives, Policies and Rules of the Rural Lifestyle zone that provide for VA activity and buildings as a controlled activity within a VA Subzone are confirmed. The particular objective and policies supported are Objective 22.2.2, and Policies 22.2.2.4 and 22.2.2.5 **[CB16]**.
- 14.3** MLL states that the subject land has been used since the late 1990s for VA purposes, and that the relief sought will provide the necessary certainty to enable continued operation and investment in the site and associated facilities. MLL supports the purpose of the Matakauri s32 report, and notes the identification of the VA history of the site and current uncertainty the District Plan zoning provides for the continued operation and development of the site for VA activity.
- 14.4** Mr Scaife (811.15) opposes the VA Subzone over Matakauri Lodge. The submitter states that the Matakauri s32 report is flawed and that its true purpose is to facilitate further development of VA on the Matakauri site; and that the VA Subzone over Matakauri Lodge has no planning rationale. Mr Scaife states that the creation of special Rural Lifestyle VA subzones will not solve potential conflicts between the Rural Lifestyle zone and VA, but rather enhance them. He considers that a zone should not contain subzones that are inconsistent with it and that are created to allow for activities at a level of intensity that were never intended for the zone. At Matakauri Lodge, numerous incremental consents have developed the site to a level of intensity now in excess of twenty times the standard for VA activity i.e. more than 2000m<sup>2</sup> of floor area compared to the maximum 100m<sup>2</sup> of VA allowed by the standard for the Rural Lifestyle zone in the ODP.

## Landscape

- 14.5 Dr Read does not oppose the rezoning of Matakauri Lodge from a landscape perspective because she considers that, given the locations of the existing buildings, the site could absorb additional development of up to the 2500m<sup>2</sup> that the subzone provides as a controlled activity from a landscape perspective.

## Analysis

- 14.6 In the PDP there are three VA Subzones: Matakauri Lodge at Wilsons Bay and Cedar Lodge at School Road, Makarora in the Rural Lifestyle zone; and Speargrass Flat in the Rural Residential zone. Cedar Lodge and Speargrass Flat VA Subzones were in the ODP, along with two others on Studholme Road, Wanaka which have been rezoned to residential zoning in the notified PDP.
- 14.7 The key policy provisions for these subzones were considered in Hearing Stream 02 and are as follows:<sup>1</sup>

Objective 22.2.2 ~~Ensure~~ *Within the Rural Residential and Rural Lifestyle Zones predominant land uses are rural, residential and where appropriate, visitor and community activities.*

Policy 22.2.2.3 *Discourage commercial and non-residential activities, including restaurants, visitor accommodation and industrial activities, so that would diminish the amenity, rural living quality and character of the Rural Residential and Rural Lifestyle zones are not diminished and the vitality of the District's commercial zones is not undermined.*

Policy 22.2.2.4 *Encourage intensive visitor accommodation only within the specified visitor accommodation subzone areas and control the scale and intensity of these activities.*

- 14.8 Within the VA Subzones, visitor accommodation activity and buildings are Controlled Activities. A key matter for the Controlled Activity within the Subzone is:

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1 Note the amendments are from the Council's right of reply to Hearing Stream 02.

*The bulk and scale of buildings in the context of the scale of residential buildings in the surrounding area.*

- 14.9** A specific standard, which if infringed requires a Restricted Discretionary application, is:

*The maximum building coverage shall be 10% and on sites greater than 1ha the maximum building coverage shall be 10% or 2500m<sup>2</sup>, whichever is the lesser.*

- 14.10** Outside the VA Subzones, VA in the Rural Lifestyle zone is a Discretionary Activity based on the Council's right of reply (it was a Non-Complying activity in the notified version). I note that Policies 22.2.2.3 and 22.2.2.4 quoted above would indicate that although the status of the activity has been recommended to be more permissive, the Council will not be encouraging of visitor accommodation outside of the Subzones.

- 14.11** The VA subzones in the Rural Living zones (in both the ODP and PDP) are a similar response to the Rural Visitor zones in the Rural zone of the ODP. They identify where VA occurs or is proposed in a location considered appropriate for the associated likely effects. In both the VA subzones and Rural Visitor zones, the activity visitor accommodation is a Controlled Activity. Outside of these areas the activity is a Discretionary Activity in both the Rural Living zones and Rural zone. I see the purpose of these specific areas is to ensure that VA is limited within the wider Rural Living or Rural zones. While there may be many ways of providing for VA I see this method as an efficient and effective way of controlling the activity.

- 14.12** Comparing the VA Subzone in the ODP and PDP, I note the PDP (as recommended in the Right of Reply version **[CB15]**) is similar to the ODP in that VA is a controlled activity in the VA subzone, and a discretionary activity elsewhere in the zone. I also note that in the ODP the maximum site coverage is 15% with no maximum limit whereas in the PDP maximum site coverage VA in the VA Subzone of the Rural Lifestyle zone is 10% with an upper limit of 2500m<sup>2</sup>, and 15% in the VA Subzone of the Rural Residential zone. The PDP also

includes a standard that the maximum ground floor area of any individual building is 500m<sup>2</sup>, which when exceeded requires consent for a restricted discretionary activity.

**14.13** The ODP includes a site standard that requires non-residential activities to not exceed a maximum gross floor area of 40m<sup>2</sup> in the Rural Residential zone and 100m<sup>2</sup> in the Rural Lifestyle zone, which when exceeded requires consent for a restricted discretionary activity. Although it seems that this standard may have been interpreted as applying to VA activities, whether or not it was within or outside a VA subzone, I consider that this standard should not apply for VA within the PDP VA Subzone given that the subzone is intended to specifically provide for that activity. I also note that the Rural Living zones in the ODP do not appear to have any policy basis for the VA subzone, whereas the PDP does, as noted in my evidence above. Overall I consider that the VA Subzone in the PDP provides a greater level of control than the VA Subzone of the ODP.

**14.14** Regarding the submission by Christine Byrch (243.33) to reduce the maximum building coverage from 2500m<sup>2</sup> to 2000m<sup>2</sup>, I consider that 2500m<sup>2</sup> provides a reasonable limit. While 2000m<sup>2</sup> is 10% of the average 2ha density for the zone, the 2500m<sup>2</sup> maximum gives some additional flexibility to cater for sites that are greater than 2ha.

**14.15** Regarding the submission by Christine Byrch (243.33) to amend the restricted discretionary activity rule for developments greater than 2500m<sup>2</sup> by including a matter for discretion that refers to, "whether the building would be visually prominent, especially in the context of the wider landscape, rural environment and as viewed from neighbouring properties", I consider these matters are already encapsulated in two existing matters for discretion as follows, the first being particularly wide in its scope:

- (a) the effect on open space, character and amenity; and
- (b) effects on views and outlook from neighbouring properties.

**14.16** In terms of the submissions to remove the VA subzone from the PDP (Christine Byrch (243.29)) or remove the VA subzone from Matakauri

Lodge (Mr Scaife (811.15)), I consider that the VA subzone should remain at Matakauri Lodge. The zoning of the Cedar Lodge site was considered by Mr Barr in his Group 3 Rural report for Hearing Stream 12, and the zoning of the Speargrass Flat site will be considered in the Wakatipu Basin Mapping hearing.

**14.17** Regarding Matakauri Lodge, the site has a well-established lodge that has been progressively added to over a number of years as mentioned by the submitters and outlined in the s32 report for the site. The effect of the subzone would effectively mean that approximately an additional 500m<sup>2</sup> building could be located on the site. Dr Read has noted that she considers the site could absorb additional development up to the 2500m<sup>2</sup> that the subzone provides as a controlled activity from a landscape perspective. I also note that the shape of the site is significantly wider than most of the other sites in the area, which gives greater options for development. I consider that VA subzone should remain on this site if Policy 22.2.2.4 of the PDP is to identify sites where visitor accommodation should be encouraged.

**14.18** I note that in Mr Scaife's evidence (for the submitter) presented to Hearing Stream 02, he makes the following statement:

*There are only two options that might alleviate the zoning problem at Matakauri. One is for the council to place a Consent Notice on the ML title to clarify to the current and any future owners that no further development on the site can be consented given the underlying RL zoning. The other, is to acknowledge that the character of Matakauri and its immediate surrounding area has been irredeemably altered by the development at Matakauri compared to what is anticipated in a RL zone, and to thus rezone this area in its entirety.*

**14.19** The first option is not appropriate as it would in effect be saying that any further development on the site is prohibited. The second option to zone the immediate surroundings as VA subzone is not within the scope of the original submission, which was to oppose the Matakauri Lodge Visitor Accommodation subzone.

**14.20** Overall, I recommend the request to remove the VA subzone at Matakauri, and to amend the site coverage provisions is rejected.

**SUBMISSIONS REGARDING LARGE LOT RESIDENTIAL ZONE**

**15. M & C WILSON (848.2)**

<b>Overall Recommendation</b>	
Recommendation	Reject
Summary	The requested zoning is not provided for outside the urban growth boundary; the site and surrounding area do not display any unique features to protect the rural landscape or provide a buffer for reverse sensitivity effects; and the size of the site provides a useful option for rural activity amongst large landholdings.

<b>Property and submission information</b>	
Further Submitters	FS 1344.3 (Tim Taylor): Support
Land area/request referred to as	84 Glen Nevis Station Road
PDP Zone and Mapping annotations	Rural ONL
Zone requested and mapping annotations	Large Lot Residential
Supporting technical Information or reports	None
Legal Description	Section 7 Block I Kingston Survey District. [Note the body of the submission incorrectly refers to Lot 3 DP 12725, and this legal description was included in the summary.]
Area	20.2343ha
QLDC Property ID	2913102400

QLDC Hazard Register	Landslide non-verified Alluvial Fan – Hazard Area Kinston Creek Alluvial Fan Alluvial Fan – ORC fan recently active Alluvial Fan – ORC fan less recently active Alluvial Fan – Regional Scale debris-dominated Liquefaction Risk – LIC 1 (P) Probably Low Risk
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Summary of Council assessments and recommendations	
Landscape	Opposed
Ecology	Opposed
Infrastructure (wastewater and water supply)	Not opposed
Traffic	Opposed

**Aerial Photograph of the site**



Aerial photograph of the land subject to the submission outlined in yellow. The pink shading is Township Zone and the khaki is the Kingston Village Special Zone from the ODP. The remaining land is zoned Rural.

- 15.1** The submitter seeks that the property and its surrounds be rezoned from Rural to Large Lot Residential, and that Planning Map 15 is updated. The basis for the relief sought includes:

- (a) the subject land's characteristics and proximity to existing and proposed areas of development;
- (b) it is not within an area of significant landscape importance or ONL;
- (c) views of the development from SH. 6 would not be significant and would not be out of place considering the surrounding area and existing patterns of development;
- (d) the aspect of the land would offer a high level of amenity for residents;
- (e) additional access to the subject land and surrounding properties would not be required from the State Highway and therefore have no impact on its function; and
- (f) the area is not located within a flood hazard or management area.

### **Landscape**

**15.2** Dr Read opposes the rezoning from a landscape perspective because the effect of this potential development on the character of the landscape would be adverse and significant.

### **Ecology**

**15.3** Mr Davis opposes the rezoning from an ecological perspective because the land parcel subject to this submission consists of intensively developed pasture but also includes an area of rock tors/outcrop and shrubland in the northwest portion of the site that may provide good lizard habitat. This area would require more detailed investigation to confirm it was suitable for residential development. He therefore opposes the submission to rezone the land for large lot residential activity.

### **Infrastructure**

**15.4** Mr Glasner does not oppose the rezoning from an infrastructure perspective based on the requested Large Lot Residential zone if the site is serviced privately at the developer's cost. In time it may be

possible for a connection to the future wastewater scheme in Kingston at the developer's cost.

## **Traffic**

- 15.5** Mr Mander considers that the increased traffic would require upgrades of the Glen Nevis Road and intersection with the state highway and the submitter has provided no information on traffic impacts. He therefore opposes the rezoning from a traffic perspective.

## **Analysis**

- 15.6** The requested zoning is not considered suitable partly because the Low Density Residential zone is designed to be within the UGB. In terms of how the PDP is structured and intended to operate, the UGB is an important method for providing certainty over the short to medium terms about where this type of development will be located and serviced.
- 15.7** The submission provides no detail on the requested zoning or what the extent of the "surrounds" of the identified site is. It is noted that the site itself would yield approximately 34 dwellings. No detailed assessment about its effects on the landscape or ecology has been provided. The submission states that the site is outside the ONL, however, this is not correct. Dr Read has advised that the requested zoning would have an adverse and significant effect on the landscape.
- 15.8** There is no assessment on traffic effects. Access to the site is by unsealed road, and development of the site would also bring with it expectations that the road would need to be sealed, as noted by Mr Mander. He also notes that the intersection with the state highway would require upgrading.
- 15.9** There is also no assessment of possible natural hazards except for a brief statement that the site is not located in a flood hazard or management area. However, the site includes a recently active alluvial fan.

**15.10** I note that the Kingston Community Plan "KINGSTON 2020 NOVEMBER 2003" in Chapter 9 RURAL CHARACTER states:

*The rural land surrounding Kingston is characterised by large parcels of land owned by a small number of landowners. The Glen Nevis area may support some growth, however it should be in sympathy with the surrounding landscape and environment. Any development of this area should be considered in terms of its visibility from the lake, the Highway and the residential area. Large lifestyle lots may be appropriate in this area and should be affordable so that the character of Kingston is retained.*

**15.11** However, the Community Plan also indicates a possible rural residential buffer area adjoining and immediately north of the township between the state highway and the lake.

**15.12** Currently there are no rural living zones along the Kingston Road from Frankton. There are two areas of rural residential sized subdivisions along this road, the closest to Kingston being Wye Creek (Vista Terrace and Drift Bay Road) and another development closer to Jacks Point at Bluff View Terrace.

**15.13** As noted in the above excerpt from the Community Plan, the site is surrounded by large stations. While this could provide an easily identifiable zone boundary, I also see that the site has no significant topographical features which would protect the rural landscape (Objective 3.2.5.1) or buffer the effects of productive farming from the residential development which could lead to reverse sensitivity effects (Objective 21.2.4). In addition, a rural site of 20 ha provides an option for those who wish to undertake more intensive rural production, who may not be able to afford a larger rural property (Objectives 3.2.5.5 and 21.2.2).

**15.14** Overall, I recommend the rezoning request is rejected.

**SUBMISSIONS REGARDING KINGSTON TOWNSHIP**

**16. KINGSTON LIFESTYLE FAMILY TRUST (689.1 and 689.2)**

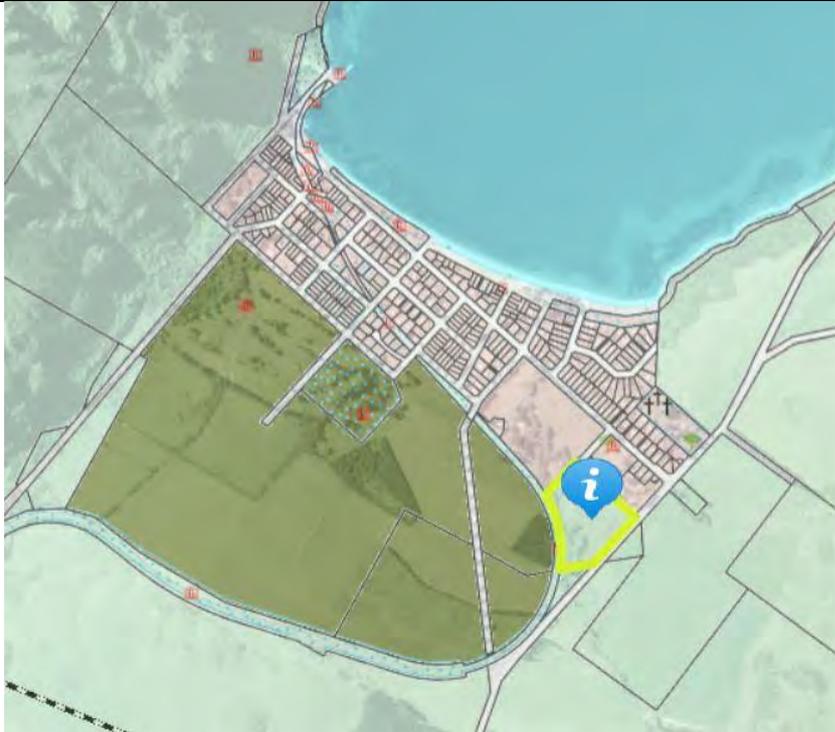
<b>Overall Recommendation</b>	
Recommendation	Reject
Summary	<p>Although I recommend rejecting the submission, I consider that there is merit in the request to rezone the site Township zone, given that it is effectively landlocked by the ODP Township zone making full rural use of the land difficult.</p> <p>Before that recommendation can be made I consider the submitter needs to address concerns relating to the intersection with the state highway.</p> <p>Any recommendation would also be that the land is notified as a variation in a later stage, alongside the Township zone provisions.</p>

<b>Property and submission information</b>	
Further Submitters to 689.1	FS 1344.5 (Tim Taylor): Support FS 1348.4 (M & C Wilson): Support
Further Submitters to 698.2	None
Land area/request referred to as	
PDP Zone and Mapping annotations	Rural ONL Adjoins Designations 78 (not listed), and Designation 439 Kingston Closed Landfill. Adjoins Historic Heritage Feature 411 Kingston Flyer Railway
Zone requested and mapping annotations	Kingston Township (ODP), Kingston Village (ODP), or Low Density Residential
Supporting technical Information or reports	None
Legal Description	Lot 3 DP 12725
Area	3.9386 ha
QLDC Property ID	2913102700

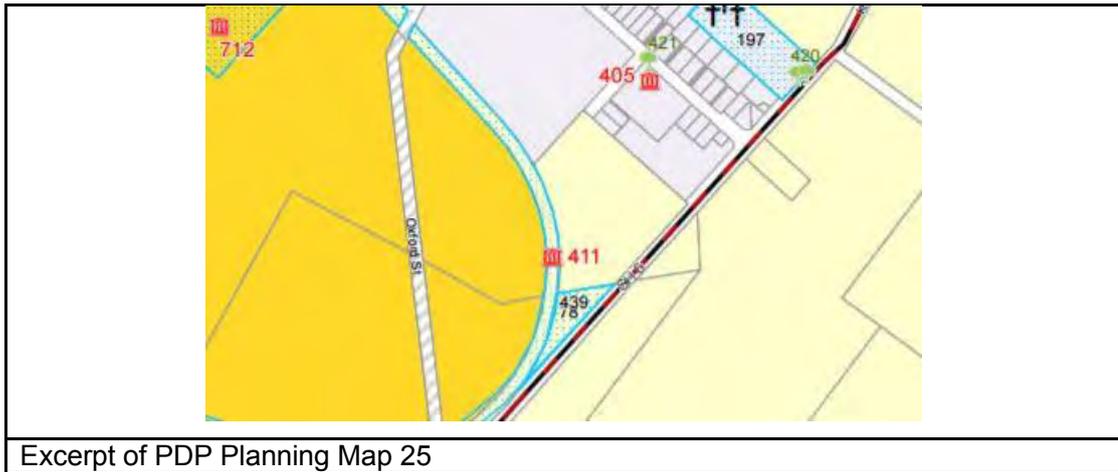
QLDC Hazard Register	<p>Liquefaction Risk – LIC 2 (P) Possibly moderate risk.</p> <p>Alluvial Fan – ORC – fan active bed</p> <p>Alluvial Fan – Hazard Area – Kingston Creek</p> <p>Alluvial</p> <p>Alluvial Fan – Channels – Main Channels</p> <p>Alluvial Fan – ORC beach ridge stabilised</p> <p>Note the four Alluvial Fan hazards are in the top northern corner.</p>
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<b>Summary of Council assessments and recommendations</b>	
Landscape	Not opposed
Ecology	Not opposed
Infrastructure (wastewater and water supply)	Not opposed to Kingston Township zone
Traffic	Opposed

**Aerial Photograph of the site**



Aerial photograph. The land subject to the submission outlined in yellow. The pink shading is Township Zone and the khaki is the Kingston Village Special Zone from the ODP. The remaining land is zoned Rural.



**16.1** The submission point 689.1 seeks that the site be rezoned from Rural to either Kingston Township (ODP zone), Low Density Residential or Kingston Village Special zone (ODP zone). The submission point 689.2 seeks that Planning Map 39A is updated to reflect the change in zone.

**16.2** The basis for the relief sought includes:

- (a) the site's characteristics and proximity to existing and proposed areas of development;
- (b) development would provide a reasonable number of residential allotments for future growth;
- (c) it is not within an area of significant landscape importance or ONL;
- (d) views of the development from SH 6 would not be significant and would not be out of place considering the surrounding area and existing patterns of development;
- (e) the aspect of the land would offer high level of residential amenity for residents;
- (f) legal access to a partially formed legal road (Kent Street) with no access required from SH 6;
- (g) feasible infrastructure servicing;
- (h) not located within a flood hazard or management area; and
- (i) the unnamed creek adjoining the site could be protected by way of reserve strip, which would provide public access and be a significant positive effect.

- 16.3** The submitter also states that the site has a practical connection to the existing Kingston Township, and development of the site would be readily integrated. The submitter states that it would result in an efficient use of the land resource, while protecting areas that are more sensitive to development and upholding areas of landscape importance within the district.

### **Landscape**

- 16.4** Dr Read does not oppose the rezoning to any of the three zones from a landscape perspective because it contributes little to the quality or character of the wider landscape.

### **Ecology**

- 16.5** Mr Davis does not oppose the rezoning to any of the three zones from an ecological perspective because the site is largely covered in pasture grasses and willow trees. There is a lack of indigenous vegetation however he advises that there will be some freshwater ecological values from the creek that runs along the western boundary that would need to be considered when developing the site.

### **Infrastructure**

- 16.6** Mr Glasner opposes the rezoning to Low Density Residential from an infrastructure perspective because water and wastewater will need to be serviced privately and the lot size will be too small to accommodate this. He does not oppose changing the zoning to (ODP) Kingston Township as the lot sizes would be sufficiently large enough for private servicing. He notes that it is planned to provide community schemes in the future at which time all properties will need to connect.

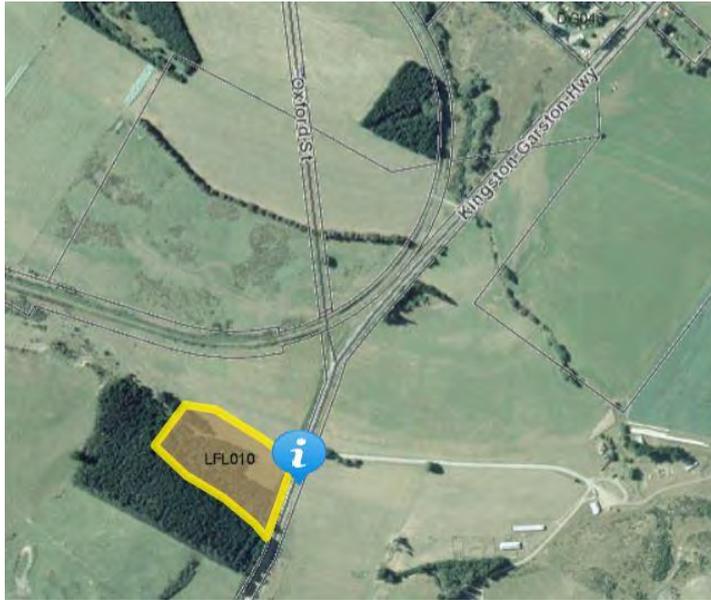
### **Traffic**

- 16.7** Mr Mander considers that the rezoning to any of the three zones would increase traffic on the intersection of Kent Street and the state

highway and there is no supporting traffic analysis. He therefore opposes the rezoning from a traffic perspective.

### **Analysis**

- 16.8** The site which is 3.9386 ha in area, appears to be part of the Kingston township, being surrounded on two sides (north and west) by the (ODP) Township zone, on one side (to the south) by the (ODP) Kingston Village Special zone and by SH6 to the east.
- 16.9** Although the site is within an ONL by virtue of the Rural zoning, Dr Read considers this to be of little significance in this particular instance given the site's location. The site would appear to have little value for rural activities.
- 16.10** Of the three possible zones requested for the site, being (ODP) Kingston Township zone, (ODP) Kingston Village Special zone or Low Density Residential zone, I consider that the Township zone would be the most suitable as it would match the adjoining zones. Also, the minimum net allotment size of 800m<sup>2</sup> is the largest of the three requested zones, which would provide sufficient land to be privately serviced. The town is currently not serviced and although there are plans to provide reticulated services, the timeframes are not known, as noted in the evidence by Mr Glasner. The Kingston Village Special zone across the Kingston Railway line is Area 1C "low density residential" with a minimum lot size of 700m<sup>2</sup>. At a density of 1 dwelling per 800m<sup>2</sup> the site would have a capacity for approximately 33 dwellings.
- 16.11** For completeness, I note that the location of the designated closed landfill is shown on PDP Planning Map 39b to be next to the submitter's site. However, the hazards layer of the Council GIS shows the former landfill located further south as shown below, and this error has been addressed in Hearing 07:



**Figure 11:** Map of the Kingston closed landfill as shown on Council's GIS Hazards layer.

**16.12** I note that the Kingston Community Plan "KINGSTON 2020 NOVEMBER 2003" included the following plan that shows the site as part of the extension to the township:

**FIG 1 GROWTH MANAGEMENT: PROPOSED ZONE CHANGES.**



**Figure 12:** Growth Management – proposed changes taken from Kingston 2020

**16.13** I also note that the discussion document leading up to the Plan Change for the Kingston Village Special zone "KINGSTON FUTURE GROWTH - DISCUSSION DOCUMENT FOR COMMENT ON A POTENTIAL PLAN CHANGE - MARCH 2008" included the following statement which refers to the submitter's site and the adjoining small triangular site (Pt Run 323A):

***Option 3: Plan Change to rezone Lot 3 and Pt Run 323A***

***Explanation:***

*This option involves undertaking a plan change to rezone Lot 3 and PT Run 323A to provide for Kingston's future growth ...*

***Discussion:***

*Lot 3 and PT Run 323A are zoned Rural General, and are located to the north west of the State Highway. They are identified by Kingston 2020 as being appropriate for future growth. The benefits of this option are that it provides a logical extension to the Kingston township and is consistent with the findings of Kingston 2020.*

*However, at this time no investigations of these sites have been undertaken and it is therefore unclear as to whether they can absorb development, particularly from a hazard, landscape and traffic perspective. Until such investigations are undertaken an understanding of the most appropriate development within the sites cannot be determined. Likewise, urban design input would be needed to assess how best the sites could link with both the existing township and the neighbouring Kingston Village site.*

*If these sites are not zoned at this stage the owner can either lodge a submission requesting that the sites are incorporated into the Kingston Village plan change, apply for a resource consent, or undertake a private plan change. All of these processes require that the necessary investigations of the sites are undertaken.*

***Findings:***

*While the rezoning of these sites is consistent with Kingston 2020 and provides for the future growth of Kingston in a logical location, it cannot be undertaken until such time as site*

*investigations are undertaken, similar to those that have been carried out for the Kingston Village site.*

**16.14** I agree that that site is a logical extension of the (ODP) Kingston Township zone. Based on the hazards map, the site has similar characteristics and hazards annotations as the adjoining Township zone sites. From a landscape perspective as noted above, Dr Read considers the site contributes little to the quality or character of the wider landscape. Mr Mander has advised that the site can be accessed from the paper road into the village, but has concerns over the effect on the intersection with the state highway.

**16.15** Overall given that the Township zone is not part of the Stage 1 review process, there is uncertainty about what the final zone provisions may be. Therefore at this stage I recommend that the request to rezone the site to Kingston Township be rejected until an assessment of the effects on the intersection with the state highway is completed (this is anticipated through the submitter's evidence). Subject to Mr Mander confirming his approval of that evidence, I would recommend the submission be accepted in part, and that the land be notified via a variation in a later stage, alongside the Township zone provisions. The rezoning of the site to Low Density Residential or Kingston Village Special zone is rejected.

**17. TIM TAYLOR (826.2)**

<b>Overall Recommendation</b>	
<b>Recommendation</b>	<b>Reject</b>
Summary	The proposed zoning would create a township split by the State highway, the demand for extra capacity at Kingston has not been identified, and the rezoning would create an urban form that intrudes into the rural environment and the size of the site provides a useful option for rural activity amongst large landholdings.

<b>Property and submission information</b>	
Further Submitters	FS 1348.3 (M & C Wilson): Support
Land area/request referred to as	3827 Kingston Road
PDP Zone and Mapping annotations	Rural
Zone requested and mapping annotations	Residential and Commercial Zoning
Supporting technical Information or reports	None
Legal Description	Section 1 and 2, Block I Kingston SD, and Pt Run 323A Note although the submission lists Pt Run 323A it is not included in the map with the submission.
Area	39.3304ha
QLDC Property ID	2913102500
QLDC Hazard Register	Liquefaction Risk – LIC 2 (P) Possibly moderate risk. Liquefaction Risk – LIC 1 (P) Probably low risk. Alluvial Fan – Hazard Area – Kingston Creek Alluvial Fan Alluvial Fan – Incision Line – Channel incision Alluvial Fan – Channels – Main Channels Alluvial Fan – ORC – fan active bed Alluvial Fan – ORC – fan recently active Alluvial Fan – ORC – fan less recently active Alluvial Fan – ORC – beach ridge stabilised Alluvial Fan – regional scale – debris dominated

<b>Summary of Council assessments and recommendations</b>	
Landscape	Opposed
Ecology	Not opposed
Infrastructure (wastewater and water supply)	Opposed
Traffic	Opposed

### Aerial Photograph of the site



Aerial photograph. The land subject to the submission outlined in red. The pink shading is Township Zone and the khaki is the Kingstown Village Special Zone from the ODP. The remaining land is zoned Rural.

- 17.1** The submitter seeks that the properties are rezoned to provide for residential and commercial land uses. The submitter states that the properties are located along State Highway 6 and are situated in close proximity to the Kingston Township. The submitter considers that the land closest to the State Highway and the surrounds are more appropriately zoned for residential and commercial activity, and that this will also enable future growth in Kingston. The lower areas of the property could be developed without having adverse landscape effects and will maintain views and outlook to the wider ONL in the area.

### Landscape

- 17.2** Dr Read opposes the rezoning from a landscape perspective because the development would appear as sprawl over the containing landforms, and over the containing highway into a different character area.

## **Ecology**

- 17.3** Mr Davis does not oppose the rezoning from an ecological perspective because the site has been developed for pastoral activities and there is minimal (if any) indigenous vegetation present. In his view the ecological values are minimal and are not a constraint to site development.

## **Infrastructure**

- 17.4** Mr Glasner opposes the rezoning to an assumed Low Density Residential from an infrastructure perspective because water and wastewater will need to be serviced privately and the lot size will be too small to accommodate this.

## **Traffic**

- 17.5** Mr Mander considers that the traffic effects for this scale of development and the effect of access to the state highway require supporting analysis that has not been provided by the submitter and therefore he opposes the rezoning from a traffic perspective.

## **Analysis**

- 17.6** The site is across the state highway from Kingston township. It is an "L" shaped configuration made up of two lots, with a frontage to the state highway of approximately 330m, although that frontage is broken where it surrounds a small site of 4,047m<sup>2</sup> that is directly opposite the entrance to Kingston township. The site is gently sloping from the state highway towards the surrounding hills.
- 17.7** With the submitter's site being across the road from the township, the requested rezoning would create a significant change to the character of the village with it being split by the state highway.
- 17.8** The submitter has not specified what zoning is requested, simply requesting residential and commercial land uses. Based on the Low Density Residential zone of the PDP (i.e. 1 dwelling per 450m<sup>2</sup>), the

site would have a potential for 594 dwellings. Based on the (ODP) Kingston Township zone density of 1 dwelling per 800m<sup>2</sup>, the site would have a potential for 334 dwellings. The submitter has not addressed where there is the demand for additional urban zoning at Kingston. Currently the (ODP) Kingston Township Special zone has not been developed and therefore there is still significant capacity for the town remaining on the west side of the state highway

**17.9** Regarding the request for commercial zoning, I note that the (ODP) Township zone does not include a Commercial Precinct (therefore commercial activity is a Discretionary activity), but the (ODP) Kingston Township Special zone includes an Employment Precinct where commercial activity is a Controlled activity.

**17.10** The Kingston Community Plan "KINGSTON 2020 NOVEMBER 2003" in Chapter 9 RURAL CHARACTER states that future development should be on the western side of the state highway, see 3<sup>rd</sup> bullet point:

*4 MANAGING GROWTH ·*

- *There are 38 hectares of land zoned Township, this contains 160 existing dwellings at a low density. Based on the existing zoning, it is estimated that there is a capacity for around 110 additional dwellings, which would bring the total dwellings to around 270. It is further estimated that if all sections were developed and all houses occupied, around 580 people could live in Kingston. This is an increase of approximately 330 additional people. ·*
- *The township is surrounded by land zoned Rural General. ·*
- *Future development should be in keeping with the low-key character of Kingston and is contained on the Western side of the Highway. This would prevent a split in the Town's identity and character, and avoid traffic safety issues.*

...

**17.11** I note the site is surrounded by large stations. While this could provide an easily identifiable zone boundary, I also see that the site has no significant topographical features which would protect the rural

landscape (Objective 3.2.5.1) or buffer the effects of productive farming from the residential development, which could lead to reverse sensitivity effects (Objective 21.2.4). In addition, a rural site of 39 ha provides an option for those who wish to undertake more intensive rural production who may not be able to afford a larger rural property (Objectives 3.2.5.5 and 21.2.2).

**17.12** The submitter has provided little information on the effects of the requested zone, including servicing and traffic as noted above.

**17.13** Overall, I recommend that the request to rezone the land be rejected.

### **SUBMISSIONS REGARDING RURAL LIFESTYLE ZONE**

#### **18. NOEL GUTZEWITZ AND J BOYD (328.2)**

<b>Overall Recommendation</b>	
Recommendation	Reject
Summary	The requested Rural Lifestyle zoning would create a spot zone within large landholdings and the size of the site provides a useful option for rural activity amongst large landholdings

<b>Property and submission information</b>	
Further Submitters	FS 1340.75 Queenstown Airport Corporation (QAC) – Opposes on basis it will result in intensification of an ASAN establishing within close proximity to Airport and may potentially result in adverse effects on QAC.
Land area/request referred to as	Part of land located between Boyd Road and the Kawarau River.
PDP Zone and Mapping annotations	Rural RCL [Note Protected tree ref 7 – Not listed in the 32.8 Schedule of Protected Trees District Wide, but these appear to be located on Boyd Road.]
Zone requested and mapping annotations	Rural Lifestyle

Supporting technical Information or reports	None
Legal Description	Sections 42 & 43, BLK XII Coneburn SD, Lots 4 & 5 DP 24790)
Area	10.7299 ha
QLDC Property ID	2913100100
QLDC Hazard Register	<p>Liquefaction Risk – LIC 2 (P) Possibly moderate risk.</p> <p>Liquefaction Risk – LIC 1 (P) Probably low risk.</p> <p>Landslide Areas – Areas of fine grained soils susceptible to sliding</p> <p>Alluvial Fan – ORC – human modified</p> <p>Alluvial Fan – ORC – terrace riser</p> <p>Alluvial Fan – ORC – river terrace</p> <p>Alluvial Fan – regional scale – debris dominated</p>

<b>Summary of Council assessments and recommendations</b>	
Landscape	Not opposed
Ecology	Not opposed
Infrastructure (wastewater and water supply)	Not opposed
Traffic	Not opposed

## Aerial Photograph of the site



Aerial photograph of the entire landholding subject to submission.

- 18.1** The submission seeks that the land is rezoned from Rural to Rural Lifestyle.
- 18.2** The submission states that the PDP does not accord with or assist the territorial authority to carry out its functions to achieve the purpose of the RMA.
- 18.3** In regard to the Rural Zone the submitter states:
- (a) account has not been taken of the changing nature of residential /rural activities along Boyd Road coupled with the change in open pastoral areas to those of established trees more normally anticipated within the rural lifestyle zone;
  - (b) the Boyd Road area has been used for rural lifestyle uses for a number of years and very little of it is currently farmed; and
  - (c) the Council has failed to consult with landowners as to appropriate zoning. The submitter considers that the Council's exercise of rezoning is not comprehensive and

lacks detailed analysis of zoning requirements and needs, and it has not assessed if the current zoning can meet the objectives of the Rural Zone.

**18.4** In regard to the Rural Lifestyle Zone the submitter states:

- (a) The land is considered to be able to absorb a level of development exceeding that specified in Parts 22.5.12.13 [CB16] and 27.5.1 [CB18]. The 2 ha average was created to enable subdivision of large existing allotments, but is inefficient when determining densities when applied to smaller lots. It does not represent integrated management, sound resource management nor does it meet the reasonably foreseeable needs of future generations.

### **Landscape**

**18.5** Dr Read does not oppose the rezoning from a landscape perspective because the landscape of the site and its vicinity could easily absorb this level of development of the requested rezoning.

### **Ecology**

**18.6** Mr Davis does not oppose the rezoning from an ecological perspective because the site has largely been developed and indigenous ecological systems have been removed from the site.

### **Infrastructure**

**18.7** Mr Glasner does not oppose the rezoning from an infrastructure perspective if the site is serviced privately at the developer's cost because there is no increase in the Council's infrastructure requirements as the water and wastewater will be serviced onsite.

### **Traffic**

**18.8** Mr Mander considers that the addition of 2-3 dwellings would not have a significant effect on the intersection of Boyd Road and the

state highway and therefore does not oppose the rezoning from a traffic perspective.

## **Analysis**

- 18.9** The site is across the Kawarau River from the Remarkables Park zone. It is zoned Rural, and is within a Rural Landscape area. There is a 20m strip of land between the site and the river that is shown on the Otago Regional Council webmap as being Crown land and this strip is within an ONL. Boyd Road reserve bisects the property in a zigzag shape and connects to the Crown land. The land to the east of the road reserve is split between an upper and lower river terrace, and there is an old quarry at the eastern end. The land to the west of the road reserve is predominately on the upper river terrace with a steep bank to the river. There is one dwelling beside the road reserve on the upper terrace and another dwelling on the lower terrace.
- 18.10** The site is surrounded by larger blocks of land owned by one landholder.
- 18.11** At 10.7ha, if the site was zoned Rural Lifestyle, there could be as many as 5 dwellings on the site (i.e. 3 additional dwellings). The submitter (submission 328.3) has also requested that the minimum lot size for Rural Lifestyle zone be 1 ha with no 2 ha average, as the average is an inefficient device for smaller lots. Removing the average could result in 10 dwellings on the site. This request was recommended to be rejected in Mr Barr's evidence on Chapter 22 for the Council in the 02 Hearings **[CB43]**.
- 18.12** Although Dr Read advises that from a landscape perspective she does not oppose the submission, I consider the requested zoning to be a spot zone for a small site within the rural environment. The submitter states that the area has diminished pastoral character due to the trees and the domesticated environment. I see the trees as characteristic of smaller rural blocks that are often used for more intensive rural activities where wind breaks are important. I note that the site has been used as a nursery for trees, which is the type of

activity a block like this can usefully provide for in the rural environment (Objectives 3.2.5.5 [CB3] and 21.2.2 [CB15]).

**18.13** Regarding the further submission by Queenstown Airport Corporation, the site is not within the Queenstown Airport outer control boundary, and therefore Policies 21.2.7.1 to 21.2.7.4 [CB15] would not apply. I also note that there is no evidence provided alongside QAC's submission. I recommend the further submission is accepted but not for the reasons provided.

**18.14** Overall I recommend the rezoning request is rejected, and the further submission be accepted but not for the reasons in the submission.

**19. BARBARA KIPKE (431.2 and 431.3)**

<b>Overall Recommendation</b>	
Recommendation	Reject
Summary	The proposed rezoning to Rural Lifestyle would create a spot zone within a rural landscape close to the state highway.

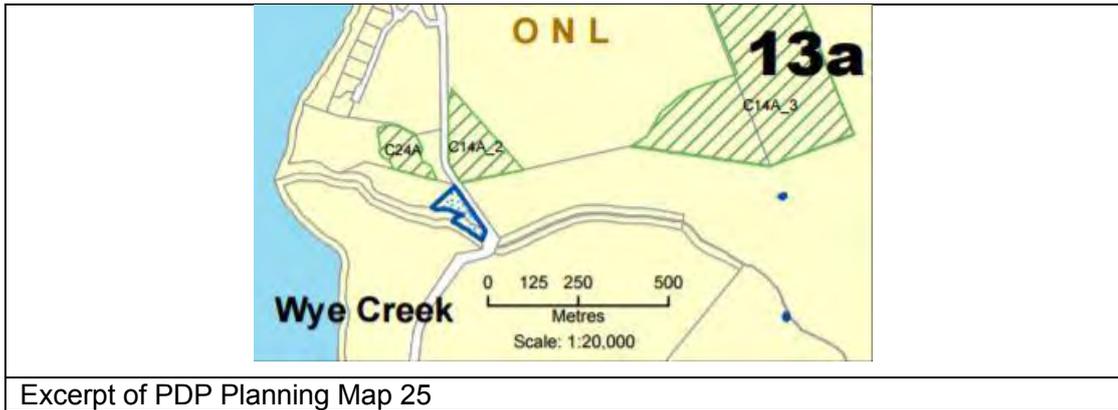
<b>Property and submission information</b>	
Further Submitters	None
Land area/request referred to as	Vista Terrace, off Kingston Highway
PDP Zone and Mapping annotations	Rural
Zone requested and mapping annotations	Rural Lifestyle Zone
Supporting technical Information or reports	None
Legal Description	Lot 1 DP 474749
Area	5.76 ha approximately.
QLDC Property ID	291310142
QLDC Hazard Register	None

<b>Summary of Council assessments and recommendations</b>	
Landscape	Opposed
Ecology	Not opposed
Infrastructure (wastewater and water supply)	Not opposed
Traffic	Not opposed

**Aerial Photograph of the site**



Aerial photograph of the site subject to submission (highlighted yellow), with ODP zoning overlay. The Blue shaded area to the south is Hydro Generation zone (operative).



Excerpt of PDP Planning Map 25

- 19.1** The submitter seeks that the land is rezoned from Rural to Rural Lifestyle. The submitter states that Rural Lifestyle zoning will enable low scale rural living development similar in density and form to the existing Wye Creek settlement (i.e. along Vista Terrace to the northwest, and Drift Bay Road to the west); that the land can be developed at the intended scale of Rural Lifestyle activity with no more impact on the wider landscape through appropriate design measures, which will be volunteered at the time of subdivision.
- 19.2** The submitter seeks that the average allotment size of the Rural Lifestyle Zone is reduced from 2 ha to 1.5 ha on the subject land, to enable the erection of three rural living dwellings on this land in the future. The submitter also seeks that Rule 27.5.1 is amended, with the addition of a new row under the heading Rural Lifestyle: - "Rural lifestyle – Wye Creek One hectare, provided the average lot size is not less than 1.5 hectares."

### Landscape

- 19.3** Dr Read opposes the rezoning from a landscape perspective because without the indigenous vegetation which has been planted on the subject site over recent years, the site would not be able to absorb any residential development. As vegetation is vulnerable to intentional removal and to loss by fire and disease, reliance on it to enable residential development without any natural topographical containment would be undesirable.

## **Ecology**

- 19.4** Mr Davis does not oppose the rezoning from an ecological perspective provided that any subdivision retains the extensive restoration planting undertaken by local botanist and conversation ecologist Mr Neill Simpson, involving approximately 16000 plants, on the site since 1999. The restoration plantings and natural regeneration occurring on the site provide good habitat for insects, lizards and birds.

## **Infrastructure**

- 19.5** Mr Glasner does not oppose the rezoning from an infrastructure perspective if the site is serviced privately at the developer's cost because there is no increase in the Council's infrastructure requirements as the water and wastewater will be serviced onsite.

## **Traffic**

- 19.6** Mr Mander considers that the existing intersection of Drift Bay Road and the state highway can accommodate the additional traffic generated and therefore does not oppose the rezoning from a traffic perspective.

## **Analysis**

- 19.7** The site is between the state highway and the line of small residential allotments on Vista Terrace. It is in an ONL.
- 19.8** At 5.76ha, if the site was zoned Rural Lifestyle, there could be 2 dwellings on the site. The submitter (submission 431.3) has also requested that the average lot size for Rural Lifestyle zone be 1.5 ha instead of 2 ha to enable 3 dwellings to be built on the site.
- 19.9** I consider the requested zoning and amendment to the average lot size to be a spot zone for a small site within the rural zone, and development of the site would be better addressed through a resource consent process where specific aspects of the site and its

development can be considered (for example protection of the ecological habitat on the site). Although the neighbouring properties along Vista Avenue are significantly smaller in size, they have been created through resource consent and there is no intention to rezone them and no submission has been received requesting they be rezoned. This existing residential development along the lakefront also has a buffer between the development and the state highway, including the submitter's site, whereas the submitter's site is adjacent to the highway.

**19.10** Overall I recommend the rezoning request is rejected.

### **SUBMISSIONS REGARDING GIBBSTON CHARACTER ZONE**

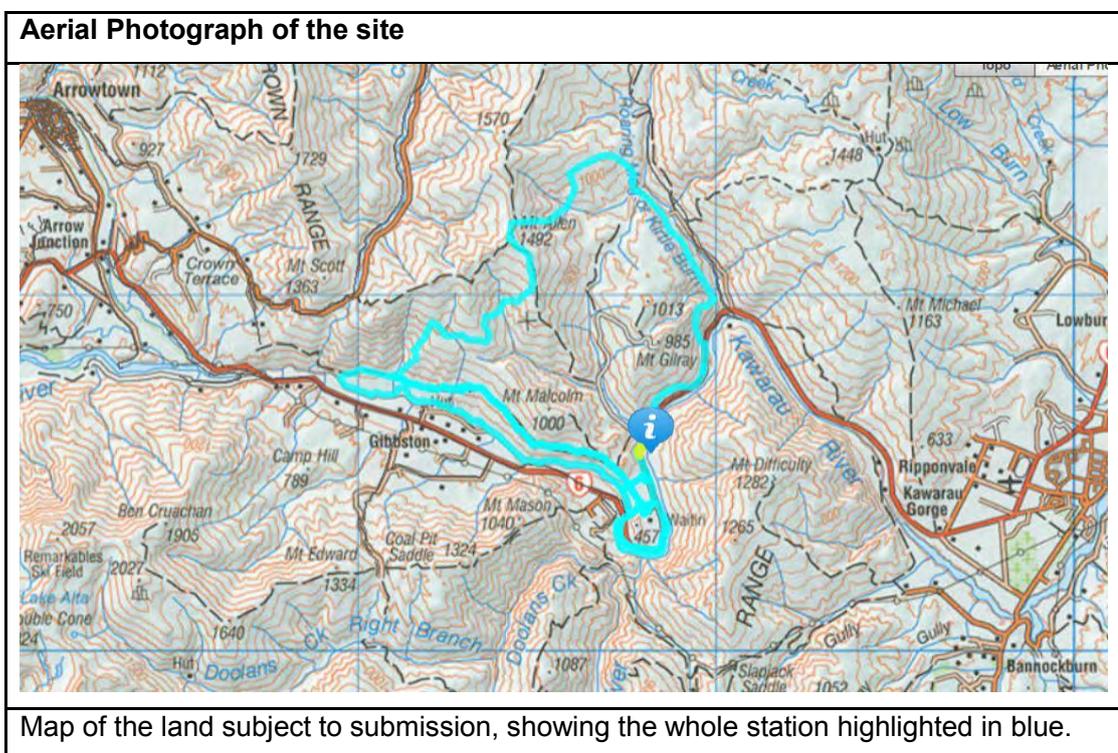
#### **20. THE STATION AT WAITIRI (331.5)**

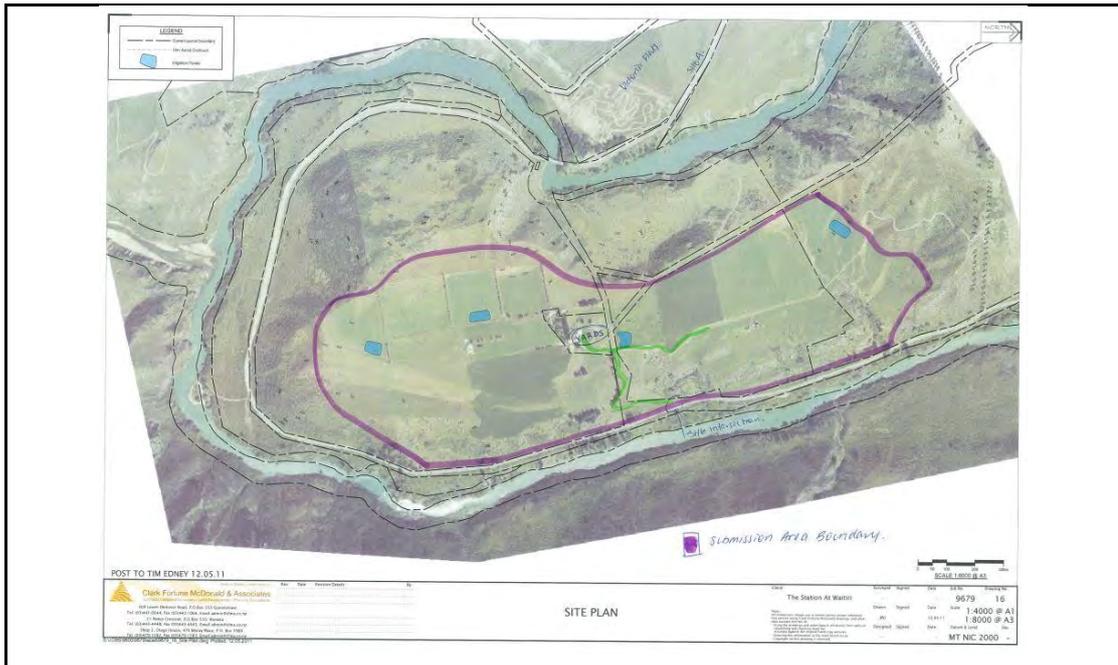
<b>Overall Recommendation</b>	
Recommendation	Reject
Summary	The proposed development could potentially double the consented residential development, remove productive land and would erode the distinctive character of the Gibbston Valley.

<b>Property and submission information</b>	
Further Submitters	None
Land area/request referred to as	Waitiri Station
PDP Zone and Mapping annotations	Rural Zone Gibbston Character Zone SNA F31A
Zone requested and mapping annotations	Rural Lifestyle Zone
Supporting technical Information or reports	None
Legal Description	Lots 51,52,53,54 & 55 DP 390679 Section 12 SO 342162
Area	4524 ha (station total)
QLDC Property ID	2907214005

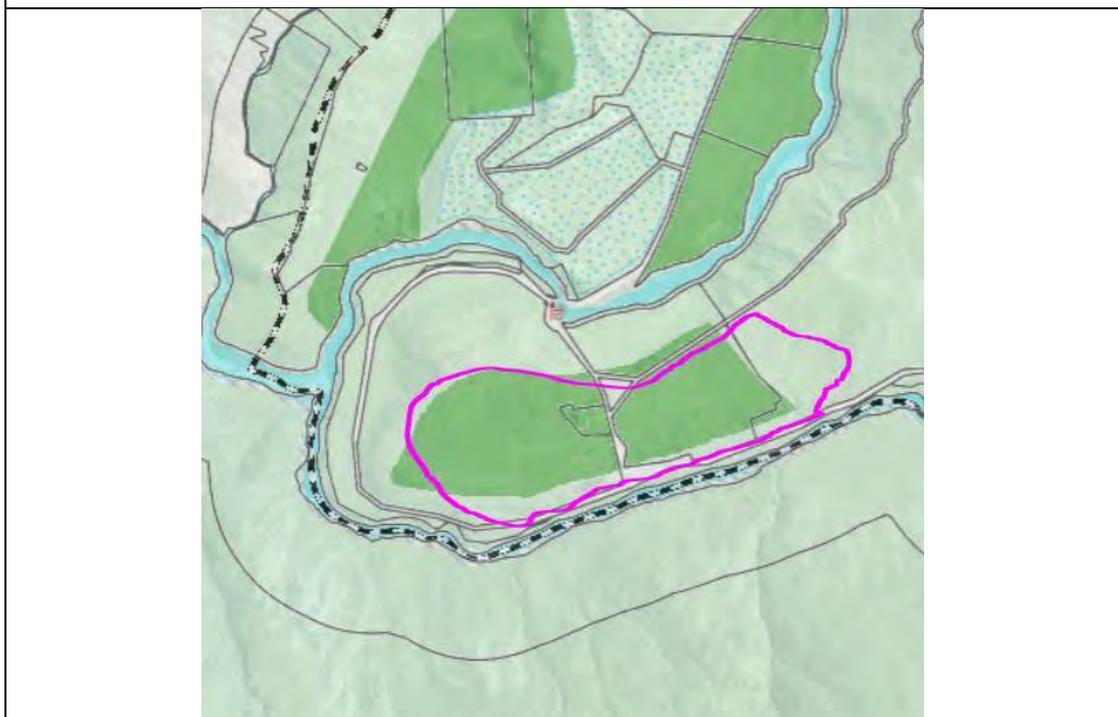
QLDC Hazard Register	Seismic hazards – faults Landslide Areas – pre-existing schist debris Landslide Areas – non verified
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Summary of Council assessments and recommendations	
Landscape	Opposed
Ecology	Not opposed
Infrastructure (wastewater and water supply)	Not opposed
Traffic	Opposed





The southern promontory of the submitter's land. Area in purple outline that the submitter has refined the submission to, which is essentially the land that is zoned Gibbston Character zone, as shown below.



Purple outline is the refined submission area, superimposed (approximately) on the PDP Maps. Gibbston Character zone is shown in darker green. Light green is Rural zone. Light blue dotted area is Designation 76 "QLDC landfill buffer". Dotted black line is district boundary.

- 20.1** The submission seeks that the land identified above is rezoned from Rural and Gibbston Character zone to Rural Lifestyle. The submitter has advised that the submission can be refined to the area shown in purple outline on the aerial above. This reduced area is essentially all of the Gibbston Character zone within the site and a small area of Rural zone.
- 20.2** The submission states that the PDP does not accord with or assist the territorial authority to carry out its functions to achieve the purpose of the RMA.
- 20.3** In regard to the Rural Zone and Gibbston Character Zone the submission states:
- (a) account has not been taken of the changing nature of rural residential density approved by resource consent on the subject site which is at a level of residential density across the site normally anticipated within the rural lifestyle zone; and
  - (b) the Council has failed to consult with landowners as to appropriate zoning, its' exercise of rezoning is not comprehensive and lacks detailed analysis of zoning requirements and needs, and it has not assessed if the current zoning can meet the objectives of the Rural and Gibbston Character Zone.

### **Landscape**

- 20.4** Dr Read advises there is potential for the landscape of this feature (the peninsula) to absorb some residential development provided any dwellings be so located as to not be at all visible from the State Highway 6. However, overall given the potential size of development from the rezoning she considers the effects beyond the site from the development would not be able to be absorbed into this discrete environment.

## **Ecology**

- 20.5** Mr Davis does not oppose the rezoning from an ecological perspective given the lack of indigenous vegetation cover across the site.

## **Infrastructure**

- 20.6** Mr Glasner does not oppose the rezoning from an infrastructure perspective, if the site is serviced privately at the developer's cost because there is no increase in the Council's infrastructure requirements as the water and wastewater will be serviced onsite.

## **Traffic**

- 20.7** Mr Mander considers that due to the potential impacts of increased traffic on the access to the state highway and the lack of any information on how the access will be managed, he opposes the rezoning from a traffic perspective.

## **Analysis**

- 20.8** The site, as refined by the additional information, can be described as the plateau of a peninsula on a meander of the Kowarau River. It is at an elevation of approximately 340m, and approximately 100m above the Kowarau River. The area of the site requested for rezoning is approximately 1.25km<sup>2</sup> or 125 ha.
- 20.9** A primary difference between the Gibbston Character zone and the requested Rural Lifestyle zone is that there is a density standard in the Rural Lifestyle zone of one dwelling per 2 ha on average. The Gibbston Character zone does not have a density standard. Therefore by rezoning the area as requested, there could be an expectation for total of approximately 42 dwellings on the requested rezoned portion of the site. The submitter (submissions 331.4 and 331.7) has also requested that the minimum lot size for Rural Lifestyle zone be 1 ha with no 2 ha average. Mr Barr's evidence on Chapter 22 for the Council recommended that this request be

rejected in the 02 Hearings [CB43]. Rezoning the site and removing the 2ha average could result in approximately 84 dwellings on the site.

**20.10** The resource consent mentioned in the submission, RM010169, approved a 27 lot subdivision including 20 residential building platforms. The consent has been given time extensions, the latest being until 10 September 2017. The approved plan is shown below:



**20.11** The requested rezoning would provide for approximately a doubling of the number of dwellings when compared with the number consented and would remove the emphasis of the land use away from viticulture to residential living. It would be a significant change to the character of the area and would increase the use of the access to the state highway.

**20.12** I consider that the granting of the resource consent does not mean that the Gibbston Character zoning is not suitable and that a greater

level of development than what the resource consent provides for should be allowed. Such an approach effectively ignores cumulative effects and also the basis for the zoning in which the consent was granted. It is noted that the current consent was based around vineyards.

**20.13** The Zone Purpose of the Gibbston Character zone is:

*The purpose of the Gibbston Character Zone is to provide primarily for viticulture and commercial activities with an affiliation to viticulture within the confined space of the Gibbston Valley.*

*The zone is recognised as having a distinctive character and sense of place. It incorporates terraced areas above the Kawarau River, lying between and including Chard Farm and Waitiri. Soils, the microclimate within this area and availability of water have enabled development for viticulture to the extent that this is an acclaimed wine producing area.*

*The zone has experienced residential subdivision and development. This creates the potential to degrade the distinctive character and create conflict with established and anticipated intensive viticultural activities.*

**20.14** The Objective and first policy were modified as follows and policy 23.2.1.8 was modified to include "rural living" as a complementary activity through Hearing Stream 02:

*23.2.1 Objective - ~~Protect~~ The economic viability, character and landscape values of the Gibbston Character Zone are protected by enabling viticulture and other appropriate activities that rely on the rural resource and controlling managing adverse effects resulting from inappropriate activities locating in the Zone.*

*Policy 23.2.1.1 Enable viticulture activities and provide for other appropriate activities that rely on the rural resource while protecting, maintaining or enhancing the values of indigenous biodiversity, ecosystems services, the landscape and surface of lakes and rivers and their margins*

**20.15** The intention of the zone is focussed on viticulture and affiliated commercial activities in a unique area. As proposed by the submitter, the rezoning would remove that focus, and erode the zone. The dwellings would also be on some of the flatter and presumably more productive part of the farm, which would reduce productivity (Objectives 3.2.5.5 **[CB3]** and 21.2.2 **[CB15]**), whereas the consented development retained much of this land for viticulture.

**20.16** Overall I recommend the rezoning request is rejected.

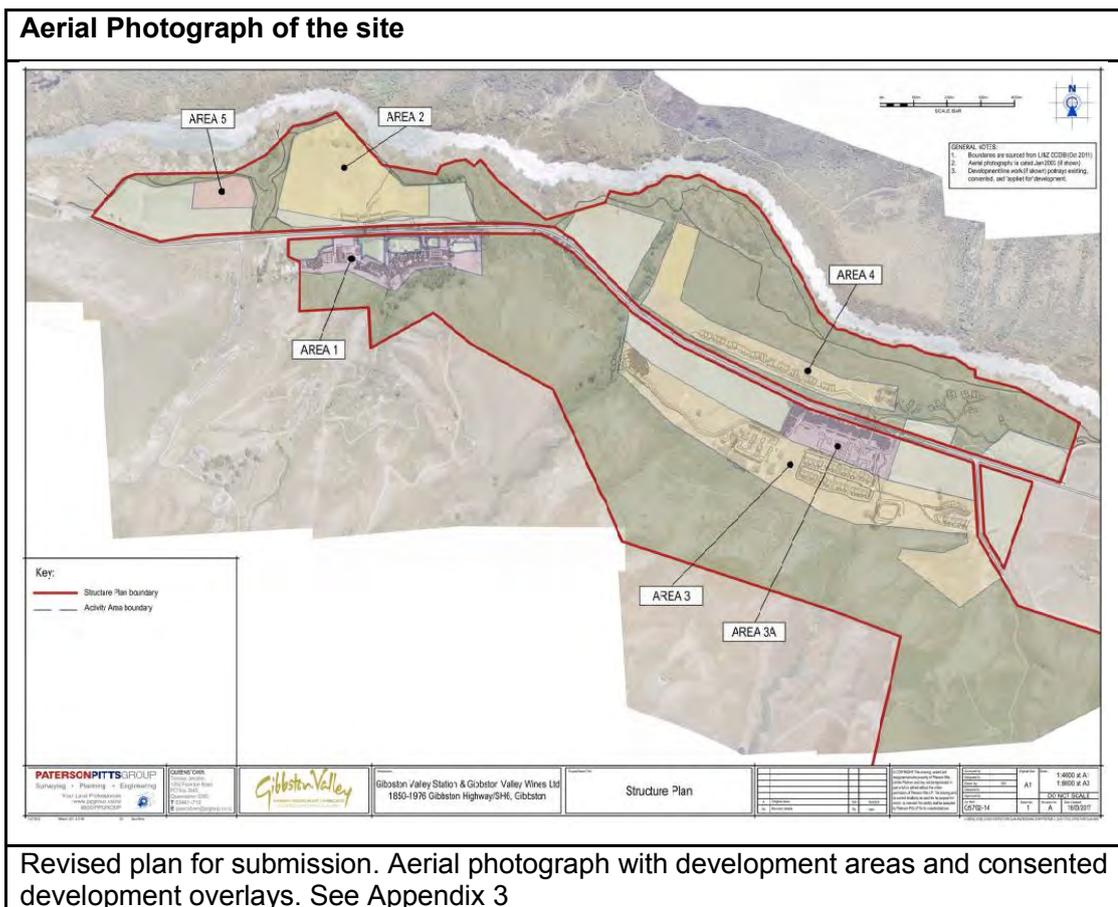
**21. GIBBSTON VALLEY STATION LIMITED (827.2)**

<b>Overall Recommendation</b>	
Recommendation	Reject
Summary	The proposed development could be a significant increase over the consented development and would create urbanisation that would erode the distinctive character of the Gibbston Valley.

<b>Property and submission information</b>	
Further Submitters	None
Land area/request referred to as	Gibbston Valley Station
PDP Zone and Mapping annotations	Rural Gibbston Character SNA F40D
Zone requested and mapping annotations	A zone that provides for a range of uses including residential, viticulture, commercial, visitor accommodation, and commercial recreation.
Supporting technical Information or reports	None
Legal Description	Not provided
Area	Not provided
QLDC Property ID	2907200311, 290720110, 2907201100, 290720100, 2907200500, 2907200307

QLDC Hazard Register	Alluvial Fan - ORC – fan recently active Alluvial Fan – ORC – fan stabilised-isolated Alluvial Fan – ORC – fan less recently active Alluvial Fan – ORC – river terrace Potentially contaminated sites – DG192 Landslide Areas – non verified Alluvial Fans – Regional scale - composite
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Summary of Council assessments and recommendations	
Landscape	Opposed
Ecology	Opposed
Infrastructure (wastewater and water supply)	Not opposed
Traffic	Opposed



**21.1** The submitter seeks that their properties (described as Gibbston Valley Station) are rezoned from Rural and Gibbston Character to an alternative zone that provides for a range of uses including

residential, viticulture, commercial, visitor accommodation, and commercial recreation. The submitter states that in granting Resource Consent RM080864 (and other consents) the Council has assessed the property in relation to its potential to absorb a high level of residential, commercial, viticultural and commercial recreational activity and found it can cater for change without significantly impacting on the environment. The submitter states the following in relation to the proposed rezoning:

- (a) the subject land is not within an ONL, and that development of the property can be constrained to the valley floor such that landscape values in the wider area can be maintained and protected;
- (b) access to the property will not adversely impact on the State Highway and its functioning;
- (c) provision of a range of activities on the subject land that will help meet the needs of the community, provide for an appropriate level of growth, and be located in an area that does not further compromise rural productive land uses or landscape values; and
- (d) the property can be readily serviced by local infrastructure and is not located within a flood hazard or management area.

**21.2** The submitter has revised their submission, providing a plan as shown above that includes activity areas and a draft set of amendments to the Gibbston Character zone. In essence, the submitter requests that a subzone be created that can "absorb a higher level of development, including visitor accommodation, residential and winery-related activities". I will not go into detail on the actual provisions requested as the wording that has been provided was in draft form. From what has been provided I understand the following are the main changes requested:

- (a) Outline Development Plan – the activities are proposed to hinge on an Outline Development Plan, which would be a Restricted Discretionary activity, that Outline Development

Plan would determine densities for development in different areas (the *vires* of this, I return to below).

- (b) Residential – in areas 3, 4, and 5 Residential activities would be Permitted activities. In the other areas of the subzone residential activity would have the same status as the main zone which is Discretionary.
- (c) Building – in the subzone buildings would be permitted activities, and would not require identification of building platforms.
- (d) Retail – in areas 1, 2 and 3A retail would be a Controlled activity, with floor area being limited to 120m<sup>2</sup>, whereas in the main zone retail (except for farm and garden produce, handicrafts and wine grown on the site) would be a Non-complying activity.
- (e) Visitor Accommodation – in areas 1, 2, 3 and 4 visitor accommodation would be a Controlled activity, with control over size being limited to effects on landscape and amenity, whereas in the main zone Visitor Accommodation is a Discretionary Activity.

## **Landscape**

- 21.3** Dr Read opposes the rezoning from a landscape perspective because the proposed development in combination significantly exceeds the ability of the valley landscape to absorb it. It is reliant for visual mitigation on large areas of grape vines that have not yet been planted, as I understand it, because the open pastoral areas of the site are marginal for grapes.

## **Ecology**

- 21.4** Mr Davis opposes the rezoning from an ecological perspective because the ecological values of the subject area have been assessed through the resource consent application RM080864 and the identification of SNA F40D. The values are associated with shrubland communities and rocky outcrops providing habitat for lizards and shrublands that include mature kowhai trees that have a severely restricted distribution in the district. The consented

development has taken these ecological values into account and worked within these constraints.

- 21.5** The proposed rezoning of the site may provide a more permissive planning context that may not protect the ecological values. Without further detailed information regarding proposed development activities he does not support the rezoning for the site.

### **Infrastructure**

- 21.6** Mr Glasner does not oppose the rezoning from an infrastructure perspective if the site is serviced privately at the developers cost because there is no increase in the QLDC infrastructure requirements as the water and wastewater will be serviced onsite.

### **Traffic**

- 21.7** Mr Mander considers that the effects of the proposed development on the state highway have not been addressed and unless evidence can be provided from the applicant that the NZ Transport Agency will allow access to the state highway he opposes the rezoning from a traffic perspective.

### **Analysis**

- 21.8** The submitter provided a very general request in terms of rezoning, with no details. Some more detail has recently been provided (Appendix 3), but it is still in draft form and therefore I will not provide detailed comments on the specifics. Although I note that the draft was based on the PDP provisions as recommended in the original evidence of Mr Craig Barr in the Gibbston Character Zone hearing rather than Council's right of reply version and they also appear to rely on an Outline Development Plan. That process that may be *ultra vires* if the activity status is determined by the Outline Development Plan. The application needs to be for an actual activity, rather than for an Outline Development Plan.

**21.9** It appears the main reason the submitter has requested the rezoning is that they consider the granting of a resource consent shows that the site can absorb an even greater level of what I would describe as areas of urbanisation. The existing resource consent includes a local market area, a lodge, additional housing and a golf course. The footprint of the consented buildings can be seen on the above revised plan. Together it is a reasonably substantial development, although it is dispersed and was assessed under the Gibbston Character zone.

**21.10** I consider that the granting of the resource consent does not mean that the Gibbston Character zoning is not suitable and that a greater level of development than what the resource consent provides for should be allowed. Such an approach effectively ignores cumulative effects (as addressed in Objective 3.2.5.4 and Policy 3.2.5.4.2 **[CB3]**) and also the basis for the zoning in which the consent was granted.

**21.11** The Zone Purpose of the Gibbston Character zone is:

*The purpose of the Gibbston Character Zone is to provide primarily for viticulture and commercial activities with an affiliation to viticulture within the confined space of the Gibbston Valley.*

*The zone is recognised as having a distinctive character and sense of place. It incorporates terraced areas above the Kawarau River, lying between and including Chard Farm and Waitiri. Soils, the microclimate within this area and availability of water have enabled development for viticulture to the extent that this is an acclaimed wine producing area.*

*The zone has experienced residential subdivision and development. This creates the potential to degrade the distinctive character and create conflict with established and anticipated intensive viticultural activities.*

**21.12** The Objective and first policy were recommended to be modified as follows and Policy 23.2.1.8 **[SSB90]** was modified to include "rural living" as a complementary activity through Hearing Stream 02:

*23.2.1 Objective - ~~Protect~~ The economic viability, character and landscape values of the Gibbston Character Zone are protected by enabling viticulture and other appropriate activities that rely on the rural resource and ~~controlling~~ managing adverse effects resulting from inappropriate activities locating in the Zone.*

*Policy 23.2.1.1 Enable viticulture activities and provide for other appropriate activities that rely on the rural resource while protecting, maintaining or enhancing the values of indigenous biodiversity, ecosystems services, the landscape and surface of lakes and rivers and their margins*

- 21.13** The intention of the zone is focussed on viticulture and affiliated commercial activities in what is considered to be a unique area. As proposed by the submitter, the subzone would introduce a significantly greater element of urbanisation into the area. I consider the emphasis of the land use on viticulture would be superseded. It is also not clear whether the proposed activity areas would be situated on land that could be used for viticulture.
- 21.14** The submitter has provided an extremely limited amount of information and assessment of the effects of the requested zone changes. The areas and capacity for each of the areas has not been provided, although this can be difficult as the Gibbston Character zone does not have density requirements. The rationale for the location and shape of the identified areas is not provided. The servicing of the areas and assessment on traffic effects and natural hazards has not been addressed.
- 21.15** Overall I recommend the rezoning request is rejected.

**SUBMISSIONS REGARDING RURAL VISITOR ZONE/FARM BASE AREAS**

**22. KAREN AND MURRAY SCOTT, LOCH LINNIE STATION (447.2)**

<b>Overall Recommendation</b>	
Recommendation	Reject
Summary	The use of Farm Based Areas is as yet untested and the existing management regime in Queenstown District of providing case by case assessments is a more efficient and effective method of managing development in the rural area. The requested alternative Rural Visitor zone is not part of the Stage 1 review and is not considered an appropriate method for either site particularly the smaller site which would result in a spot zone.

<b>Property and submission information</b>	
Further Submitters	None
Land area/request referred to as	Loch Linnie Station
PDP Zone and Mapping annotations	Rural
Zone requested and mapping annotations	Two Farm Base Areas on the subject land. Farm Base Areas be identified on large rural property in excess of 1000 ha. If above not accepted, two Rural Visitor Zones over the two areas identified for Farm Base Area.
Supporting technical Information or reports	None
Legal Description	Various, and is under pastoral lease
Area	3406.5375ha for homestead block 3765.6042ha for Wye Creek block
QLDC Property ID	2913102100 for existing homestead block 291310200 for Wye Creek block
QLDC Hazard Register	Alluvial Fans – Regional Scale – composite (homestead block) Alluvial Fans – Regional Scale – debris-dominated

	(wey Creek block) Liquefaction Risk – possibly susceptible (both blocks)
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<b>Summary of Council assessments and recommendations</b>	
Landscape	Opposed
Ecology	Not opposed
Infrastructure (wastewater and water supply)	Opposed to the Rural visitor zone. Not opposed to the Farm Based Areas.
Traffic	Opposed

<b>Aerial Photograph of the site</b>

Aerial photograph of the Home Block land subject to the submission (approximate), outlined in red.



Aerial photograph of the Wye Creek Block land subject to the submission (approximate), outlined in red.

**22.1** The submission seeks that:

- (a) the concept of a Farm Base Area (**FBA**) be included in the PDP;
- (b) that FBAs be identified on large rural property in excess of 1000 hectares in area;
- (c) that within FBAs, homesteads, staff accommodation and farm buildings be a permitted or controlled activity;
- (d) that two FBA's be identified on the subject land;
- (e) if (a) to (d) above are not accepted, then the submitter seeks Rural Visitor zoning over the two areas identified by it as being suitable FBAs consistent with other stations in the district; and
- (f) any other consequential amendments required to give effect to this submission.

**22.2** The submitter's property at Loch Linnhe Station is located south of Wye Creek and Drift Bay, and east of Lake Wakatipu with access off Kingston Road. In the near future the submitter wishes to establish a homestead and farm buildings at the northern end of the property,

near Wye Creek. The submitter states that the PDP is disenabling of this, as residential activity on a large rural property is treated exactly the same as a residential activity on a small landholding in the Wakatipu Basin. It states that the PDP should provide for areas within large farms (say over 1000 hectares in area) where the erection of homesteads, staff accommodation and farm buildings are a permitted or controlled activity.

- 22.3** The submitter refers to the MacKenzie District Plan (Plan Change 13). Under that proposed Plan Change the FBAs range from 10 -200 ha, and there can be multiple FBA's on one property; and clustering of homesteads and buildings is encouraged to retain open landscape elsewhere. This part of the plan change hasn't been included in any decision at this stage, as far as I am aware. The submitter acknowledges that the Rural Visitor Zoning is also enabling but that its focus is on subdivision and development which is not the intention of the submitter.

### **Landscape**

- 22.4** Dr Read opposes the rezoning from a landscape perspective. For both areas (the Wye Creek and homestead blocks) whilst the sites could absorb some development, the requested zoning and potential level of development would not be appropriate.

### **Ecology**

- 22.5** Mr Davis does not oppose the rezoning from an ecological perspective because both sites have a lack of indigenous vegetation cover.

### **Infrastructure**

- 22.6** Mr Glasner opposes the rezoning to Rural Visitor from an infrastructure perspective because it potentially allows a large high density development in a rural area and it is unclear how servicing of this site is planned, and whether it is feasible given site constraints. However, he does not oppose rezoning to allow development

because from an infrastructure perspective there is no increase in the QLDC infrastructure requirements, as the site will continue to be serviced privately at the owners' cost.

## **Traffic**

- 22.7** Mr Mander considers that the proposed rezoning has the potential to generate large amounts of additional traffic accessing the state highway. He notes that the requested zoning does not match the intent of the submitter. Due to the lack of information on how access is to be provided he opposes the rezoning from a traffic perspective.

## **Analysis**

- 22.8** Decision No. [2017] NZEnvC 53, on PC13 MacKenzie District Plan was made on 12 April 2017. It addressed the concept of FBAs but not the actual location and extent, which it adjourned and required the MacKenzie District Council to report back on progress by 30 June 2017. The recommended policy for FBA is quoted in that decision as follows (pages 71 and 72, note I have only included the final wording here):

A Farm Base Area ("FBA") was conceived as the area around an existing homestead cluster or other potential areas for more intensive farming and buildings. The recommended policy in PC13(pc) reads:

*Policy 3B3 - Development in Farm Base Areas Within Farm Base Areas subdivision and development (other than farm buildings) shall maintain or enhance the outstanding natural landscape and other natural values of the Mackenzie Basin where possible by:*

- (a) *Confining development to areas where it is screened by topography or vegetation or otherwise visually inconspicuous, particularly from public viewpoints and from views of Lakes Tekapo, Pukaki and Benmore provided that there may be exceptions for development of existing farm bases at Braemar, Tasman Downs and for farm bases at the stations along Haldon Road.*

- (b) *Integrating built form and earthworks so that it nestles within the landform and vegetation.*
- (c) *Planting local native species and/or non-wilding exotic species and managing wilding tree spread.*

**22.9** Although both Dr Read and I consider the FBA concept has merit, the identification of each area would be resource hungry and the method as yet is untested. Its appropriateness in the high growth, high demand for rural settlement environment of Queenstown is uncertain. I consider it is more efficient to address the matter of landscape issues on a case by case basis so that landscape effects can be assessed against a known specific proposal. For example in the case of the two areas identified by the submitter, there may be some parts of those areas that are more suitable for residential units than others. This can be determined through the identification of building platforms as part of a discretionary activity, which the PDP provides for. In addition the PDP does recognise the need for farm buildings and provides a policy framework Policy 21.2.1.2 and a permitted activity rule for farm buildings on sites greater than 100 ha. I also note that it has been recommended in the evidence of Mr Barr in Hearing 02 that the definition of "residential flat" be increased to 150m<sup>2</sup> in the Rural and Rural Lifestyle zones. This recommendation would provide for a reasonably large worker's dwelling.

**22.10** Overall I consider there would be significantly greater pressure to build dwellings within the Rural zone of Queenstown than in the MacKenzie Basin, and therefore a greater level of control is required.

**22.11** The alternative request by the submitter is to zone the two identified areas as (ODP) Rural Visitor special zone. The requested zone is an operative zone in the ODP, which is not part of the Stage 1 review process, therefore in addressing the submission I can only consider whether it is appropriate in principle to rezone the land (through a future variation) as the provisions may change or a completely new method may be introduced. Also, the Rural Visitor Zone is relatively permissive because it only has rules for building height and building setback. There are not any controls on density. Both the submitter and I agree this zoning would not be the most suitable, given that the

intention of the submitter is to be able to build a homestead and farm buildings at Wye Creek.

**22.12** Also, as set out in the rezoning assessment principles contained in the Strategic S42A, the spot zoning of this small site should be avoided. I also note that building a homestead and farm buildings on the small portion of the Wye Creek block on the opposite side of the State Highway to the main farm does not appear to be a very "farm based" proposal.

**22.13** Overall I recommend the rezoning request and the request for Farm Base Areas is rejected.

**23. LAKE WAKATIPU STATION LIMITED & REVIEW SEVENTEEN LIMITED (478.2)**

<b>Overall Recommendation</b>	
<b>Recommendation</b>	<b>Reject</b>
Summary	The request is for the Rural Visitor zone, which is not part of the Stage 1 review and is an ODP zone. In principle the request is rejected as there is no information as to the proposed activities and therefore the effects cannot be assessed. Also, the proposed zone could remove 32ha of limited flat land from the farming operation.

<b>Property and submission information</b>	
Further Submitters	None
Land area/request referred to as	Halfway Bay
PDP Zone and Mapping annotations	Rural
Zone requested and mapping annotations	Rural Visitor Zone over the flat land at Halfway Bay (see figure below) Retention of balance of land as Rural zoning within the QLDC boundaries
Supporting technical Information or reports	None
Legal Description	Not supplied, numerous titles.
Area	172 ha (Review 17 Limited) 14,305 ha (Lake Wakatipu Station Ltd)
QLDC Property ID	2913103200 Review 17 Limited 2913103100 Lake Wakatipu Station Ltd
QLDC Hazard Register	Alluvial Fans – Regional scale – floodwater-dominated Liquefaction Risk – possibly susceptible Liquefaction Risk –susceptible

<b>Summary of Council assessments and recommendations</b>	
Landscape	Opposed in part
Ecology	Not opposed
Infrastructure (wastewater and water supply)	Opposed
Traffic	Opposed

### Aerial Photograph of the site



Aerial photograph of the land subject to the submission outlined in red (area is approximate only).

- 23.1** The submitters seek that approximately 32 ha of the flat land of the station is rezoned from Rural to Rural Visitor, as shown above. The basis is that the flat land of the station should be zoned to enable diversification (including tourism), similar to zones located at Cecil Peak and Walter Peak Stations. The submitter states that it understands that changing the zoning from Rural to Rural Visitor will exclude that part of the property from the ONL classification, and supports that exclusion.

### Landscape

- 23.2** Dr Read opposes the lakefront half of the requested area for rezoning from a landscape perspective because the proposed rezoning would allow for potentially extensive development that could significantly alter the character of this area. In terms of visual amenity, the extensive development which could be possible under the proposed rezoning could have an adverse effect on the visual amenity for members of the public, increasing the built form visible within the bay. The effect on the overall view of the western shore of the lake would be small however. In her opinion the proposed zoning should be

reduced in area and kept to the western portion of the site as shown in the plan in her evidence.

### **Ecology**

**23.3** Mr Davis does not oppose the rezoning from an ecological perspective because of the lack of ecological values.

### **Infrastructure**

**23.4** Mr Glasner opposes the rezoning from an infrastructure perspective because it potentially allows a large high density development in a rural area and it is unclear how servicing of this site is planned, and whether it is feasible given site constraints.

### **Traffic**

**23.5** Mr Mander considers that the potential yield of the requested zone does not appear to match the submitter's intention. Without a clear understanding of the access to the subject land he opposes the rezoning from a traffic perspective.

### **Analysis**

**23.6** The requested zone is an operative zone in the ODP, which is not part of the Stage 1 review process, therefore in addressing the submission I can only consider whether it is appropriate in principle to rezone the land (through a future variation) as the provisions may change or a completely new method may be introduced. Also, the Rural Visitor Zone is relatively permissive because it only has rules for building height and building setback. There are not any controls on density.

**23.7** The Introduction to the Rural Visitor zone in the ODP states:

*Rural Visitor Zones contain important recreation and visitor facilities, including accommodation and other visitor attractions. Significant physical resources in terms of buildings and facilities*

*exist or are proposed in all the zones both as attractions in their own right or as facilities which serve the visitor industry and surrounding rural or recreation activities. This is particularly the case in respect of those facilities at Cardrona located on the Crown Range Road. The most distinguishing feature of the Visitor Zones is their compact size, general self-sufficiency and distance from the main urban centres.*

**23.8** The Rural Visitor zone refers to recreation and visitor facilities that exist or are proposed. The submission has provided no information as to what is proposed. While the site is remote it is noted by Dr Read that there is a viewpoint of the Station along the Kingston Road.

**23.9** I also have concerns that the proposed zoning could remove approximately 32 ha of flat farm land which appears to be a limited resource for the farming operations (Objectives 3.2.5.5 and 21.2.2). There is also no assessment of the natural hazards on the site.

**23.10** Access to the farm has not been addressed as noted by Mr Mander. If access is to be by boat, then consideration needs to be given to where visitors would park their cars and any need for jetties on the eastern side of Lake Wakatipu and upgrades to the jetty at the Station.

**23.11** Overall I recommend the rezoning request is rejected.

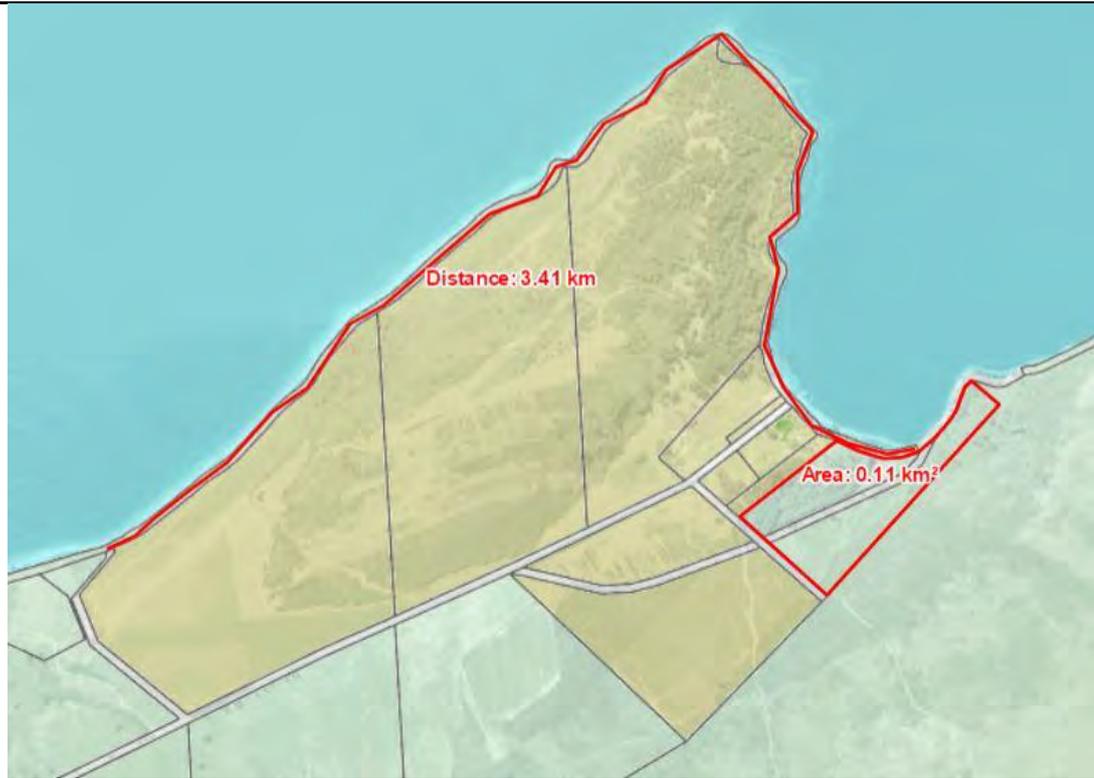
**24. TE ANAU DEVELOPMENTS LIMITED (607.22)**

<b>Overall Recommendation</b>	
Recommendation	Reject
Summary	The requested rezoning is for the Rural Visitor zone, which is not part of the Stage 1 review and is an ODP zone. In principle the request is rejected as there is little information as to the proposed activities and therefore the effects cannot be assessed, particularly over the margin strip which is the most prominent part of the site.

<b>Property and submission information</b>	
Further Submitters	
Land area/request referred to as	Walter Peak Station
PDP Zone and Mapping annotations	Rural
Zone requested and mapping annotations	Rural Visitor Walter Peak
Supporting technical Information or reports	None
Legal Description	GAZ No 94-2191 SEC 19 BLK III MID WAKATIPU and marginal strip
Area	Approximately 11ha for the inland addition and 7 ha for the marginal strip (based on strip being approximately 20m wide on average and 3.4m long).
QLDC Property ID	2911136201
QLDC Hazard Register	Alluvial Fan – ORC – fan active bed Alluvial Fan – Hazard area – Walter Peak Alluvial Fan Alluvial Fan – Channels – main channels Alluvial Fan – ORC – fan recently active Alluvial Fan – Regional scape – debris dominated Liquefaction Risk – possibly susceptible Fan

<b>Summary of Council assessments and recommendations</b>	
Landscape	Opposed in part
Ecology	Opposed in part
Infrastructure (wastewater and water supply)	Not opposed
Traffic	Opposed

### Aerial Photograph of the site



Aerial photograph of the land subject to the submission outlined in red, showing the length of the marginal strip. The operative Rural Visitor zone is shaded khaki.

- 24.1** The submitter seeks that the subject land be rezoned from Rural to Rural Visitor Walter Peak.

### Landscape

- 24.2** Dr Read opposes in part the rezoning from a landscape perspective because if located on the elevated slopes at the south eastern side of the bay, it would have an adverse effect on the landscape of the Bay and the mountainside behind. She suggests that the zone only apply to the portion of land between the homestead and what appears to be a paper road. She is opposed to the rezoning of the marginal strip due to it being part of the ONL of the lake.

### Ecology

- 24.3** Mr Davis opposes the rezoning of the marginal strip from an ecological perspective because of the presence of indigenous vegetation.

## **Infrastructure**

- 24.4** Mr Glasner does not oppose the rezoning from an infrastructure perspective because there is no increase in the QLDC infrastructure requirements as the site will continue to be serviced privately at the owners cost.

## **Traffic**

- 24.5** Mr Mander considers that due to the submitter not providing information on how access will be managed he therefore opposes the rezoning from a traffic perspective.

## **Analysis**

- 24.6** The requested zone is an operative zone in the ODP, which is not part of the Stage 1 review process, therefore in addressing the submission I can only consider whether it is appropriate in principle to rezone the land (through a future variation) as the provisions may change or a completely new method may be introduced. Also, the Rural Visitor Zone is relatively permissive because it only has rules for building height and building setback. There are not any controls on density.
- 24.7** In the ODP the current area of Rural Visitor zone on the site is 132ha. This proposal seeks to add another 11 ha to the south eastern corner and 3.4km of marginal strip (approximately 7 ha) around the headland. I understand that the land in question is owned or controlled by the Department of Conservation.
- 24.8** No details are provided in the submission, including an assessment of effects and the natural hazards, although the submitter did provide Figures 13 and 14 during the site visit that show the existing and proposed development. In the proposed development there appears to be very little proposed within the requested additional areas except for a building labelled for "multi-purpose space" in the trees on the edge of the requesting rezoning area.



Figure 13: Walter Peaks existing development plan (see Appendix 3)

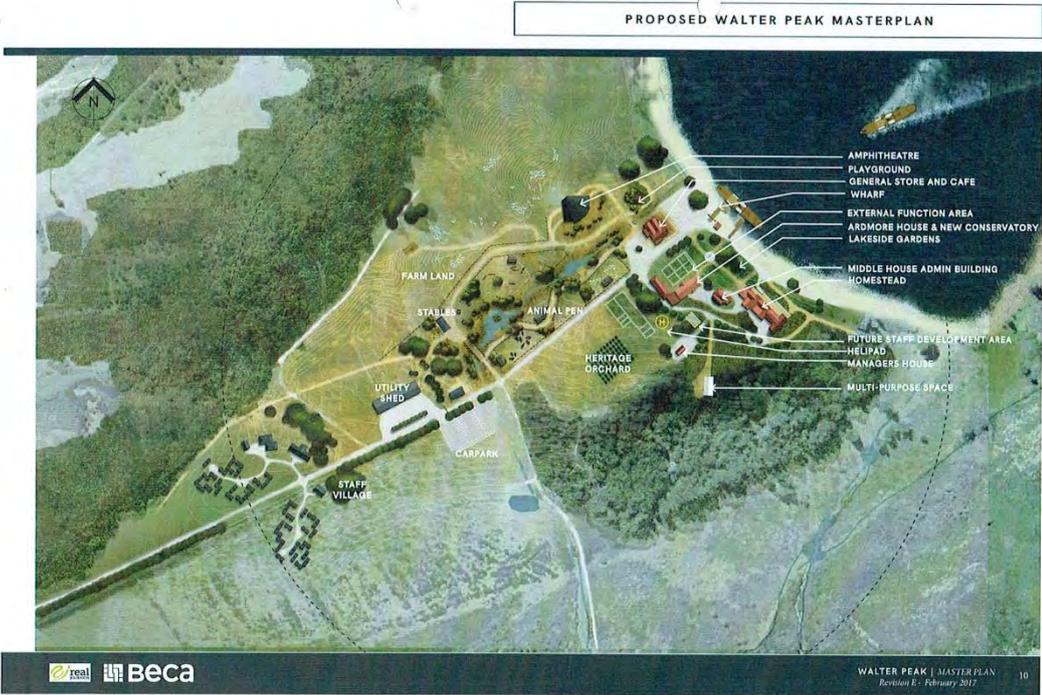


Figure 14: Walter Peaks proposed development plan (see Appendix 3)

**24.9** Given the low level of development proposed it is difficult to see the need for extending the zone, which is already quite extensive currently being approximately 156ha. I understand that the submitter may be concerned about limitations on operating commercial recreation activities within the proposed area and strip. I note that the Rural Visitor zone provides for commercial recreation activities as a controlled activity with control limited to: (a) Access; (b) Flood Risk; (c) Hours of Operation; (d) Landscaping; (e) Screening of Outdoor Storage Areas; (f) Setback from Roads. None of these matters of control appear to take into account the effects on the landscape or ecology, which is a concern that may be addressed when the zone is reviewed. The Rural zone permits commercial recreation activities for groups of up to 12 people.

**24.10** I have particular concerns regarding the request to rezone the marginal strip. The strip is the most prominent part of the site from the Lake and under the Rural zone the ability to have groups of up to 12 people undertaking commercial recreation appears to be a reasonable limit.

**24.11** Overall, given the lack of information including what consultation has been undertaken with the Department of Conservation, I recommend the rezoning request is rejected.

**25. AMRTA LAND LTD (677.8 and 677.9)**

<b>Overall Recommendation</b>	
<b>Recommendation</b>	<b>Reject</b>
Summary	The request is for the Rural Visitor zone which is not part of the Stage 1 review and is an ODP zone. In principle the request is rejected as there is no information as to the proposed activities and therefore the effects cannot be assessed. Likewise the alternate zone, being the PDP Rural Lifestyle zone with a Visitor Accommodation overlay, is considered unsuitable for a large area and in this location.

<b>Property and submission information</b>	
Further Submitters	<p>FS 1035.8 and FS 1035.9 (Mark Crook): Oppose due to outstanding landscape, asset as a filming location, light pollution.</p> <p>FS 1074.8 and FS 1074.9 (Alistair Angus): Oppose due to lack of detail, effect on significant landscape and false benefits to community</p> <p>FS 1290.1 and FS 1290.2 (Robert Andrew Singleton): Oppose due to significant impact</p> <p>FS 1312.8 and FS 1312.9 (AG Angus): Oppose on every level, same person as FS 1074</p> <p>FS 1319.1 and FS 1319.2 (John Glover): Oppose due to effect on value of property, amenity, outstanding landscape, lack of detail, no consultation. Accepts carefully planned development on valley floor may be able to be accommodated.</p> <p>FS 1323.1 and FS 1323.2 (Kinlock Residents Assn): Oppose due to effect on amenity, landscape, lack of detail, no consultation. Not against development per se.</p> <p>FS 1364.8 and FS 1364.9 (John and Kay Richards): Oppose due to lack of detail.</p> <p>FS 1117.271 (Remarkable Parks Limited): Supports submission 677.8 only. [This further submission appears to be linked to the wrong submission point.]</p>
Land area/request referred to as	Woodbine Station
PDP Zone and Mapping annotations	Rural ONL
Zone requested and mapping annotations	Rural Visitor
Supporting technical Information or reports	None
Legal Description	Various
Area	Approximately 800 ha – Woodbine Station

QLDC Property ID	2911134000
QLDC Hazard Register	Alluvial Fan – ORC – fan active bed Alluvial Fan – ORC – peripheral catchment Alluvial Fan – ORC – catchment unspecified Alluvial Fan – ORC – terrace riser Alluvial Fan – ORC – fan less recently active Alluvial Fans – Regional scale – debris dominated Flooding – rainfall Liquefaction risk - Susceptible Liquefaction risk – Possibly susceptible

<b>Summary of Council assessments and recommendations</b>	
Landscape	Opposed
Ecology	Opposed
Infrastructure (wastewater and water supply)	Opposed
Traffic	Opposed

### Aerial Photograph of the site



Approximate extent of Woodbine Station subject to the submission outlined in red.

**25.1** The submitter seeks that Planning Maps 9 and 25 are amended to include Woodbine Station within the (ODP) Rural Visitor Zone. Alternatively a zone that would provide for tourism development such as the Rural Lifestyle zone with a Visitor Accommodation overlay or some other specific tourism related zoning is sought.

**25.2** The submitter states that the subject land is suitable for tourism development including visitor accommodation and related recreational amenities; and that such development could contribute significantly to the local community and wider District's economic well – being.

### Landscape

**25.3** Dr Read opposes the rezoning from a landscape perspective because while there may be some potential to apply the zoning

sought to small, discrete areas of the property, adjacent to Kinloch for example, the risks to the wider landscape of rezoning the entire station, effectively removing it from the ONL protections provided by the PDP, are far too great.

## **Ecology**

**25.4** Mr Davis opposes the rezoning from an ecological perspective because the site covers land on the valley flats on the true right of the Dart River and the lower hillslopes of the Humboldt Mountains overlooking Lake Wakatipu. The hillslopes are regenerating and are dominated by early succession bracken fern community that will be providing a good nursery crop for progressing the development of the vegetation, should the station choose not to undertake clearing activities. The valley flats immediately to the north of Lake Wakatipu have been developed and are dominated by introduced pasture communities but are also likely to contain some areas of wetland.

**25.5** The submission provides little information regarding the scope of tourism activities on the property. It is therefore not possible to consider the effects the zone may have on the ecology of the area. Without a clearer understanding of the activities that may occur under the proposed zone.

## **Infrastructure**

**25.6** Mr Glasner opposes the rezoning from an infrastructure perspective because it potentially allows a large high density development in a rural area and it is unclear how servicing of this site is planned, and whether it is feasible given site constraints.

## **Traffic**

**25.7** Mr Mander considers that the increased use of the road would require upgrades to Kinloch Road and the submitter has not provided information on traffic effects. He therefore opposes the rezoning from a traffic perspective.

## **Analysis**

- 25.8** The requested zone is an operative zone in the ODP, which is not part of the Stage 1 review process, therefore in addressing the submission I can only consider whether it is appropriate in principle to rezone the land (through a future variation) as the provisions may change, or a completely new method may be introduced. Also, the Rural Visitor Zone is relatively permissive because it only has rules for building height and building setback. There are not any controls on density.
- 25.9** The submitter has given no details of the extent of the zone sought or what is proposed. The submitter has also provided no assessment of the effects or natural hazards.
- 25.10** Regarding the alternate zone, being the PDP Rural Lifestyle zone with a Visitor Accommodation overlay, this zone is considered unsuitable for a large area and location such as this.
- 25.11** Overall I recommend the rezoning request is rejected.

**SUBMISSIONS REGARDING SPECIAL ZONES**

26. **QUEENSTOWN PARK LTD (806.1, 806.2, 806.5, 806.7, 806.76, 806.94, 806.95, 806.147, 806.206)**

<b>Overall Recommendation</b>	
Recommendation	Reject
Summary	<p>The whole site is considered to be part of the prominent and highly valued ONL namely the Remarkables/Ben Cruachan and the Kawarau River. As such, the proposed rezoning will have significant adverse effects on the landscape values of the ONL, particularly given the very permissive provisions proposed for managing the development. No information has been provided regarding the effects of the requested rezoning. The rezoning would further erode the feasibility of the farming operation. The alternative request for a "Remarkables Alpine Recreation Area" is not clearly defined and is not supported for the same reasons as the requested zone.</p>

<b>Property and submission information</b>	
Further Submitters	<p>FS1057.1 Mandy Kennedy – Support (806.7)  foot/cycle bridges would enhance trails and links for commuters</p> <p>FS1085.8 Contact Energy Limited – Support (806.95). Support ONL being shifted to edge of Kawarau River.</p> <p>FS1229.29/30/32 NZSki Ltd - Support (806.1, 806.7, 806.147). Support gondola access for year-round use provided a plan showing gondola corridor to ensure it is complementary to NZSki Ltd facilities.</p> <p>FS1313.57/58/59/60 Darby Planning LP – Oppose (806.1, 806.2, 806.5, 806.7) General concern that rezoning based on a thorough assessment and s32 analysis.</p>

	<p>FS1340.145 Queenstown Airport Corporation – Oppose (806.1) as rezoning could have serious adverse effects on QAC.</p> <p>FS1341.18 Real Journeys Limited – Support (806.95). Support ONL being shifted to edge of Kawarau River, provided it doesn't undermine relief sought by Real Journeys.</p> <p>FS1371 Queenstown Park Limited and Remarkables Park Limited– Support (806). Support gondola access corridor and consideration be given to whether the corridor is implemented by rezoning or other mechanism such as an overlay. Also requested that the corridor be amended so as not to extend across Lot 4 DP 447906 (Bridesdale Farm Developments Ltd) as shown in attached plan.</p>
Land area/request referred to as	Queenstown Station (formerly Cone Peak Station)
PDP Zone and Mapping annotations	Rural ONL SNA
Zone requested and mapping annotations	Queenstown Park Special Zone
Supporting technical Information or reports	None
Legal Description	Lots 3, 4, DP 349682 Secs 2-4 SO 24739 Lots 1, 2 DP 349682
Area	2000 ha
QLDC Property ID	2907205507 and 2907205508
QLDC Hazard Register	<p>Liquefaction Risk LIC 1 (P) – Probably low risk</p> <p>Liquefaction risk - susceptible</p> <p>Liquefaction risk – possibly susceptible</p> <p>Landslide areas – non-verified</p> <p>Alluvial Fan – ORC – fan active bed</p> <p>Alluvial Fan – ORC – other</p> <p>Alluvial Fan – regional scale – debris dominated</p> <p>Alluvial Fan – regional scale – composite</p>

**Summary of Council assessments and recommendations**

Landscape	Opposed
Ecology	Opposed in part
Infrastructure (wastewater and water supply)	Not opposed
Traffic	Opposed

**Aerial Photograph of the site**



Aerial photograph of the land subject to the submission outlined in yellow and the "500 acre block" shown in red.



Excerpt of PDP Planning Map with approximate boundary of site in red.

- 26.1** The submitter seeks that the subject land be rezoned from Rural to a new Queenstown Park Special zone. The "Additional map provided" (without a legend) included in the initial submission shows what I presume to be development areas, a gondola corridor which would extend from the Remarkables Park in Frankton along the Kawarau River and then up to the Remarkables Ski field as well as jetties and bridges over the Kawarau River. The submission stated that the gondola corridors are to be part of the Special Zone, although that was not clear from the map. A further submission (1371) by the submitter states that consideration should be given to either rezoning the corridors or other mechanism such as an overlay. That further submission included a plan of the corridors with an amendment to the alignment. The use of a further submission to alter the original submission will be addressed in Council's legal submission.
- 26.2** The original submission included an Appendix A that sets out the wording for the Queenstown Park Special zone. The essence of the zone is "comprehensive multi-use of the site" providing "a playground for visitors and residents" with a high level of connectivity for walking and cycling access and gondola access to the ski field. The zone refers to a structure plan, which is assumed to be the map titled "Additional map provided" and it is assumed this identifies the development areas referred to in the rules as well as locations for jetties and bridges on the Kawarau River.
- 26.3** A letter from the submitter on 24 March 2017 (**Appendix 3**) provided a high-level overview and clarified the general intent of the requested zone. Clarification included: changing the name of the zone to "Queenstown Park Station"; identifying the development areas (or pods) as being either Rural Residential or Rural Visitor pods and the maximum number of dwellings being set at 90 in total; clarifying that the submitter is working on the mechanism of an outline or comprehensive development plan in light of the *Auckland Council* Environment Court declaration on use of framework plans; use of the balance land for commercial recreation, including a remote glamping pod; and access for vehicles and walking/cycling. I will not discuss in detail the provisions, noting that Ms Mellsop in her evidence has usefully identified assumptions in terms of the likely bulk and location

controls on development within the development areas and, as mentioned in the letter from the submitter, that the provisions are still being worked through by the submitter's experts.

**26.4** The other aspects of the submission relate to the main request for the proposed zone as follows:

- (a) remove the ONL from the river and the river terraces and exempt the gondola corridor from the ONL.
- (b) if the requested zone is rejected, remove the SNAs from the submitter's land.

**26.5** In addition, the submitter has requested the expansion of the Ski Area subzone south to the Doolans and/or the renaming of the subzone to "Remarkables Alpine Recreation Area". No plan has been provided to show the extent of this expanded subzone. From the associated requested amendments to the Rural zone it would appear that the Remarkables Alpine Recreation Area includes the corridor from the Remarkables Park to the ski field, although this is not clearly identified and the request to expand the Ski Area subzone south to the Doolans makes no mention of the gondola which creates further confusion.

## **Landscape**

**26.6** Ms Mellsop opposes the rezoning from a landscape perspective because she considers that the site and the Kawarau river are all part of the prominent and highly valued ONL of The Remarkables/Ben Cruachan and the Kawarau River and, in the case of the Kawarau River, an ONF. She considers the proposed development areas would result in urban (in the case of the 'rural visitor' pods) or intense rural living (in the case of the 'rural residential' pods) character of the land, and the proposed development areas on the ski field road would result in adverse effects that are cumulative with the effects from the ski field road and development further to the south. She also considers that the gondola would have adverse effects that are cumulative with the effects from the ski field road and would have significant adverse effects on the visual amenities of people on the

Kawarau River itself and those nearby. While she would not oppose some commercial recreation activities within the site, she is concerned about the effect of mountain bike trails which would involve indigenous vegetation clearance and earthworks and have greater potential to adversely affect the physical and visual integrity of the mountain slopes and to detract from the natural character of the landscape.

### **Ecology**

**26.7** Mr Davis does not oppose the rezoning from an ecological perspective because most of the proposed development is within areas where indigenous vegetation has been removed and the gondola corridor lies outside of the Rastus Burn SNA. He would, however, oppose the zoning over the 'balance area' as the commercial recreation zoning proposed could be very open in scope and provide a more permissive planning context than the current rural general zoning. Mr Davis is also opposed to the request to remove the SNA and has provided evidence on this at the 02 Hearing.

### **Infrastructure**

**26.8** Mr Glasner does not oppose the rezoning from an infrastructure perspective if the site is serviced privately at the developers cost as there is no increase in the QLDC infrastructure requirements and the water and wastewater will be serviced onsite.

### **Traffic**

**26.9** Mr Mander advises that the submitter has not provided information on access to the development and a robust traffic analysis of the effects on the Boyd Road intersection with the state highway and therefore opposes the rezoning from a traffic perspective.

### **Analysis**

**26.10** The primary concern with the requested zone is the effect on the landscape. As noted by Ms Mellsop, the Remarkables is one of the

most prominent ONLs in the District, and it includes a landscape that extends from the Kawarau River, which is identified in the Otago Regional Plan Water as having outstanding values and has a Water Conservation Order, through to the mountain tops. I would also consider that the site is part of the "national and international identity of the district" mentioned in the Introduction to the Landscape Chapter of the PDP. Ms Mellsop opposes the request to reduce the extent of the ONL. The proposed development areas would be introducing a significant level of development into this landscape. The adverse effects would also be cumulative with the effects that have already occurred through the construction of the ski road.

- 26.11** The "Zone Purpose" refers to the residential and visitor accommodation options being "tucked into the landscape". However, the location of the areas is on prominent fans or terraces, or in the case of the areas on the ski field road, on one of the most prominent aspects of the Remarkables.
- 26.12** Most of the activities listed in the requested rules are for controlled activities, including the Development Concept Plan (**DCP**) that most of the activities would hinge on. Subdivision would also be a controlled activity. Breaching the standard, that requires subdivision or development to be in accordance with the DCP, would also be a controlled activity. I also note that breaching the 50% site coverage within each pod is a controlled activity as well. I consider this level of management of activities within an ONL on a controlled activity basis to be untenable, and would set a problematic precedent for sustainably managing the remainder of the district.
- 26.13** I acknowledge the proposal would have potential economic benefits for the ski field and the Remarkables Park, and would be a notable tourism attraction for Queenstown. Also the access proposals would be positive, particularly the walkway/cycleway link and, from a traffic perspective, the gondola access along the river could provide some commuters (including school children) with an alternative and very scenic route. However, the road into the development and its more intensive use would create a significant change to the landscape and amenity. This would also be cumulative to the effect of the gondola.

- 26.14** Regarding the gondola, I consider that such a development should require greater consideration than under the proposed Controlled Activity status. I note that Mr Barr has recommended that the Rural zone provide for Passenger Lift Systems as Restricted Discretionary activities in the Rural zone, and although through a refined framework, this has continued across into the Ski Area Sub Zones reply. While I acknowledge that controlled activity status gives greater certainty for the submitter, I consider that the detail and assessment of a specific proposal through a resource consent is the appropriate level of consideration for something that will intrude into such an important landscape to this extent, as it may not be acceptable, in which case the consenting authority should have the ability to decline the proposal.
- 26.15** The requested zone also identifies a number of sites for jetties and bridges. There is no analysis of why these sites have been identified or the effects on the outstanding natural character of the river provided to date. I consider that a resource consenting process for the District Plan aspects of these activities with the ability to decline certain proposals would be more suitable approach for these structures and associated activities, and could consider cumulative effects of each structure.
- 26.16** Another concern regarding the proposed rezoning is the effect on the farming operation. The submitter states that the site is not economically viable, and that the land needs to be appropriately managed to halt the decline in ecological values. They state the current use is not sustainable in terms of maintaining or enhancing environmental quality. They also say that if the rezoning is rejected then the submitter seeks to continue the farming operation and the SNA's on the property are a significant impediment and will need to be deleted. My concern is that the proposal for the Rural Residential and Rural visitor pods are located within what appears to be the more productive land within the farm, with some pod areas currently providing important feed crops for stock. This would further erode the viability of the farm. I am also concerned that if the economic viability of a farm is a reason to rezone then this would create a problematic

precedent for rezoning, not just for the rural zone, but for other businesses as well.

**26.17** The submission has not provided any supporting information about the effects of the zone. There is no assessment of landscape, ecology, traffic, services or natural hazards. From a public consultation point of view I am also concerned about the limited amount of detail that was provided in the original submission and the refinement and amendments that have been occurring through this process. I consider a proposal on what is one of the most important landscapes in Queenstown, should have provided a greater level of detail and more legible maps for the public to consider.

**26.18** The submission also requests the creation of a Remarkables Alpine Recreation Area. There was no map showing the extent of this area. The expansion of the Ski Area subzone south to the Doolans has been addressed in Hearing Stream 11 (Ski Area Sub Zones reply). The addition of a gondola corridor to this area is not supported and the provision within the Rural zone to provide for Passenger Lift Systems as Restricted Discretionary activities is considered appropriate.

**26.19** Overall I recommend the rezoning request, the removal of the ONL from the Kawarau River and lower portions of the site, and the removal of the SNAs is rejected.

**SUBMISSIONS REGARDING INDUSTRIAL ZONE**

**27. GRANT HYLTON HENSMAN, SHARYN HENSMAN AND BRUCE HEBERT ROBERTSON; SCOPE RESOURCES LIMITED; GRANT HYLTON HENSMAN AND NOEL THOMAS VAN WICHEN; TROJAN HOLDINGS LIMITED (361.1, 361.3, 361.6, 361.7, 361.8, 361.9)**

<b>Overall Recommendation</b>	
Recommendation	Reject
Summary	Although I recommend rejecting the submission I consider that there is merit in the requested rezoning. I consider the submitter needs to

	<p>undertake the following: redesign the zone to provide security for those industrial activities that are typically forced out of urban industrial zones and that the zone does not become a general business/retail node; and fully address the effects of the zone and suitability of the land (including an assessment of the natural hazards, noise, light spill, infrastructure, traffic and building height). If those matters are addressed a recommendation would be that the land is considered in a variation in a later stage alongside the Industrial B zone provisions, subject to a strategic review of the supply, location and release of further industrial land.</p>
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<b>Property and submission information</b>	
Further Submitters	<p>FS1229.1, FS1229.3 NZ Ski Limited (361.1 and 361.3) – Support in its entirety</p> <p>FS1277.3 Jacks Point Residents and Owners Association (361.3) – Oppose due to cumulative effects on landscape and visual values including light spill and character of the area.</p> <p>FS1275.90 "Jacks Point" (361.3) – Oppose due to cumulative effects on landscape and visual values and character of the area.</p>
Land area/request referred to as	N/A
PDP Zone and Mapping annotations	Rural RCL
Zone requested and mapping annotations	Industrial B: Coneburn
Supporting technical Information or reports	<p>Section 32 Analysis</p> <p>Landscape Assessment Report</p> <p>Ecological Assessment</p> <p>Economic Analysis</p> <p>Preliminary Site Investigation (Soil contamination)</p> <p>Review of Air Quality Issues</p> <p>Water Infrastructure Options Viability</p> <p>Transportation Assessment</p>

Legal Description	Lots 1 & 2 DP375823 Lots 1 & 3 DP 392270 Lots 1 & 2 DP 471143
Area	63.24 ha
QLDC Property ID	2913100956 2913100954 2913100701 2913100801 2913100606 2913100607
QLDC Hazard Register	Liquefaction Risk – LIC 1 (P) Probably low risk Alluvial Fan – ORC – fan less recently active Alluvial Fan – ORC – human modified Alluvial Fan – Regional scale – debris dominated Alluvial Fan – Regional scale – floodwater dominated Alluvial Fan – ORC – Other Potentially Contaminated sites

<b>Summary of Council assessments and recommendations</b>	
Landscape	Opposed
Ecology	Not opposed
Infrastructure (wastewater and water supply)	Not opposed
Traffic	Opposed

**Aerial Photograph of the site**



Aerial photograph of the land subject to the submission shown in red (area approximate only). Note this shows the property boundaries and not the zone boundary (see below).



above the requested zone and a 20 unit development within the quarry area. Current uses on the site, apart from the quarry in the southern end, are listed as Wilson Contractors, Beaver Contracting, a courier business and mechanical repairs.

**27.4** The submitters note that due to the staging of the District Plan review, they have made a submission to rezone their land at this stage so that their opportunity to request rezoning is not lost. They recognise that the Industrial B zone provisions are not part of the Stage 1 review. This leaves the submitter in a dilemma as many of the requested amendments are to provisions which have not yet been reviewed. On this basis I will assess the submission at a general level, taking note of the intent of the amendments to provisions.

**27.5** Specific provisions requested to be added to the PDP include:

- (a) providing for subdivision within the IBC zone as a Controlled Activity, and including Subdivision objectives, policies and rules specific to IBC.
- (b) in the Business and Industrial Areas Chapter of the ODP, providing exemptions for the IBC zone to objectives, policies and rules that avoid residential, office and most retail uses. Specific objectives and policies are also requested, and of note are policies to ensure the built form and associated activities are not highly visible from the state highway, using landscaping including earthworks, and specifying a range of height limits.
- (c) regarding the exemptions to the Industrial B rules: In terms of residential activity, which is a prohibited activity in the Industrial B zone, the submitters request provision for custodial units as a non-complying activity. In terms of offices not ancillary to permitted activities, which are a prohibited activity in the Industrial B zone, the submitters request provision as a Restricted Discretionary activity. In terms of retailing goods not produced, processed or stored on the site, which is a non-complying activity in the Industrial B zone, the submitters request provision as a permitted activity. This list of retailing to be permitted includes what is

commonly called trade suppliers, including: automotive and marine suppliers; garden and patio suppliers; office furniture/equipment and systems suppliers; yard based suppliers; and food and beverage sales.

- (d) in terms of standards, the submitters request that IBC: be exempt from earthworks standards; provide specific height standards based on a specific height control plan; provide site coverage standards of 40% for large lots in Area 1 and 60% for Area 2, compared to the Industrial B standard of 30%; and provide specific landscaping requirements on removing vegetation, replacement mitigation planting and retaining and restoring grey shrubland.

### **Landscape**

- 27.6** Dr Read considers that the site is capable of absorbing some development. This is largely because of the naturally hummocky topography which has been exaggerated by the effects of quarrying, and by its existing industrial use. She also considers that the protection of open space, particularly along the state highway, is a positive aspect of the proposal. She is concerned, however, that the proposal would allow for a considerable amount of built form, the effects of which have not been adequately determined in the information provided.

### **Ecology**

- 27.7** Dr Lloyd does not oppose the request to create an Industrial B - Coneburn Zone for the Coneburn site, provided that policy and rules controlling use of the land promote retention and enhancement of existing ecological values, restoration of ecologically appropriate indigenous forest, and control of exotic woody weeds. The site is important for ecological restoration due to the extensive loss of indigenous cover from the land environments on which it sits.

## **Infrastructure**

- 27.8** Mr Glasner does not oppose the rezoning from an infrastructure perspective if the site is serviced privately at the developer's cost because there is no increase in the QLDC infrastructure requirements (as the 3 waters will be serviced onsite).

## **Traffic**

- 27.9** Mr Mander advises that the submitter has not provided information on the impact of traffic generation and the proposed access arrangements on the state highway. He understands that the submitter is in discussion with the NZ Transport Agency. He presently opposes the rezoning from a traffic perspective.

## **Analysis**

- 27.10** I see merit in the requested zone, provided that the following issues are fully addressed. These are that the effects of the zoning are fully addressed and that the proposed zone provides for those industrial activities that would struggle to find necessary land for their businesses. Also the proposal would need to be considered as part of a strategic review of the supply, location and release of further industrial land.
- 27.11** Regarding the need for more industrial land, the submitter has provided an assessment that refers to previous reports undertaken for the Council. Estimates of commercial land needs for the Wakatipu-Arrowtown Wards was last undertaken in November 2013 by McDermott Miller Strategies Limited in their report "Review of District Plan Business Zones Capacity and Development of Zoning Hierarchy" which was an update of the Hill Young Cooper report "Commercial Land Needs – Queenstown Lakes District" August 2006. The 2013 report noted that a potential shortage of Industrial land may develop after 2026 under the three higher demand growth projections. The evidence of Mr Philip Osborne identifies that the demand for industrial land in the Wakatipu area may exceed supply by 2030 and consideration does need to be given to providing additional

industrial zoned land. Mr Osborne states that as well as the obvious potential costs to growth of undersupplying business land for development there also can be significant potential impacts of oversupplying land. Given the approximate 2030 timeframe, I consider the provision, location and release of industrial land should be strategically planned for.

**27.12** The purpose statement in the submitter's s32 report refers to the zone providing for "*yard based industry, including the storage and retailing of associated bulky or larger goods and administrative offices in a location that is accessible from the State Highway and proximate to the continuing development needs to the District.*" The submitter also refers to the existing industrial activities on the site as "yard based". I consider that a yard/transport based industrial zone would appear to be a reasonable option for the site given its location away from urban areas. This would provide for those industrial activities similar to what is on the site that, as noted by the submitter, "struggle to find the necessary land for their businesses".

**27.13** I do have concerns that the proposed development of the site may not cater for industrial activities that struggle to find necessary land for their businesses. In my experience identification of land for Industrial zoning is often determined by reasonably priced flat land that can be easily and relatively cheaply serviced, with good access to key transport routes or destinations.

**27.14** The types of industries that struggle to find land are those that require large low cost sites and premises. It would appear to me that the cost of developing the IBC may result in the need for higher rent occupiers. This is my experience in Auckland where, in recently zoned industrial land that was to specifically provide for industrial activities, the council faces continuous pressure to grant consents for non-industrial activities such as offices, gyms, child care and retail. I assume this will be the case in Queenstown as well. Therefore, I am also concerned that in comparison with the operative Industrial B zone provisions, the requested exemptions for offices and retailing, and the increase in site coverage in the IBC will be such that the types of industries such as yard or transport based industries that

could benefit from the IBC (with its location away from urban areas) may not eventuate or may find that they are faced with reverse sensitivity issues.

- 27.15** I also consider the proposed zone is too permissive for non-industrial activities, particularly office and retail, including food outlets. This is particularly so due to its location near the urban development at Jacks Point, which will provide an incentive for non-industrial businesses to set up in the requested zone.
- 27.16** Reports have been provided by the submitter regarding the provision of water and waste services, which include an assessment of the hazards posed by the stream systems above the site. Another report provides a preliminary site investigation report on the potential for soil contamination. What is not clear is how well the proposed layout of the structure plan takes into account the conclusions in the reports.
- 27.17** I have a particular concern that, although water and waste services may be able to be addressed by the developer, the measures required may have external effects. For example, for stormwater it appears there may be a need for extensive earthworks above and through the zone. If required above the zone it would be useful to know the extent and effects of the earthworks and how they would be maintained. Regarding water supply, it is not clear where water storage would need to be provided and what the visual effects of a water storage tank would be.
- 27.18** There does not appear to be a report on geotechnical stability of the site and above the site. The report by Royden Thomson (Appendix C to the Water Infrastructure Option Viability Report included in the submission) provides a desktop study of the "hazards posed by stream systems", but not the stability of the land per se. A report for the whole site should be provided to give the Council a reasonable level of comfort that the land is suitable for what will be a reasonably dense urban development, in land that is reasonably close to a major mountain range. In addition to the stability of the site in general, two aspects that may need to be covered are the stability of the quarried area and stability of the un-engineered landfill above the site.

- 27.19** I have concerns about how the development would proceed, particularly if the services are to be provided on site, and how the services will be maintained. To ensure that the zoned land is developed in a coordinated manner, I consider there would need to be provision to ensure the establishment of infrastructure and any hazard mitigation occurs prior to any new industry establishing (or increases to the existing industries).
- 27.20** The submitter has provided a detailed landscape assessment, and the IBC zone has a rather detailed rule regarding maximum height of structures for different areas of the zone. The primary concern I have is the visibility of industrial activities on the wider area. I noted during my recent site visit that there were height poles erected to indicate the height of the 20-unit residential proposal. As noted in Dr Read's evidence, given that the zone would result in industrial buildings, it would be useful if height poles were erected to indicate what the height control limits are, particularly in the most visible parts of the site.
- 27.21** Further submitters have raised concerns about amenity and light spill. In terms of amenity, I consider there should be an assessment of the noise effects from the zone, particularly as some industries may need to operate at night. Regarding light spill, although it appears from the landscape assessment that the site is screened, an assessment of light spill should be provided given that a zone for yard based industries will very likely require lighting of the yard.
- 27.22** Overall, I recommend the rezoning request is rejected. However, I consider there is merit in the requested zone, but that the following issues need to be fully addressed. These are that the effects of the zoning are fully addressed and that the proposed zone provides for those industrial activities that would struggle to find necessary land for their businesses. Also the proposal would need to be considered as part of a strategic review of the supply, location and release of further industrial land.

## SUBMISSIONS REGARDING QUEENSTOWN AIRPORT MIXED USE ZONE

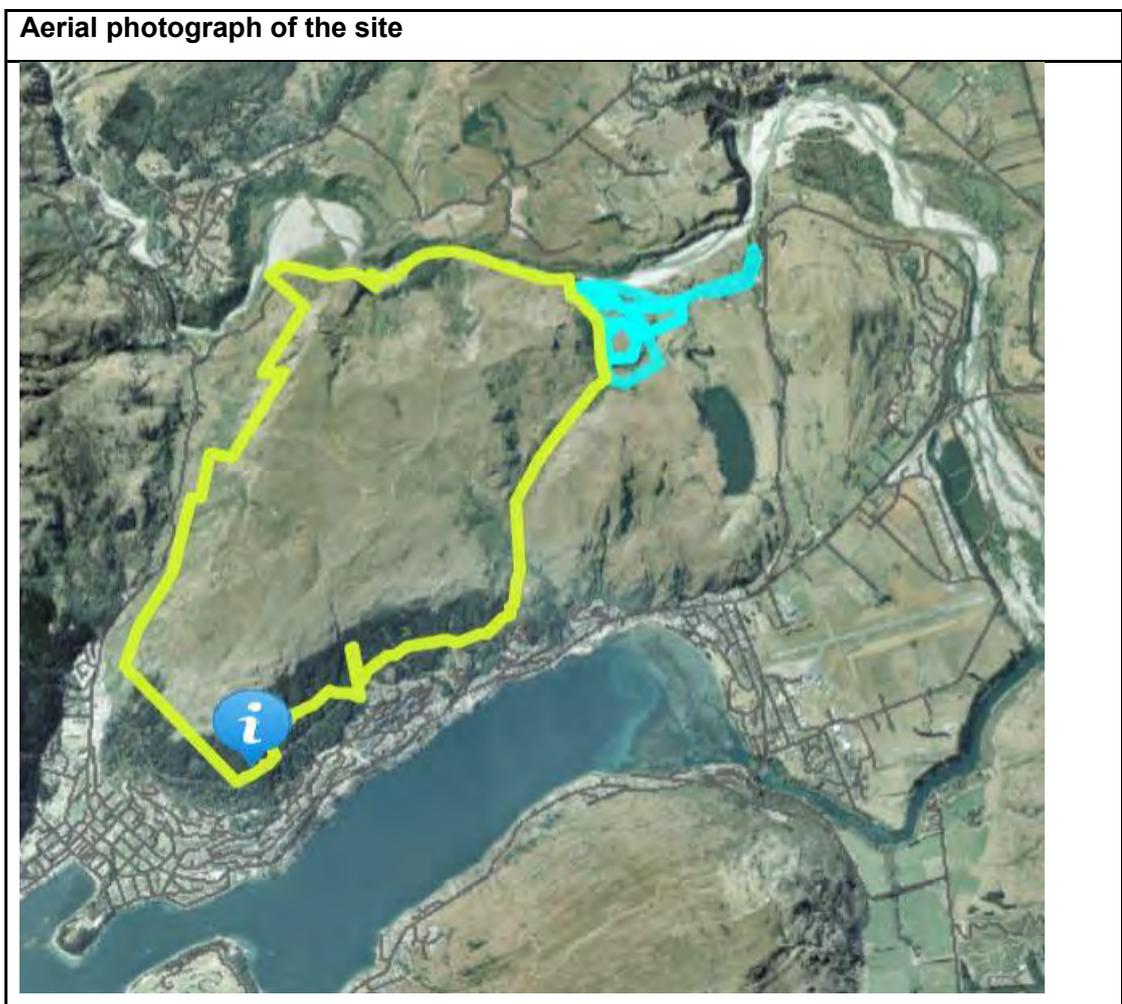
### 28. MIDDLETON FAMILY TRUST (393.1)

<b>Overall Recommendation</b>	
Recommendation	Reject
Summary	The submission would have a significant effect on the surrounding and the operation of the existing airport. No information has been provided on details of the proposed zone or the effects.

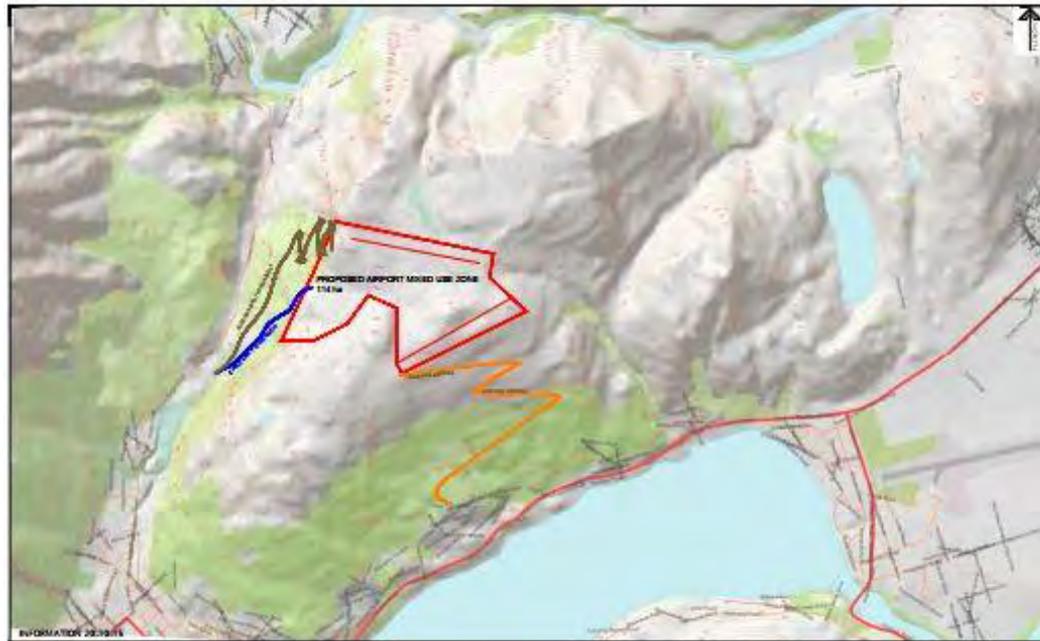
<b>Property and submission information</b>	
Further Submitters	<p>FS1077.14 Board of Airline Representatives of New Zealand (BARNZ): Opposes to the extent that where any of this land falls within the Queenstown Airport ANB or OCCB that zoning in PDP be retained.</p> <p>FS1340.93 Queenstown Airport Corporation: Oppose until aeronautical study confirms site suitability; and rezoning may result in significant adverse effects on QAC that have not been appropriately assessed in terms of s32 RMA.</p> <p>FS1097.260 Queenstown Park Limited: Support</p> <p>FS1270.104 Hansen Family Partnership: Opposes on basis of adverse effects upon Hansen Family Partnership.</p>
Land area/request referred to as	Queenstown Hill
PDP Zone and Mapping annotations	Rural ONL
Zone requested and mapping annotations	Airport Mixed Use Zone
Supporting technical Information or reports	None
Legal Description	Lot 2 DP 351844
Area	Area sought to be rezoned 114 ha approximately.
QLDC Property ID	2907143604

QLDC Hazard Register	Landslide areas – Active Schist Debris Landslides Landslide areas – Areas susceptible to falls Seismic Hazards - Faults
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<b>Summary of Council assessments and recommendations</b>	
Landscape	Opposed
Ecology	Opposed
Infrastructure (wastewater and water supply)	Opposed
Traffic	Opposed



Aerial photograph of the land subject to the submission shown in yellow and blue.



Requested zone and access.

- 28.1** The submitter seeks to rezone a portion of the land i.e. 114 ha, from Rural to Airport Mixed Use. It is referred to in the submission as the 'Air Park'.
- 28.2** The submitter considers that the while the location and size of the Queenstown Airport is sufficient to ensure continuation of core air transportation, the submitter is not satisfied that projected expansion for commercial and private light aircraft and helicopter operations can occur within the proposed boundaries of the Airport Mixed Use Zone. It states that there is no land in the Wakatipu Basin of sufficient size to support such operations which is sufficiently removed to ensure none/minimal reverse sensitivity issues between residential occupation and aircraft operation.
- 28.3** The submitter states that the "Air Park' is in a unique location to avoid adverse effects upon surrounding properties and will alleviate pressure on Queenstown Airport, while allowing continued expansion in facilities and infrastructure for helicopter, flightseeing and general aviation operations. It reasons that:

- (a) The 'Air Park' is located 850m horizontally and 380m vertically from its nearest neighbour on Gorge Road, and there is a considerable landmass between residential zones to the east of Queenstown Township and those above Frankton Road; and
- (b) The 'Air Park' can be accessed by two existing metalled roads, one from Tucker Beach Road and one from Frankton Road. There is also potential for a cable car from Gorge Road providing for a park and ride.

### **Landscape**

**28.4** Dr Read opposes the rezoning from a landscape perspective because although development on the top of the hill may only have a moderately significant threat to public view and low threat to private views, the access to the site by road or cable car would have a significant adverse effect on the visual amenity within the landscape of the Gorge.

### **Ecology**

**28.5** Mr Davis opposes the rezoning from an ecological perspective because the site contains an extensive indigenous vegetation community that has adapted to the historical pastoral activity and contains some wetland communities. He is concerned that the lack of detail to the proposal does not allow the potential impacts to be understood and also the lack of an ecological assessment in the submission.

## **Infrastructure**

**28.6** Unless the submitter can show that the zone can be serviced privately onsite, Mr Glasner opposes the rezoning from an infrastructure perspective because the proposal would result in a substantial increase in load/demand which will require an upgrade of the existing infrastructure and the need to build additional facilities that will have an ongoing maintenance burden.

## **Traffic**

**28.7** Mr Mander considers that given the scale of the rezoning and the lack of any assessment of traffic effects he opposes the rezoning from a traffic perspective.

## **Analysis**

**28.8** The Queenstown Airport Mixed Use zone is a zone specific to the Queenstown Airport and recognises its value both nationally and regionally. Airport activities and Airport Related activities are permitted, and these can cover a fairly wide range of activities, from industry to commercial to visitor accommodation. Therefore the requested zone would have a significant effect on the character of the surrounding area, including Frankton and Gorge Road.

**28.9** The submitter has provided insufficient information to begin to assess the requested rezoning, including landscape, hazards, noise, services, traffic, ecology, amenity and economic effects.

**28.10** Overall I recommend the rezoning request is rejected.

A handwritten signature in blue ink, consisting of a stylized 'R' followed by a long horizontal line.

**Robert Buxton**

**24 May 2017**

**Appendix 1 to the Section 42A Report - Queenstown Mapping - Rural**

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
168.1		Garry Strange		Oppose	That the areas shown as Rural Residential, Rural Lifestyle and Rural General on Map 38 at Wilsons Bay be zoned one consistent zoning being Rural Residential.	Reject		Group 2 Report
168.2		Garry Strange	Map 38 - Wilson Bay and Bobs Cove	Other	The council address the different zonings of Wilson bay and remove from outstanding natural landscape.	Reject		Group 2 Report
243.29		Christine Byrch	Map 38 - Wilson Bay and Bobs Cove	Oppose	Remove the Visitor Accommodation sub-zone from the proposed plan.	Reject		Group 2 Report
243.29	FS1224.29	Matakauri Lodge Limited	Map 38 - Wilson Bay and Bobs Cove	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		Group 2 Report
243.33		Christine Byrch	22.5.13	Oppose	Delete this sub-zone, but if it is retained, maximum building coverage should be 2000m <sup>2</sup> , and any more than this should be prohibited. add another point for discretion: Whether the building would be visually prominent, especially in the context of the wider landscape, rural environment and as viewed from neighbouring properties.	Reject	Removal of Visitor Accommodation Subzone for Speargrass Flat deferred to Wakatipu Basin Mapping Hearing	Group 2 Report
298.2		Nick Clark	Map 38 - Wilson Bay and Bobs Cove	Oppose	Change from Rural Lifestyle to Rural Residential. The land at Closeburn is useless for anything but building on. Remove the building restriction area.	Reject		Group 2 Report
328.2		Noel Gutzewitz	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Oppose	Rezone part of the land located between Boyd Road and the Kawarau River as described in section 1 (Secs 42 and 43, Blk XII Closeburn SD and Lots 4 and 5 DP 24790) and Attachment B from rural to rural lifestyle. Copied from submission point 328.1	Reject		Group 2 Report
328.2	FS1340.75	Queenstown Airport Corporation	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	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.	Accept		Group 2 Report
331.5		The Station at Waitiri	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Oppose	Oppose the rural general/ Gibbston valley character (GVCZ) zoning of Lots 51, 52, 53, 54 & 55 DP 390679 and Section 12 SO 342162 (the location of the submitter's property is highlighted on Attachment [A] of the original submission) and request it be rezoned from Rural General to Rural Lifestyle. (Copied from submission point 331.3)	Reject		Group 2 Report
361.1		Grant Hylton Hensman, Sharyn Hensman & Bruce Herbert Robertson, Scope Resources Ltd, Granty Hylton Hensman & Noel Thomas van Wichen, Trojan Holdings Ltd		Oppose	Amend planning map 13 to rezone land identified in a map attached to the submission and which is located generally on the eastern side of State Highway 6, opposite Jacks Point. from 'Rural' to 'Industrial B - Coneburn'.	Reject	Industrial B zone provisions to be addressed in Stage 2	Group 2 Report
361.1	FS1229.1	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	Industrial B zone provisions to be addressed in Stage 2	Group 2 Report
361.3		Grant Hylton Hensman, Sharyn Hensman & Bruce Herbert Robertson, Scope Resources Ltd, Granty Hylton Hensman & Noel Thomas van Wichen, Trojan Holdings Ltd	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Oppose	Amend planning map 13 to rezone land identified in a map attached to the submission and which is located generally on the eastern side of State Highway 6, opposite Jacks Point. from 'Rural' to 'Industrial B - Coneburn'. Copied from submission point 361.1 on the Rural Zone.	Reject	Industrial B zone provisions to be addressed in Stage 2	Group 2 Report
361.3	FS1229.3	NZSKI Limited	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	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	Industrial B zone provisions to be addressed in Stage 2	Group 2 Report
361.3	FS1277.3	Jacks Point Residents and Owners Association	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	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.	Accept	Industrial B zone provisions to be addressed in Stage 2	Group 2 Report
361.3	FS1275.90	"Jacks Point"	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	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.	Accept	Industrial B zone provisions to be addressed in Stage 2	Group 2 Report
361.6		Grant Hylton Hensman, Sharyn Hensman & Bruce Herbert Robertson, Scope Resources Ltd, Granty Hylton Hensman & Noel Thomas van Wichen, Trojan Holdings Ltd		Oppose	Oppose the subdivision chapter and request that it be amended to include the Industrial B - Coneburn Zone by adding new objectives, policies, and performance standards in order to give effect to the proposed Industrial B - Coneburn structure plan.	Reject	Industrial B zone provisions to be addressed in Stage 2	Group 2 Report
361.7		Grant Hylton Hensman, Sharyn Hensman & Bruce Herbert Robertson, Scope Resources Ltd, Granty Hylton Hensman & Noel Thomas van Wichen, Trojan Holdings Ltd	27.4.1 Discretionary activities	Oppose	Opposes the discretionary activity status and requests controlled activity status for subdivision in the Industrial B - Coneburn Zone; through amending the rule as follows: "27.4.1.1 Subdivision in the Industrial B: Coneburn is a Controlled Activity".	Reject	Industrial B zone provisions to be addressed in Stage 2	Group 2 Report
361.8		Grant Hylton Hensman, Sharyn Hensman & Bruce Herbert Robertson, Scope Resources Ltd, Granty Hylton Hensman & Noel Thomas van Wichen, Trojan Holdings Ltd	27.7 Location-specific objectives, policies and provisions	Other	Requests additional objectives and policies be added as detailed in Appendix D to the submission.	Reject	Industrial B zone provisions to be addressed in Stage 2	Group 2 Report
361.9		Grant Hylton Hensman, Sharyn Hensman & Bruce Herbert Robertson, Scope Resources Ltd, Granty Hylton Hensman & Noel Thomas van Wichen, Trojan Holdings Ltd	27.8 Rules - Location Specific Standards	Other	Requests additional rules be added specific to the industrial B - Coneburn Zone, as detailed in Appendix D to the submission.	Reject	Industrial B zone provisions to be addressed in Stage 2	Group 2 Report
393.1		Middleton Family Trust	Map 31 - Lower Shotover	Oppose	Oppose the rural zoning AND request that 114 hectares of Lot 2 DP 351844 (located at the top of Queenstown Hill and as identified in Attachment A of the submission) be rezoned to Airport Mixed Use zone. Copied from Submission point 393.3 to the rural zone.	Reject		Group 2 Report
393.1	FS1077.14	Board of Airline Representatives of New Zealand (BARNZ)	Map 31 - Lower Shotover	Oppose	To the extent that any of this land falls within the Queenstown Airport ANB or OCB BARNZ opposes the change and asks that the land be retained in its proposed zone.	Accept		Group 2 Report
393.1	FS1340.93	Queenstown Airport Corporation	Map 31 - Lower Shotover	Oppose	QAC opposes the proposed rezoning until such a time that an aeronautical study has been completed for the site that confirms the site is suitable for aviation activities. Rezoning the land may also potentially result in significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.	Accept		Group 2 Report
393.1	FS1097.260	Queenstown Park Limited	Map 31 - Lower Shotover	Support	Support proposed rezoning of Queenstown Hill to Airport Mixed Use Zone	Reject		Group 2 Report
393.1	FS1270.104	Hansen Family Partnership	Map 31 - Lower Shotover	Oppose	Opposes. Assures that an airport in the location proposed will have adverse effects on the Hansen Family Partnership land. Seeks this submission be disallowed.	Accept		Group 2 Report
409.2		Neil McDonald	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Oppose	Amend the Proposed District Plan Landscape Category Boundary to reflect the most recent Court Decision (i.e. C203/2004). NB - the submitter owns Lot 1 DP 443946, as shown on the map attached to the decision. Copied from submission point 409.3.	Accept		Group 2 Report
431.2		Barbara Kipke	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Other	Opposes the Rural zoning of the land at Lot 1 DP 474749, at Wye Creek, shown on Proposed District Plan Map 13a. Seeks that the Rural Zoning is deleted and replaced with Rural Lifestyle Zoning.	Reject		Group 2 Report
431.3		Barbara Kipke	27.5.1	Other	Seeks that the average allotment size of the Rural Lifestyle Zone is reduced from 2 hectares to 1.5 hectares for the submitters property at Lot 1 DP 474749, Wye Creek, shown on Proposed District Plan Map 13a. Amend Rule 27.5.1 by adding a new row under the heading Rural Lifestyle: <u>Rural lifestyle - Wye Creek One hectare, provide the average lot size is not less than 1.5 hectares.</u>	Reject		Group 2 Report

**Appendix 1 to the Section 42A Report - Queenstown Mapping - Rural**

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
447.2		Karen & Murray Scott, Loch Linnhe Station	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Other	The submitters property at Loch Linnhe Station located south of Wye Creek and Drift Bay, and east of Lake Wakatipu with access off Kingston Road. This land is shown on Proposed Planning Map 13. Requests that the PDP should provide for areas within large farm (say over 1000 hectares in area) where the erection of homesteads, staff accommodation and farm buildings are a permitted or controlled activity. States that the PDP is disenabling of this, as residential activity on a large rural property is treated exactly the same as a residential activity on a small landholding in the Wakatipu Basin. Requests the following: (i) The concept of a Farm Base Area (FBA's be included in the Queenstown-Lakes PDP; (ii) That FBA's be identified on large rural property in excess of 1000 hectares in area; (iii) That within FBA's, homesteads, staff accommodation and farm buildings be a permitted or controlled activity; (iv) That two FBA's be identified on our property as shown on the plans attached to this submission; (v) If (i) to (iv) above is not accepted, then we seek Rural Visitor zoning over the two areas we identify as being suitable FBA's consistent with other stations in the district. (vi) Any other consequential amendments required to give effect to this submission.	Reject		Group 2 Report
478.2		Lake Wakatipu Station Limited & Review Seventeen Limited	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Other	Opposes the proposed Rural Zoning of land located at Halfway Bay on the western shoreline of the southern arm Lake Wakatipu, shown on Proposed Planning Map 13 and 15. States that this land should be zoned to enable diversification (including tourism) of the station, similar to what the Council has enabled with the Rural Visitor Zones located at Cecil Peak and Walter Peak Stations.  Requests a Rural Visitor Zone be adopted over the area of flat land at Halfway Bay (shown on the plan attached to the submission).  Retain the balance of the Station as Rural zoning within the QLDC boundaries.	Reject		Group 2 Report
481.1		Cabo Limited	Map 25 - Glenorchy, Kinloch and South of Blanket Bay	Other	Supports the proposed provisions to the Wyuna Rural Lifestyle Zone (inclusive of the building restricted area) as proposed in Planning Map 25. Adopt Planning Map 25 as it relates to the Wyuna Station Rural Lifestyle Zone. Supports the visitor accommodation subzone located on the corner of southern corner of Shiel and Oban Streets provided there is flexibility for use of this land for retail and commercial purposes also as provided for through the underlying Township zoning. Opposes the blanket zoning of Designation 428 on Planning Map 25 and formally requests that the Designation 428 (Glenorchy Closed Landfill) be further refined in location. Remove the large shaded area which identifies Designation 428 (Glenorchy Closed Landfill)	Accept the support for the Rural Lifestyle Zone. Visitor Accommodation subzone not "on" Stage 1. Designation addressed in Hearing 07		Group 2 Report
481.3		Cabo Limited	Map 25 - Glenorchy, Kinloch and South of Blanket Bay	Other	Support the proposed provisions to the Wyuna Rural Lifestyle Zone (inclusive of the building restricted area) as proposed in Planning Map 25. Adopt the Rural Lifestyle provisions within proposed Chapter 22 and Planning Map 25 as it relates to the Wyuna Station Rural Lifestyle Zone.	Accept the support for the Rural Lifestyle Zone. Visitor Accommodation subzone not "on" Stage 1. Designation addressed in Hearing 07		Group 2 Report
486.1		Temple Peak Ltd	Map 9 - Glenorchy Rural, Lake Wakatipu	Support	Supports the Proposed Rural Lifestyle Zone as it relates to Temple Peak Station shown on Proposed District Plan Map 9 (legally described as Sec 1-9 SO460577 Sec 32-34 38A 39 Blk 1 Glenorchy SD). <u>Adopt the Rural Lifestyle provisions for the area identified.</u>	Accept		Group 2 Report
486.2		Temple Peak Ltd	Map 9 - Glenorchy Rural, Lake Wakatipu	Support	Supports the Proposed Rural Lifestyle Zone as it relates to Temple Peak Station shown on Proposed District Plan Map 9 (legally described as Sec 1-9 SO460577 Sec 32-34 38A 39 Blk 1 Glenorchy SD).	Accept		Group 2 Report
519.64		New Zealand Tungsten Mining Limited	Map 9 - Glenorchy Rural, Lake Wakatipu	Oppose	Amend Map 9 as shown in the map attached to this submission.	Accept		Group 2 Report
519.64	FS1356.64	Cabo Limited	Map 9 - Glenorchy Rural, Lake Wakatipu	Oppose	All the relief sought be declined	Reject		Group 2 Report
519.64	FS1015.100	Straterra	Map 9 - Glenorchy Rural, Lake Wakatipu	Support	I support this submission in its entirety as providing appropriately for minerals and mining activities in the District, in a way that is consistent with the letter and intent of the RMA.	Accept		Group 2 Report
595.1		Matakauri Lodge Limited		Other	Support in part. The Visitor Accommodation sub-zoning for the MLL site is confirmed.	Accept		Group 2 Report
607.22		Te Anau Developments Limited	Part Seven - Maps	Not Stated	Rezone the "Rural General" zoned land (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".	Reject		Group 2 Report
624.4		D & M Columb	Part Seven - Maps	Not Stated	Shift southern reach of the ONL overlay affecting Gorge Road back to its previous location.	Reject		Group 2 Report
677.8		Amrta Land Ltd	Map 9 - Glenorchy Rural, Lake Wakatipu	Other	Amend Planning Maps 9 and 25 C to include the land described as Woodbine Station with the Rural Visitor Zone. Alternatively, a zoning that would suitably provide for tourism development, such as the Rural Lifestyle Zone with a Visitor Accommodation Overlay, or some other specific tourism related zoning.	Reject		Group 2 Report
677.8	FS1035.8	Mark Crook	Map 9 - Glenorchy Rural, Lake Wakatipu	Oppose	Preserve the natural landscape by refusing the application.	Accept		Group 2 Report
677.8	FS1074.8	Alistair Angus	Map 9 - Glenorchy Rural, Lake Wakatipu	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.	Accept		Group 2 Report
677.8	FS1290.2	Robert Andrew Singleton	Map 9 - Glenorchy Rural, Lake Wakatipu	Oppose	Object to these proposed changes	Accept		Group 2 Report
677.8	FS1312.8	AG Angus	Map 9 - Glenorchy Rural, Lake Wakatipu	Oppose	Oppose on every level in its present form	Accept		Group 2 Report
677.8	FS1319.1	John glover	Map 9 - Glenorchy Rural, Lake Wakatipu	Oppose	Notwithstanding the fact that some carefully planned development near the bush edge at the valley floor may be able to be accommodated, the lack of detail and a simple request to wholly reclassify the station land means that I am in opposition to the proposal.	Accept		Group 2 Report
677.8	FS1323.1	Kinloch Residents Association	Map 9 - Glenorchy Rural, Lake Wakatipu	Oppose	Opposes. States that there is a large area of land zoned rural visitor at Arcadia which remains undeveloped. Unlike the Woodbine proposal, at least the Arcadia land has an agreed structure plan in place. Requests that the proposal is declined.	Accept		Group 2 Report
677.8	FS1364.8	John and Kay Richards	Map 9 - Glenorchy Rural, Lake Wakatipu	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		Group 2 Report
677.8	FS1117.271	Remarkables Park Limited	Map 9 - Glenorchy Rural, Lake Wakatipu	Support	For the reasons outlined in RPL's primary submission.	Reject		Group 2 Report
677.9		Amrta Land Ltd	Map 25 - Glenorchy, Kinloch and South of Blanket Bay	Other	Amend Planning Maps 9 and 25 C to include the land described as Woodbine Station with the Rural Visitor Zone Alternatively, a zoning that would suitably provide for tourism development, such as the Rural Lifestyle Zone with a Visitor Accommodation Overlay, or some other specific tourism related zoning.	Reject		Group 2 Report

**Appendix 1 to the Section 42A Report - Queenstown Mapping - Rural**

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
677.9	FS1035.9	Mark Crook	Map 25 - Glenorchy, Kinloch and South of Blanket Bay	Oppose	Preserve the natural landscape by refusing the application.	Accept		Group 2 Report
677.9	FS1074.9	Alistair Angus	Map 25 - Glenorchy, Kinloch and South of Blanket Bay	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		Group 2 Report
677.9	FS1290.1	Robert Andrew Singleton	Map 25 - Glenorchy, Kinloch and South of Blanket Bay	Oppose	Object to these proposed changes	Accept		Group 2 Report
677.9	FS1312.9	AG Angus	Map 25 - Glenorchy, Kinloch and South of Blanket Bay	Oppose	Oppose on every level in its present form	Accept		Group 2 Report
677.9	FS1319.2	John glover	Map 25 - Glenorchy, Kinloch and South of Blanket Bay	Oppose	Notwithstanding the fact that some carefully planned development near the bush edge at the valley floor may be able to be accommodated, the lack of detail and a simple request to wholly reclassify the station land means that I am in opposition to the proposal.	Accept		Group 2 Report
677.9	FS1364.9	John and Kay Richards	Map 25 - Glenorchy, Kinloch and South of Blanket Bay	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		Group 2 Report
677.9	FS1323.2	Kinloch Residents Association	Map 25 - Glenorchy, Kinloch and South of Blanket Bay	Oppose	Opposes. States that there is a large area of land zoned rural visitor at Arcadia which remains undeveloped. Unlike the Woodbine proposal, at least the Arcadia land has an agreed structure plan in place. Requests that the proposal is declined.	Accept		Group 2 Report
689.1		Kingston Lifestyle Family Trust		Oppose	The site (located on Kingston-Garston Highway (State Highway 6) legally described as Lot 3 DP 12725) be rezoned from Rural General to either Kingston Township, Low Density Residential or Kingston Village Zone	Reject	Township Zone provisions to be addressed in Stage 2 of the review	Group 2 Report
689.1	FS1344.5	Tim Tayler		Support	Allow relief sought - The submitter requests it land to be rezoned from rural general to an alternative zone that provides for residential development. The further submitter considers that residential development in this location is appropriate and that the rural general zone inappropriate.	Reject	Township Zone provisions to be addressed in Stage 2 of the review	Group 2 Report
689.1	FS1348.4	M & C Wilson		Support	Allow relief sought - The submitter requests it land to be rezoned from rural general to an alternative zone that provides for residential development. The further submitter considers that residential development in this location is appropriate and that the rural general zone inappropriate.	Reject	Township Zone provisions to be addressed in Stage 2 of the review	Group 2 Report
689.2		Kingston Lifestyle Family Trust	Map 39 - Arthurs Point, Kingston	Oppose	Planning Map 39A is updated to reflect the change in zone (The site (located on Kingston-Garston Highway (State Highway 6) legally described as Lot 3 DP 12725) be rezoned from Rural General to either Kingston Township, Low Density Residential or Kingston Village Zone).	Reject	Township Zone provisions to be addressed in Stage 2 of the review	Group 2 Report
694.20		Glentui Heights Ltd	22.5.32	Oppose	Delete Table 5	Reject		Group 2 Report
694.2		Glentui Heights Ltd		Oppose	Delete the Bobs Cove Sub Zone as shown on the Planning Maps and show as Rural Residential Zone with no subzone.	Reject		Group 2 Report
694.30		Glentui Heights Ltd	Map 38 - Wilson Bay and Bobs Cove	Oppose	Delete the Bobs Cove Sub Zone as shown on the Planning Maps and show as Rural Residential Zone with no subzone.	Reject		Group 2 Report
694.4		Glentui Heights Ltd	22.2.6.1	Oppose	Delete the following: Objective - Bob's Cove Rural Residential subzone – To create comprehensively-planned residential development with ample open space and a predominance of indigenous vegetation throughout the zone. Policies: Ensure at least 75% of the zone is retained as undomesticated area and at least 50% of this area is established and maintained in indigenous species such that total indigenous vegetation cover is maintained over that area. Ensure there is open space in front of buildings that remains generally free of vegetation to avoid disrupting the open pastoral character of the area and the lake and mountain views.	Reject		Group 2 Report
694.6		Glentui Heights Ltd	22.2.7 Objective 7	Support	Confirm the following: Objective - Bob's Cove Rural Residential Zone - To maintain and enhance the ecological and amenity values of the Bob's Cove Rural Residential zone. Policies: To ensure views of Lake Wakatipu and the surrounding landforms from the Glenorchy-Queenstown Road are retained through appropriate landscaping and the retention of view shafts. To ensure the ecological and amenity values of Bob's Cove are retained and, where possible, enhanced through: • appropriate landscaping using native plants; • restricting the use of exotic plants; • removing wilding species; • providing guidance on the design and colour of buildings; • maintaining view shafts from the Queenstown	Reject		Group 2 Report
702.19		Lake Wakatipu Stations Limited	Part Seven - Maps	Not Stated	Amend the planning maps 13a to show the extent of Significant Natural Area C24A to be in accordance with the black dotted line in the attached image. - Image in the original submission	Accept		Group 2 Report
710.2		Reavers NZ Limited	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Other	Submitter requests that that ONL boundary as shown on Planning Map 13 is amended to align with the plans marked Annexure A and attached to the submission which relates to the submitter's property on the Kingston-Garston Highway (Lot 2 DP 300643) and locality. AND any other additional or consequential relief that will fully give effect to this submission.	Accept in part		Group 2 Report
712.10		Bobs Cove Developments Limited	22.5 Rules - Standards	Oppose	Rules 22.5.21 to 22.5.32 - delete Table 5	Reject		Group 2 Report
712.3		Bobs Cove Developments Limited	Map 38 - Wilson Bay and Bobs Cove	Oppose	Rezone the "Rural General" zoned land identified in the attached Drawing by Paterson Pitts (refer to submission) as Proposed Section 1 to "Rural Residential".	Reject		Group 2 Report
712.5		Bobs Cove Developments Limited	Map 38 - Wilson Bay and Bobs Cove	Oppose	Delete the Bobs Cove Sub Zone as shown on the Planning Maps and show as Rural Residential Zone with no subzone.	Reject		Group 2 Report
712.6		Bobs Cove Developments Limited	22.2.6 Objective 6	Oppose	Delete this objective	Reject		Group 2 Report
712.7		Bobs Cove Developments Limited	22.2.6.1	Oppose	Delete this policy	Reject		Group 2 Report
712.8		Bobs Cove Developments Limited	22.2.6.2	Not Stated	Delete this policy	Reject		Group 2 Report
712.9		Bobs Cove Developments Limited	22.2.7 Objective 7	Support	Confirm the following: Objective - Bob's Cove Rural Residential Zone - To maintain and enhance the ecological and amenity values of the Bob's Cove Rural Residential zone. Policies: To ensure views of Lake Wakatipu and the surrounding landforms from the Glenorchy-Queenstown Road are retained through appropriate landscaping and the retention of view shafts. To ensure the ecological and amenity values of Bob's Cove are retained and, where possible, enhanced through: • appropriate landscaping using native plants; • restricting the use of exotic plants; • removing wilding species; • providing guidance on the design and colour of buildings; • maintaining view shafts from the Queenstown- Glenorchy Road	Reject		Group 2 Report
764.18		Mount Christina Limited	Map 9 - Glenorchy Rural, Lake Wakatipu	Other	Support in part Amend Planning Map 9 (Glenorchy, Lake Wakatipu), to adjust the boundaries of the rural residential zone on the MCL land, in accordance with the revised zoning plan contained within Appendix 1 to this submission (764).	Accept in part		Group 2 Report
806.1		Queenstown Park Limited	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Oppose	Queenstown Park and the access corridors from Remarkables Park to the Remarkables ski field are rezoned as Queenstown Park Special Zone in accordance with the provisions and structure plan attached at Appendix A (see submission)	Reject		Group 2 Report
806.1	FS1229.29	NZSki Limited	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Support	NZSki Limited support gondola access the Remarkables Ski Area and consider that such access will be complimentary to recreational use of the Ski Area Sub-Zone on a year round basis. NZSki Limited do however consider it necessary that a plan of the proposed gondola corridor is provided by the submitter to ensure that any future gondola is complimentary to NZSki Limited's existing and future proposed buildings, infrastructure and recreational activities. Overall, NZSki Limited requests that the submission points be allowed.	Reject		Group 2 Report

**Appendix 1 to the Section 42A Report - Queenstown Mapping - Rural**

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
806.1	FS1313.57	Darby Planning LP	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Oppose	Support/Oppose Seek that the whole of the submissions seeking rezoning of land located within the rural, rural lifestyle and rural residential zone be disallowed. DPL supports rezoning where that is based on a thorough assessment of infrastructure, protection of open space, provision of public benefits and landscape and visual amenity is protected, but opposes submissions to the PDP seeking to rezone land located within the rural, rural lifestyle and rural residential zones where infrastructure and visual amenity matters have not been fully investigated or provided for or real risk of adverse effects arises, particularly landscape or cumulative effects. The reasons for this further submission relates to the potential for submissions to result in disparate development across the District, adverse effects on landscape and amenity values and also the inefficient use of natural and physical resources and infrastructure. DPL believes that decisions relating to rezoning requests should be informed by thorough analysis of the natural and physical resources of an area, an appropriate design response and a section 32 evaluation to support a robust framework for making decisions on the sustainable management of those resources.	Accept		Group 2 Report
806.1	FS1340.145	Queenstown Airport Corporation	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Oppose	QAC opposes the proposed rezoning of this land and associated policy suite. Rezoning the land would have significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.	Accept		Group 2 Report
806.1	FS1371	Queenstown Park Ltd and Remarkables Park Ltd	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Support	The gondola access corridor will provide an efficient and effective method to provide for a gondola. Consideration should be provided to the particular mechanism utilised to implement the access corridor whether it be rezoning the land or other methods such as an overlay.	Reject		Group 2 Report
806.1	FS1371	Queenstown Park Ltd and Remarkables Park Ltd	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Support	The alignment of the gondola access corridor to be adjusted so that it does not extend across Lot 4 DP 447906 (Bridesdale Farm Developments Ltd) and therefore is adjusted as illustrated on the plan attached (Figure 1).	Reject		Group 2 Report
806.147		Queenstown Park Limited	21.4 Rules - Activities	Not Stated	New rules consequential to the proposed change to objectives and policies that recognise the importance of the Remarkables ski field as a destination in both summer and winter. Rule 21.4.XX Remarkables Alpine Recreation Area Permitted Recreation. public access Controlled activities: Commercial activities Commercial recreation activities Visitor accommodation Buildings and structures for the purposes of gondola access. and ski area activities Control reserved over: • Servicing • Landscaping and ecological impact • Nature and scale Rule 21.4.XX Access to the Remarkables Alpine Recreation Area Controlled activity: The construction and operation of a gondola that provides access from the Remarkables Park Zone to the Remarkables Alpine Recreation Area on the route shown on District planning Map 13.	Reject		Group 2 Report
806.147	FS1229.32	NXski Limited	21.4 Rules - Activities	Support	NZSki Limited support gondola access the Remarkables Ski Area and consider that such access will be complimentary to recreational use of the Ski Area Sub-Zone on a year round basis. NZSki Limited do however consider it necessary that a plan of the proposed gondola corridor is provided by the submitter to ensure that any future gondola is complimentary to NZSki Limited's existing and future proposed buildings, infrastructure and recreational activities. Overall, NZSki Limited requests that the submission points be allowed.	Reject		Group 2 Report
806.2		Queenstown Park Limited	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Oppose	The ONL classification does not apply to the river terraces located within the Queenstown Park Special Zone and is instead moved back to the foot of the northern slopes of the Remarkables.	Reject		Group 2 Report
806.2	FS1313.58	Darby Planning LP	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Oppose	Support/Oppose Seek that the whole of the submissions seeking rezoning of land located within the rural, rural lifestyle and rural residential zone be disallowed. DPL supports rezoning where that is based on a thorough assessment of infrastructure, protection of open space, provision of public benefits and landscape and visual amenity is protected, but opposes submissions to the PDP seeking to rezone land located within the rural, rural lifestyle and rural residential zones where infrastructure and visual amenity matters have not been fully investigated or provided for or real risk of adverse effects arises, particularly landscape or cumulative effects. The reasons for this further submission relates to the potential for submissions to result in disparate development across the District, adverse effects on landscape and amenity values and also the inefficient use of natural and physical resources and infrastructure. DPL believes that decisions relating to rezoning requests should be informed by thorough analysis of the natural and physical resources of an area, an appropriate design response and a section 32 evaluation to support a robust framework for making decisions on the sustainable management of those resources.	Accept		Group 2 Report
806.206		Queenstown Park Limited		Not Stated	QPL does not support the location or the extent of the four SNAs identified on its land. QPL considers that the proposed Queenstown Park Special Zone would ensure development that supports retention and enhancement of the indigenous vegetation and biodiversity values would be achieved. Should the Council decline the relief seeking the Queenstown Park Special Zone, QPL requests that the SNAs be removed from its land and the clearance of vegetation be enabled throughout the site. (a) That a Special Zone is applied to Queenstown Park and the SNAs be removed from QPL's land; or (b) If the request for a Special Zone to apply to Queenstown Park is declined, then QPL requests that the SNAs are deleted from the site and the clearance of indigenous vegetation is permitted.	Reject		Group 2 Report
806.5		Queenstown Park Limited	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Oppose	The ONL classification is amended as outlined in paragraph 3.7 of the submission.	Reject		Group 2 Report
806.5	FS1313.59	Darby Planning LP	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Oppose	Support/Oppose Seek that the whole of the submissions seeking rezoning of land located within the rural, rural lifestyle and rural residential zone be disallowed. DPL supports rezoning where that is based on a thorough assessment of infrastructure, protection of open space, provision of public benefits and landscape and visual amenity is protected, but opposes submissions to the PDP seeking to rezone land located within the rural, rural lifestyle and rural residential zones where infrastructure and visual amenity matters have not been fully investigated or provided for or real risk of adverse effects arises, particularly landscape or cumulative effects. The reasons for this further submission relates to the potential for submissions to result in disparate development across the District, adverse effects on landscape and amenity values and also the inefficient use of natural and physical resources and infrastructure. DPL believes that decisions relating to rezoning requests should be informed by thorough analysis of the natural and physical resources of an area, an appropriate design response and a section 32 evaluation to support a robust framework for making decisions on the sustainable management of those resources.	Accept		Group 2 Report
806.7		Queenstown Park Limited	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Oppose	(i) Remove the ONL from the river terraces on Queenstown Park. The landscape character of these terraces is distinct from the Remarkables mountain range backdrop, and their ability to absorb development should be recognised, or at least not constrained, within the PDP; (ii) The gondola corridor that links the Remarkables Park zone to Queenstown Park and the Remarkables ski field should be exempt from the ONL classification; and (iii) Recognise the importance of the Kawarau River as an access route. Enable the location of jetties for the purposes of water based public transport and provide for foot/cycle bridges which result in greater connectivity across the river.	Reject		Group 2 Report
806.7	FS1057.1	Mandy Kennedy	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Support	In reference to point (iii) of #806.7 "...there are potential locations for providing foot/cycle bridges to provide access across the Kawarau River. These bridges would enhance the existing trail network significantly and provide opportunities for links to commuter trails."	Reject		Group 2 Report
806.7	FS1229.30	NZSki Limited	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Support	NZSki Limited support gondola access the Remarkables Ski Area and consider that such access will be complimentary to recreational use of the Ski Area Sub-Zone on a year round basis. NZSki Limited do however consider it necessary that a plan of the proposed gondola corridor is provided by the submitter to ensure that any future gondola is complimentary to NZSki Limited's existing and future proposed buildings, infrastructure and recreational activities. Overall, NZSki Limited requests that the submission points be allowed.	Reject		Group 2 Report

**Appendix 1 to the Section 42A Report - Queenstown Mapping - Rural**

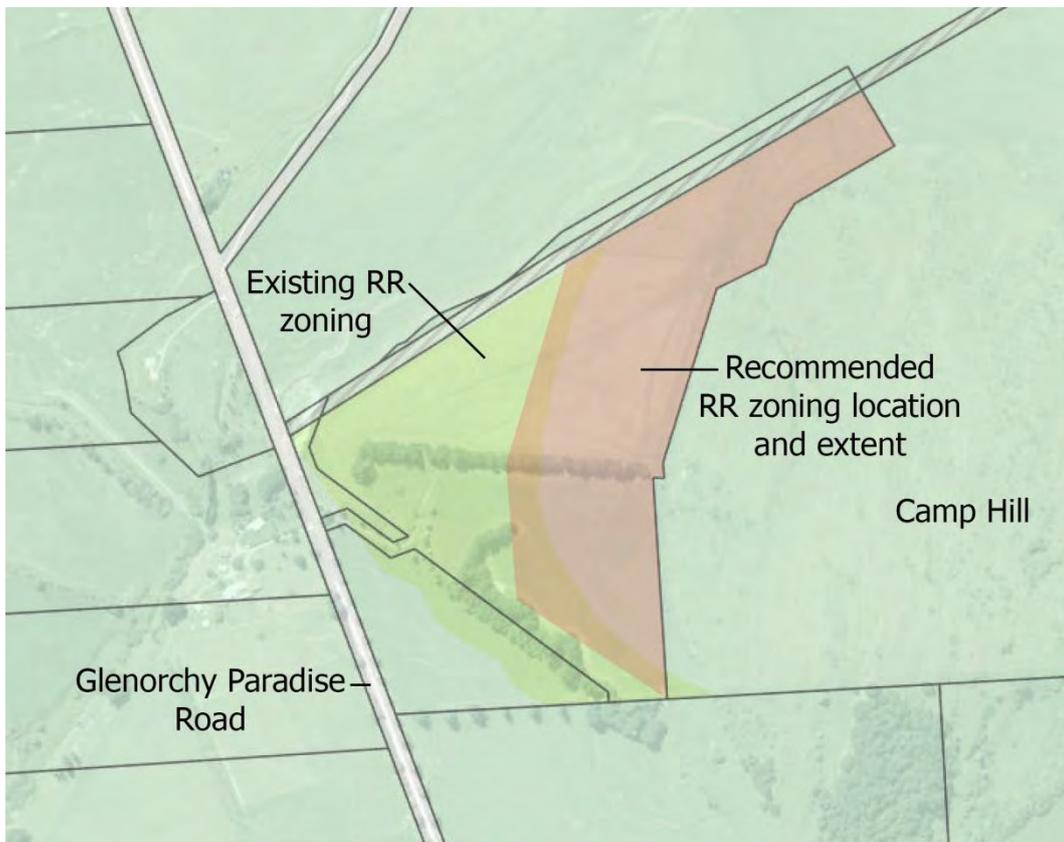
Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
806.7	FS1313.60	Darby Planning LP	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Oppose	Support/Oppose Seek that the whole of the submissions seeking rezoning of land located within the rural, rural lifestyle and rural residential zone be disallowed. DPL supports rezoning where that is based on a thorough assessment of infrastructure, protection of open space, provision of public benefits and landscape and visual amenity is protected, but opposes submissions to the PDP seeking to rezone land located within the rural, rural lifestyle and rural residential zones where infrastructure and visual amenity matters have not been fully investigated or provided for or real risk of adverse effects arises, particularly landscape or cumulative effects. The reasons for this further submission relates to the potential for submissions to result in disparate development across the District, adverse effects on landscape and amenity values and also the inefficient use of natural and physical resources and infrastructure. DPL believes that decisions relating to rezoning requests should be informed by thorough analysis of the natural and physical resources of an area, an appropriate design response and a section 32 evaluation to support a robust framework for making decisions on the sustainable management of those resources.	Accept		Group 2 Report
806.94		Queenstown Park Limited	6.4.1.3	Other	Amend. Recognise that as the proposed Queenstown Park Special Zone is a special zone, not rural zone, it is exempt from the landscape categories. 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 b. the Remarkables Alpine Recreation Area	Reject		Group 2 Report
806.95		Queenstown Park Limited	6.4.1.4	Other	Amend. Oppose classification of Kawarau River as an ONL. Seek confirmation that the ONL boundary line is at the edge of the river corridor and does not extend into either Remarkables Park or Queenstown Park.	Reject		Group 2 Report
806.95	FS1085.8	Contact Energy Limited	6.4.1.4	Support	Support confirmation of ONL boundary. This is appropriate.	Reject		Group 2 Report
806.95	FS1085.8	Contact Energy Limited	6.4.1.4	Support	Support confirmation of ONL boundary. This is appropriate.	Reject		Group 2 Report
806.95	FS1341.18	Real Journeys Limited	6.4.1.4	Support	Allow relief sought to the extent that is does not undermine or prevent the relief originally sought by Real Journeys (unless otherwise agreed through the submission process)	Reject		Group 2 Report
807.76		Remarkables Park Limited		Oppose	Move the ONL line near the RPZ to the foot of the slopes of the northern face of the Remarkables	Reject		Group 2 Report
811.15		Marc Scaife	22.4.10	Not Stated	Opposes the VA subzone over the Matakauri Lodge. The proposed sub zone for Matakauri has no planning rationale. Submits that the creation of special Rural Lifestyle visitor accommodation subzones will not solve potential conflicts between the Rural Lifestyle zone and visitor accommodation, but rather enhance them. The site has been developed to a level of intensity that is now in excess of twenty times the standard for visitor accommodation activity.	Reject		Group 2 Report
826.2		Tim Taylor	Map 15 - Kingston Rural, Lake Wakatipu & Gibbston (Inset)	Not Stated	The submitter seeks that the properties are rezoned to provide for residential and commercial land uses. The submitter's properties are located at or about 87 State Highway 6 (Kingston-Garston Highway), legally described as Section 1 and 2, Block I Kingston SD, and Pt Run 323A and shown on planning map 15.	Reject		Group 2 Report
826.2	FS1348.3	M & C Wilson	Map 15 - Kingston Rural, Lake Wakatipu & Gibbston (Inset)	Support	Allow relief sought - The submitter requests that its properties are rezoned for residential and commercial purposes. The Further submitter supports this relief as this will help provide for the continued growth of Kingston.	Reject		Group 2 Report
827.2		Gibbston Valley Station Ltd	Map 15 - Kingston Rural, Lake Wakatipu & Gibbston (Inset)	Not Stated	Rezone the properties located in <b>Annexure A</b> of the submission (described as Gibbston Valley Station and shown on Planning Maps 13 & 15) to an alternative zone that allows for a range of uses including residential, viticulture, commercial, visitor accommodation and commercial recreation. Any other additional or consequential relief to the Proposed Plan including but not limited to, maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will full give effect to the matters raised in this submission.	Reject		Group 2 Report
848.2		M & C Wilson	Map 15 - Kingston Rural, Lake Wakatipu & Gibbston (Inset)	Oppose	The submitter seeks that the property legally described as Lot 3 DP 12725 (84 Glen Nevis Station Road, Kingston) and its surrounds be rezoned from Rural general to Large Lot Residential. Accordingly, the submitter seeks that Planning Map 15 is updated to reflect the change.	Reject		Group 2 Report
848.2	FS1344.3	Tim Tayler	Map 15 - Kingston Rural, Lake Wakatipu & Gibbston (Inset)	Support	Allow relief sought - The submitter opposes the rural general zoning of its property and seeks that its land be zoned Large Lot Residential. The further submitter supports this relief.	Reject		Group 2 Report

## Appendix 2a

### Section 32AA Evaluations in relation to Queenstown Mapping Group 2 (Rural) Rezoning.

This evaluation assesses the costs, benefits, efficiency, and effectiveness of the amendment to the zoning that is being recommended in the s42A report.

#### Mount Christina Limited (764) Camp Hill, Glenorchy 15Ha



Recommended relocation of the Rural Residential zone from existing (green) to recommended (pink), with the green shading becoming Rural zone.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> <li>There would be little cost as the same development potential would be retained, albeit on a different portion of the</li> </ul>	<ul style="list-style-type: none"> <li>The relocated zone is a better regime under which to protect the outstanding landscape from inappropriate subdivision</li> </ul>	<ul style="list-style-type: none"> <li>Better effectiveness in terms of managing section 6(b) landscapes due to providing a better location for the zone without having to add any</li> </ul>

<p>site.</p> <ul style="list-style-type: none"> <li>• Additional costs would be associated with extra length for access road and electrical/communication services from Glenorchy Paradise Road.</li> <li>• Some sites may have reduced views.</li> </ul>	<p>and development as per matters in section 6(b) because the zone would be fully located on the upper terrace and further away from the Glenorchy-Paradise Road.</p>	<p>site-specific zone provisions, thereby keeping the Plan simple.</p>
---	---	--

## Appendix 2b

### Section 32AA Evaluations in relation to Queenstown Mapping Group 2 (Rural) ONF and ONL boundary amendments.

This evaluation assesses the costs, benefits, efficiency, and effectiveness of the relocation of the ONF/ONL boundaries that are recommended in the s42A report.

**Table 1. Recommended amendments where the ONF/L boundary change reduces the area of ONF/L.**

Recommended amendments to the ONF or ONL boundaries (Area 2 Rural)
Planning Maps 13, 31a: relocate the ONL line over requested Rural zone (Submitters Neil McDonald (409) and Reavers NZ Limited (710));
Planning Map 9: At Mt Alfred – relocation of the ONF/ONL boundary to exclude the Dart River flats on the western side of Mt Alfred from the ONF (Submitter New Zealand Tungsten Mining Limited (519));

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> <li>The land taken out of the ONF/ONL will have less protection in terms of provisions available to plan administrators should development be requested to occur on this area.</li> <li>In the case where the ONF has been reduced and the ONL increased there is greater potential for development for some mining activities or farm buildings as there are specific controls in the ONF for those</li> </ul>	<ul style="list-style-type: none"> <li>The revised boundaries are more refined, and have been more heavily scrutinised, which in turn makes them more robust.</li> <li>Removes land that may otherwise diminish the intent of the meaning of “outstanding” in terms of section 6 (b) of the RMA.</li> </ul>	<ul style="list-style-type: none"> <li>The ONF/ONL line follows clearer and more defensible boundaries, making administration and application of the provisions more effective.</li> <li>More refined and defensible line, making it more efficient with clarifications, and will assist with plan administrators (resource consents planners).</li> <li>While I consider there will be potential weakening of the ability for QLDC to manage the land outside the ONL/ONF, amending the line will be more effective in terms of the alignment of the boundary along clear defensible lines.</li> </ul>

<p>activities/buildings.</p> <ul style="list-style-type: none"> <li>• Potential weakening of the ability for the QLDC to manage landscapes and decline inappropriate development in the ONL/ONF and unsuitable development in the RL landscape. However this cost is lessened to a degree by the policies and assessment matters that have regard to the effects of the development in the RCL, where it is near to or could impact on the values of the ONL.</li> </ul>		<ul style="list-style-type: none"> <li>• There is less potential for a case to be made in administration that the ONL/F boundary was appropriately located.</li> </ul>
--	--	--

## **APPENDIX 3**

**Additional information supplied by submitters**

### **The Station at Waitiri (331)**

The first plan shows the area intended for the re-zone outlined in Purple. Access is in green

The second plan is a clean version of the first attachment



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Rev.	Date	Revision Details	By

### SITE PLAN


*Submission Area Boundary.*

  
 SCALE 1:8000 @ A3

Client	Surveyed	Signed	Date	Job No.	Drawing No.
The Station At Waitiri	--	--	--	9679	16
	Drawn	Signed	Date	Scale	
	JWJ	--	12.05.11	1:4000 @ A1 1:8000 @ A3	
	Designed	Signed	Date	Datum & Level	Rev.
	--	--	--	MT NIC 2000	-

Notes:  
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**LEGEND**

- Current parcel boundary
- - - 10m Aerial Contours
- Irrigation Ponds



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Rev.	Date	Revision Details	By

**SITE PLAN**

Client	Surveyed	Signed	Date	Job No.	Drawing No.
The Station At Waitiri	--	Signed	--	9679	16
Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. - Copyright on this drawing is reserved.	Drawn	Signed	Date	Scale	
	JWJ		12.05.11	1:4000 @ A1 1:8000 @ A3	
	Designed	Signed	Date	Datum & Level	Rev.
	--		--	MT NIC 2000	-

**Te Anau Developments Limited (607)**

Existing Development



Proposed Development

PROPOSED WALTER PEAK MASTERPLAN



**Queenstown Park Limited (806)**

Letter from submitter

24 March 2017

Queenstown-Lakes District Council  
Private Bag 50072  
**QUEENSTOWN**

Contact: John Young  
Direct dial: +64 9 979 2155  
email: youngj@brookfields.nz

**ATTENTION:** Robert Buxton

**OVERVIEW OF THE PROPOSED QUEENSTOWN PARK STATION LIMITED SUBMISSION  
ON THE COUNCIL'S DISTRICT PLAN REVIEW**

**Introduction**

1. Further to the recent site visit, we have been instructed to provide an overview of Queenstown Park Station Limited's (**QPSL**) submission to assist with the Council's reporting.
2. The summary is high level and is intended to clarify the general intent of the submission. Further refinements may emerge as we move through the hearing process. We note that everything contained in this letter is within the scope of QPSL's submission.

**Summary**

3. As a preliminary point, we advise that the zone is proposed to be called "Queenstown Park Station" (**QPS**). The word "station" reflects the historical use of the site but also references the transportation function of the proposed gondola and associated activities.
4. The QPS plan (**attached**) has been updated to confirm the areas of each development "pod" and provide a more clear understanding of the form and style of development anticipated. Three tiers are identified:
  - (a) QPS Rural Residential pods;
  - (b) QPS Rural Visitor pods; and
  - (c) The balance of the QPS land.

***Queenstown Park Station Rural Residential Pods (QPSRR)***

5. Seven QPSRR pods are identified for rural residential living and visitor accommodation activities. This zoning will be similar to the Rural Residential Zone in the Proposed District Plan. It would, however, be more enabling of visitor accommodation (with appropriate development controls).
6. The QPSRR pods will be developed either by way of:
  - (a) Outline or Comprehensive Development Plan applications; and
  - (b) Integrated resource consent applications.

We are aware of the **Auckland Council**<sup>1</sup> declaration decision as we assisted the Auckland Council with its framework plans that were the subject of that proceeding. In summary, the decisions resulted in a declaration that the Unitary Plan may lawfully include a provision enabling an application for a bundle of land use consents which authorise the key enabling works necessary for development associated with the first stage of urbanisation and/or redevelopment of brownfield and greenfield land. However, the Court refused to make a declaration that in assessing and determining a resource consent application for an activity, the consistency of that activity with a framework plan is a matter to which regard must be had by the consent authority.<sup>2</sup>

7. We consider that there is merit in an outline or comprehensive development process provided it does not affect the activity status of subsequent applications (which gives rise to *vires* issues). Having said that, a fine grain assessment of potential development within a pod (or part of a pod) may also be achieved through an orthodox suite of objectives, policies and rules. These are matters that our experts are currently working through (in particular, Stephen Brown (landscape), Rebecca Skidmore (landscape and design) and Dave Serjeant (planning)).
8. We envisage an upper limit of 90 dwellings in total within these pods noting "QPSRR 1" would be limited to three dwellings. This would be a maximum. The actual yield could be less. It is also expected that an 8m height limit would apply (there may need to be an allowance for roof pitch).

***Queenstown Park Station Rural Visitor Pods (QPSRV)***

9. Four QPSRV pods are proposed as follows:
  - (1) By the existing quarry;
  - (2) At the lower-mid gondola station is proposed;

---

<sup>1</sup> Decision No. [2016] NZEnvC 65.

<sup>2</sup> This reflects the summary in the decision of the Independent Hearings Panel on Framework Plans in the Auckland Unitary Plan.

- (3) By the old wool shed is located; and
  - (4) To the west of the Rastusburn in the vicinity of the pedestrian bridge and jet boat landing facility.
9. The intention is that development in these areas would be similar to the existing Rural Visitor zone provisions with the following additional features:
- (a) Possible Outline or Comprehensive Development Plan, noting our comment above;
  - (b) Providing a more enabling regime for commercial and associated retail activity that is complementary to the visitor and tourism experience; and
  - (c) Limiting heights of all activities (with the exception of gondola or cableway pylons) to 12m.

### ***Balance of QPS Land***

10. This area represents the balance of the farm (approximately 1900ha) where farming will continue in conjunction with the intention to recognise the opportunity the land has for commercial recreation, trails etc. given the proximity to the proposed future gondola, existing ski area subzone, proposed gondola lower mid-station village and connection to the Frankton commercial centre. Therefore, provisions enabling commercial recreation are anticipated for this balance land for activities that utilise this resource.
11. This area currently includes one pod that is envisaged to enable tourism use that benefits from the pod's remote nature. This pod could be removed if the "balance land" provisions could accommodate "glamping" activity in such locations.

### ***Access/Trails***

12. A key component of QPS is the access that is anticipated in association with the proposed gondola, which is envisaged to provide the primary access for future high-volume visitors. The Boyd Road entry is intended to provide the primary vehicle access to the residential component of the zone. The access would generally follow the alignment of the existing farm track.
13. Trail connections are also proposed throughout the property. As part of the initial development a public trail connection would be provided from the Boyd Road end of the property along the true right bank of the Kawarau River and linking into the existing Queenstown Trail network in the vicinity of the Rastusburn via one of the proposed bridge locations. This is promoted as a key benefit to link up the existing Queenstown Trail network on the true left (north) bank of the Kawarau River.

***Overall Development Potential***

14. The total potential development area is less than 5% of the total QPS area, in line with the Jacks Point Resort Zone.

**Conclusion**

15. We trust the above is of assistance and we are happy to clarify any matters as necessary.
16. A copy if this letter will be circulated to all submitters.

Yours faithfully  
**BROOKFIELDS**



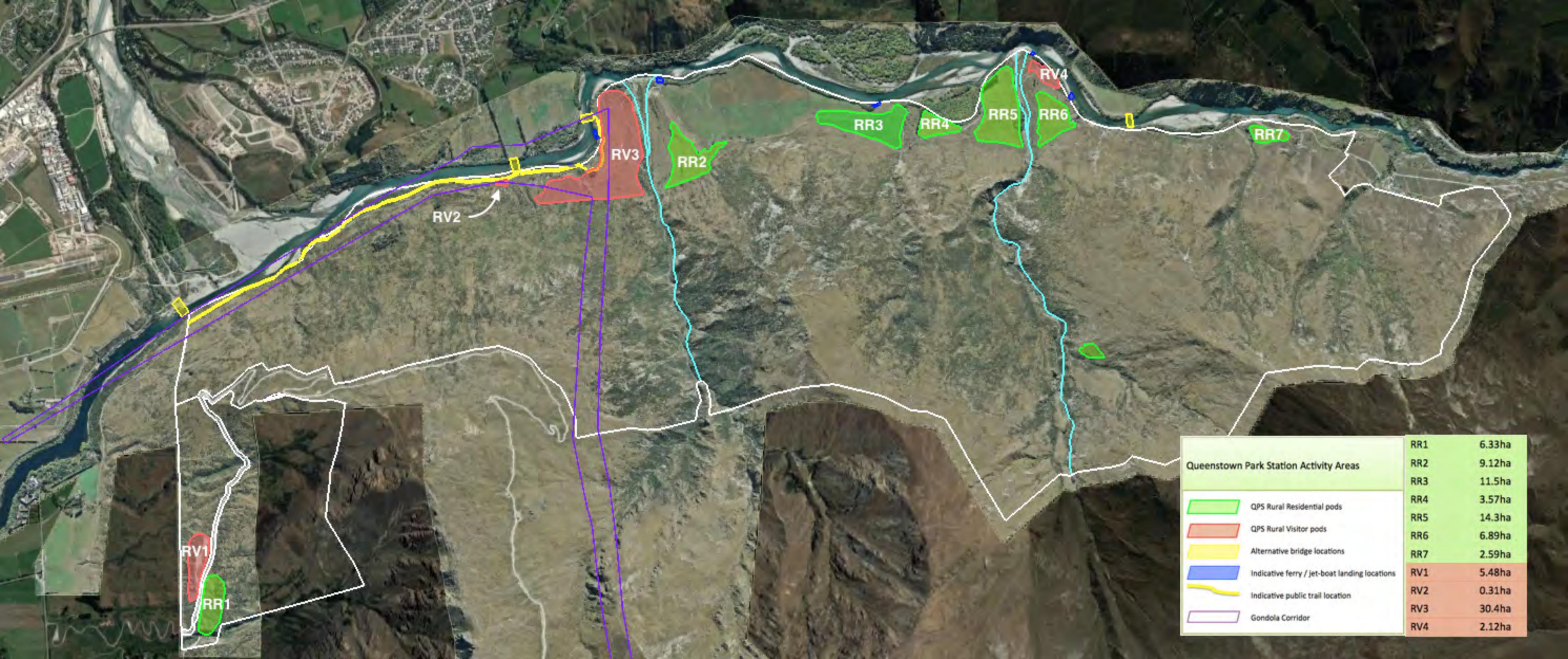
**John Young / Claire Adams**  
Partner / Solicitor

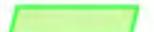
Direct dial: +64 9 979 2155  
email: [youngj@brookfields.nz](mailto:youngj@brookfields.nz)

Copy to: Client

Encl

**Queenstown Park Limited (806) – plan in respect of this submission**



Queenstown Park Station Activity Areas	
	QPS Rural Residential pods
	QPS Rural Visitor pods
	Alternative bridge locations
	Indicative ferry / jet-boat landing locations
	Indicative public trail location
	Gondola Corridor

RR1	6.33ha
RR2	9.12ha
RR3	11.5ha
RR4	3.57ha
RR5	14.3ha
RR6	6.89ha
RR7	2.59ha
RV1	5.48ha
RV2	0.31ha
RV3	30.4ha
RV4	2.12ha

**Gibbston Valley Station Limited (827)**

# 23 Gibbston Character Zone

## 23.1 Zone Purpose

The purpose of the Gibbston Character Zone is to provide primarily for viticulture and commercial activities with an affiliation to viticulture within the confined space of the Gibbston Valley.

The zone is recognised as having a distinctive character and sense of place. It incorporates terraced areas above the Kawarau River, lying between and including Chard Farm and Waitiri. Soils, the microclimate within this area and availability of water have enabled development for viticulture to the extent that this is an acclaimed wine producing area.

The zone has experienced residential subdivision and development. This creates the potential to degrade the distinctive character and create conflict with established and anticipated intensive viticultural activities.

The Gibbston Valley Sub-Zone has been identified as an area within the Gibbston Character Zone that can absorb a higher level of development, including visitor accommodation, residential and winery-related activities. Development within the Gibbston Valley Sub-Zone is encouraged subject to activity and built form standards to protect the wider landscape values of Gibbston.

Pursuant to Section 86(b)(3) of the RMA, the following rule that protects or relates to water has immediate legal effect:

- 23.5.7: Setback of buildings from water bodies.

## 23.2 Objectives and Policies

**23.2.1 Objective - ~~Protect~~ The economic viability, character and landscape values of the Gibbston Character Zone are protected by enabling viticulture activities and controlling the adverse effects resulting from ~~inappropriate~~ other activities locating in the Zone.**

### Policies

23.2.1.1 Enable viticulture activities while protecting, maintaining or enhancing the values of indigenous biodiversity, ecosystems services, the landscape and surface of lakes and rivers and their margins.

**Comment [b1]:** I have not altered any of the objectives and they are still supportive of other non-rural activities in appropriate locations.

**Comment [b2]:** Viticulture will still be a key focus of the sub-zone

- 23.2.1.2 Ensure land with potential value for rural productive activities is not compromised by the inappropriate location of other developments and buildings.
- 23.2.1.3 Ensure activities not based on the rural resources of the area occur only where the character and productivity of the Gibbston Character Zone and wider Gibbston Valley will not be adversely impacted.
- 23.2.1.4 Provide for a range of buildings allied to rural productive activity and worker accommodation.
- 23.2.1.5 Avoid or mitigate adverse effects of development on the landscape and economic values of the Gibbston Character Zone and wider Gibbston Valley.
- 23.2.1.6 Protect, maintain and enhance landscape values by ensuring all structures are to be located in areas with the potential to absorb change.
- 23.2.1.7 Avoid, ~~remedy or mitigate the location of~~ locating structures and water tanks on skylines, ridges, hills and prominent slopes, while having regard to the location constraints, technical or operational requirements of regionally significant infrastructure.
- 23.2.1.8 ~~Recognise that~~ Have regard to the establishment of complementary activities such as commercial recreation or visitor accommodation may be complementary to the character and viability of the Gibbston Character Zone, providing they do not impinge on rural productive activities.
- 23.2.1.9 Have regard to the location and direction of lights so they do not cause glare to other properties, roads, public places or the night sky.
- 23.2.1.10 Avoid adverse cumulative impacts on ecosystem and nature conservation values.
- 23.2.1.11 Have regard to the risk of fire from vegetation and the potential risk to people and buildings, when assessing subdivision and development.
- 23.2.1.12 Provide for a range of viticultural, rural, residential, commercial and visitor accommodation activities to be located within the Gibbston Valley Sub Zone.

**Comment [b3]:** This in part is achieved by the “activity areas” we have shown within the sub-zone. We could remove the activity areas and have this as a matter of discretion in the rule framework if that was clearer path.

**Comment [b4]:** This policy is important in the context of the sub-zone as the sites are in locations that strongly achieve this policy.

**Comment [b5]:** This links in with the worker’s accommodation “activity areas” on the zone plan

**Comment [b6]:** Again, no need to alter as sub-zone achieve this

**Comment [b7]:** As above

**Comment [b8]:** As above

**Comment [b9]:** This is a key policy in the context of the sub-zone which enables non-rural activities to coexist with viticulture, which essentially is the essence of the sub-zone

**Comment [b10]:** Planting of vines, setback controls and activity area placement will address this policy.

**Comment [b11]:** Evidence will be presented at the hearing to this effect, based on the numerous expert r... [1]

**Comment [b12]:** No issue.

**Comment [b13]:** This is a new policy to introduce an “enabling” element to the provisions.

**23.2.2 Objective - Sustain the life supporting capacity of soils.**

**Policies**

- 23.2.2.1 Avoid the adverse effects of subdivision and development on the life-supporting capacity of soil.
- 23.2.2.2 Enable a range of activities to utilise the range of soil types and microclimates.
- 23.2.2.3 Protect the soil resource by controlling activities including earthworks and indigenous vegetation clearance.
- 23.2.2.4 Prohibit the planting and establishment of trees with the potential to spread and naturalise.
- 23.2.2.5 Encourage land management practices and activities that benefit soil and vegetation cover.

**Comment [b14]:** This objective and its policies are retained in full No conflicts with these policies and the sub-zone

**23.2.3 Objective - Safeguard the life supporting capacity of water through the integrated management of the effects of activities.**

**Policy**

- 23.2.3.1 In conjunction with the Otago Regional Council, regional plans and strategies:
  - Encourage activities, that use water efficiently, thereby conserving water quality and quantity;
  - Discourage activities that adversely affect the potable quality and life supporting capacity of water and associated ecosystems.

**Comment [b15]:** As above

**23.2.4 Objective - Encourage land management practices that recognise and accord with the environmental sensitivity and amenity values of the Gibbston Character Zone.**

**Policies**

- 23.2.4.1 Encourage appropriate management of vegetation cover and development including earthworks to prevent siltation and sedimentation effects on water resources.
- 23.2.4.2 Noise levels should not be inconsistent with rural productive activities and the character and rural amenity of the Gibbston area.

**Comment [b16]:** As above

23.2.4.3 Control access and egress to ensure safe and efficient movement of traffic on roads and for users of trails, walkways and cycleways.

23.2.4.4 Manage forestry and farm-forestry activities to avoid adverse effects on landscape, amenity and viticulture production.

### 23.4 Rules - Activities

All activities, including any listed permitted activities shall be subject to the rules and standards contained in Tables 1 to 3.

Table 1 – Activities

Table 2 – Buildings

Table 3 – Commercial activities

Rule	Table 1 – Activities	Activity
23.4.1	Any activity not listed in Tables 1 to 3.	NC
	<b>Farming Activities</b>	
23.4.2	Farming Activity (includes viticulture).	P
23.4.3	Factory Farming.	NC
23.4.4	Domestic Livestock.	P
	<b>Residential Activity, Subdivision and Development</b>	
23.4.5	The construction and exterior alteration of residential buildings located within a building platform approved by resource consent, or registered on the applicable computer freehold register, subject to compliance with Table 2.	P
23.4.6	The exterior alteration of any lawfully established building located outside of a building platform, subject to compliance with the standards in Table 2.	P
23.4.7	The use of land or buildings for Residential Activity <a href="#">within the Gibbston Character Zone</a> (except <a href="#">within the Gibbston Valley Sub Zone</a> ) or as provided for by any other rule.	D
<a href="#">23.4.7.1</a>	<a href="#">The use of land or buildings for Residential Activity within</a>	<a href="#">P</a>

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Comment [b17]: Retain as permitted throughout the sub-zone

Comment [b18]: This is an important distinction to set up the more enabling elements of the sub-zone. All development outside the sub-zone remains discretionary

	<a href="#">areas 3, 4 and 5 of the Gibbston Valley Sub Zone, subject to compliance with Table 2.</a>	
<a href="#">23.4.7.2</a>	<a href="#">The use of land or buildings for Residential Activity within areas 1, 2, 3A and 5 of the Gibbston Valley Sub Zone.</a>	D
23.4.8	One residential unit within any building platform approved by resource consent	P
23.4.9	The identification of a building platform not less than 70m <sup>2</sup> and not greater than 1000m <sup>2</sup> .	D
23.4.10	The construction of any building <a href="#">(except within the Gibbston Valley Sub Zone)</a> including the physical activity associated with buildings including roading, access, lighting, landscaping and earthworks, not provided for by any other rule.	D
<a href="#">23.4.10.1</a>	<a href="#">The construction of any building within the activity areas of the Gibbston Valley Sub Zone including the physical activity associated with buildings including roading, access, lighting, landscaping and earthworks, not provided for by any other rule and subject to compliance with standard 23.4.7.1 and 23.4.7.2.</a>	P
23.4.11	Residential Flat (activity only, the specific rules for the construction of any buildings apply).	P
	<b>Commercial Activities</b>	
23.4.12	Home Occupation that complies with the standards in Table 3.	P
23.4.13	Industrial Activities limited to wineries and underground cellars, not exceeding 300m <sup>2</sup> .	P
23.4.14	Retail sales <a href="#">in the Gibbston Character Zone (outside of areas 1, 2 and 3A of the Gibbston Valley Sub Zone)</a> of farm and garden produce, handicrafts and wine that is grown, reared or produced on the site and that comply with the standards in Table 3. Control is reserved to all of the following: <ul style="list-style-type: none"> <li>the location of the activity and buildings.</li> <li>access, vehicle crossing location, car parking.</li> </ul>	C

**Comment [b19]:** Rules 23.4.7.1 and 2 could be removed for the residential activity location to be identified as part of the outline development master plan.

**Comment [b20]:** This enables Permitted Activity status within the key activity areas of the sub-zone. Breach the standards referred to and the activity will revert to Restricted Discretionary.

**Comment [b21]:** Intent is that retail activity is Permitted in areas 1, 2 and 3A of the sub-zone.

	<ul style="list-style-type: none"> <li>• screening and location of storage areas for waste materials, outdoor display areas and parking.</li> <li>• signage.</li> <li>• Lighting.</li> </ul>	
<b>23.4.14.1</b>	<p>Retail sales in areas 1, 2 and 3A of the Gibbston Valley Sub Zone) that comply with the standards in Table 3.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> <li>• <u>the location of the activity and buildings.</u></li> <li>• <u>access, vehicle crossing location, car parking.</u></li> <li>• <u>screening and location of storage areas for waste materials, outdoor display areas and parking.</u></li> <li>• <u>signage.</u></li> <li>• <u>Lighting.</u></li> </ul>	C
<b>23.4.15</b>	Commercial recreation activities that comply with the standards in Table 3.	P
<b>23.4.16</b>	<p>Winery and farm Buildings <u>(except in the Gibbston Valley Sub-Zone).</u></p> <p>The construction, addition or alteration of a farm or winery building, including <u>extensions to activities</u>, with control reserved to:</p> <ul style="list-style-type: none"> <li>• Location, scale, height and external appearance, as it effects the Gibbston Valley's landscape and amenity values.</li> <li>• Landscaping.</li> <li>• Parking and access, in respect of earthworks and the impact on the safety and efficiency of State Highway 6.</li> <li>• <u>The location, scale and functional need of car parking.</u></li> <li>• Associated earthworks.</li> </ul>	C

**Comment [b22]:** We are working on whether any further controls are necessary for retail activities.

**Comment [b23]:** These will require compliance with Table 2 standards.

	<ul style="list-style-type: none"> <li>• Provision of water supply, sewage treatment and disposal;</li> <li>• Lighting, including car parking areas.</li> <li>• Screening and location of storage areas for waste materials, outdoor display and signage areas and parking.</li> </ul>	
<b>23.4.17</b>	Visitor Accommodation <u>in the Gibbston Character Zone (excluding the Gibbston Valley Sub Zone)</u>	D
<b>23.4.17.1</b>	<u>Visitor Accommodation within areas 1, 2, 3 and 4 of the Gibbston Valley Sub Zone, with control reserved to:</u> <ul style="list-style-type: none"> <li>• <u>Hours of operation.</u></li> <li>• <u>Location, scale, height and external appearance, as it effects the Gibbston Valley's landscape and amenity values for the Gibbston Valley Sub-Zone.</u></li> <li>• <u>Landscaping.</u></li> <li>• <u>Parking and access, in respect of earthworks and the impact on the safety and efficiency of State Highway 6.</u></li> <li>• <u>The location, scale and functional need of car parking.</u></li> <li>• <u>Associated earthworks.</u></li> <li>• <u>Provision of water supply, sewage treatment and disposal;</u></li> <li>• <u>Lighting, including car parking areas.</u></li> <li>• <u>Screening and location of storage areas for waste materials, outdoor display and signage areas and parking.</u></li> </ul>	C
	<b>Other Activities</b>	
<b>23.4.18</b>	Informal Airports	D
<b>23.4.19</b>	Informal Airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities.	P
<b>23.4.20</b>	Non-commercial recreation and recreational activity	P
	<b><u>Outline Development Master Plan – Gibbston Valley Sub Zone</u></b>	
<b>23.4.21</b>	<u>Within the Gibbston Character Sub-Zone, an Outline</u>	RD

**Comment [b24]:** This relates to what we discussed. This enables a more refined plan to be provided that is guided by the matters of discretion.

	<p><u>Development Plan shall be lodged with the Council for all or part of the land in the sub-zone pursuant to Rule 23.5.9, in respect of:</u></p> <ul style="list-style-type: none"> <li><u>(a) Densities of development and land uses within the activity areas of the sub-zones.</u></li> <li><u>(b) Areas for viticulture, horticulture and any other farming activities.</u></li> <li><u>(c) Access locations to State Highway 6.</u></li> <li><u>(d) Building setbacks from public roads and public places.</u></li> <li><u>(e) Internal roading pattern;</u></li> <li><u>(f) Indicative subdivision design and configuration, including allotment size (if applicable);</u></li> <li><u>(g) Pedestrian linkages;</u></li> <li><u>(h) The location, height and visibility of future buildings when viewed from State Highway 6.</u></li> </ul>	
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**23.5 Rules - Standards**

**Comment [b25]:** Note: Activities are permitted if standard met

	<b>Table 2 – Standards for buildings</b>	<b>Non-Compliance</b>
<b>23.5.1</b>	<p><b>Buildings</b></p> <p>Any building, including any structure larger than 5m<sup>2</sup>, that is new, relocated, altered, reclad or repainted, including containers intended to, or that remain on site for more than six months, and the alteration to any lawfully established building are subject to the following:</p>	RD

	<p>All exterior surfaces shall be coloured in the range of browns, greens or greys (except soffits), including;</p> <p>23.5.1.1 Pre-painted steel, and all roofs shall have a reflectance value not greater than 20%.</p> <p>23.5.1.2 Surface finishes shall have a reflectance value of not greater than 30%.</p> <p>23.5.1.3 In the case of alterations to an existing building not located within a building platform, it does not increase the coverage by more than 30% in a ten year period.</p> <p><u>Except these standards do not apply to the blades of frost fighting devices.</u></p> <p><del>Control</del> <u>Discretion</u> is reserved <u>restricted</u> to all of the following:</p> <ul style="list-style-type: none"> <li>• External appearance.</li> <li>• Visibility from public places and surrounding properties.</li> <li>• Lighting.</li> <li>• Landscape character.</li> <li>• Visual amenity.</li> </ul>	
<p><b>23.5.2</b></p>	<p><b>Building size</b></p> <p>The maximum ground floor area of any building shall be 500m<sup>2</sup>.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> <li>• External appearance.</li> </ul>	<p>RD</p>

**Comment [b26]:** This standard is to be retained as a building bulk control within the sub-zone being consistent with the GCZ

	<ul style="list-style-type: none"> <li>• Visibility from public places.</li> <li>• Landscape character.</li> <li>• Visual amenity.</li> <li>• Privacy, outlook and amenity from adjoining properties.</li> </ul>	
<b>23.5.3</b>	<p><b>Building Height</b></p> <p>The maximum height of any residential building, residential accessory building or commercial building other than for a farming or winery building shall be 8m.</p>	NC
<b>23.5.4</b>	<p><b>Building Height</b></p> <p>The maximum height of any farming or winery building shall be 10m, <u>except this standard shall not apply to frost fighting towers and blades.</u></p>	NC
<b>23.5.5</b>	<p><b>Setback from Internal Boundaries (any building)</b></p> <p>The minimum setback of buildings from internal boundaries shall be 6m.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> <li>• Rural Amenity.</li> <li>• Landscape character.</li> <li>• Privacy, outlook and amenity from adjoining properties.</li> </ul>	RD
<b>23.5.6</b>	<p><b>Setback from Roads (any building)</b></p> <p>The minimum setback of buildings from road boundaries shall be 20m, except the minimum setback of any building for other sections of State Highway 6 where the speed limit is 70 km/hr or greater shall be 40m.</p>	NC
<b>23.5.7</b>	<p><b>Setback of buildings from Water bodies</b></p>	RD

	<p>The minimum setback of any building from the bed of a water body shall be 20m.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> <li>• Any indigenous biodiversity values.</li> <li>• Visual amenity values.</li> <li>• Landscape character.</li> <li>• Open space.</li> <li>• Whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building.</li> </ul>	
<b>23.5.8</b>	All fixed exterior lighting shall be directed away from adjacent sites and roads.	NC
<b>23.5.9</b>	<p><a href="#"><u>Outline Development Master Plan – Gibbston Valley Sub Zone</u></a></p> <p><a href="#"><u>No subdivision or development shall take place within the Gibbston Valley Sub-Zone unless an Outline Development Master Plan has been lodged and approved by the Council pursuant to Rule 23.4.21.</u></a></p>	NC

	<b>Table 3: Standards for Commercial Activities</b>	<b>Non-Compliance</b>
<b>23.5.9</b>	<p><b>Commercial Recreation Activities</b></p> <p>Commercial recreation activity undertaken outdoors and involving not more than 10 persons in any one group.</p>	D
<b>23.5.10</b>	Retail Sales	RD

**Comment [b27]:** Permitted if standard met

	<p>Buildings in excess of 25m<sup>2</sup> gross floor area <a href="#">in the Gibbston Character zone</a> and <a href="#">120m<sup>2</sup> gross floor area in areas 1, 2 and 3A of the Gibbston Valley Sub-Zone</a> to be used for retail sales identified in Table 1 shall be setback from road boundaries by a minimum distance of 30m.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> <li>• Landscape character and visual amenity.</li> <li>• Access.</li> <li>• On-site parking.</li> </ul>	
<p><b>23.5.11</b></p>	<p><b>Home Occupation</b></p> <p>23.5.11.1 The maximum net floor area of home occupation activities shall be 100m<sup>2</sup>.</p> <p>23.5.11.2 No goods, materials or equipment shall be stored outside a building.</p> <p>23.5.11.3 All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> <li>• The nature, scale and intensity of the activity in the context of the surrounding rural area.</li> <li>• Visual amenity from neighbouring properties and public places.</li> <li>• Noise, odour and dust.</li> <li>• The extent to which the activity requires a rural location because of its affiliation to rural resources.</li> <li>• Screening and location of storage areas for waste materials, lighting, outdoor display areas and parking.</li> </ul>	<p>RD</p>

**Comment [b28]:** Still working on the controls.

- |  |   |  |
|--|---|--|
|  | <ul style="list-style-type: none"><li>• Access safety and transportation effects.</li></ul> |  |
|--|---|--|

### 23.6 Rules - Non-Notification of Applications

Any application for resource consent for the following matters shall not require the written consent of other persons and shall not be notified or limited-notified:

**23.6.1** Controlled activity retail sales of farm and garden produce and handicrafts grown or produced on site (Rule 23.4.14), except where the access is directly onto a State highway.

**23.6.2** Controlled activity winery and farm buildings (Rule 23.4.16), except where the access is directly onto a State highway.

[23.6.3](#) [Controlled Activities within the Gibbston Valley Sub Zone.](#)

[23.6.4](#) [Restricted Discretionary Activities within the Gibbston Valley Sub Zone pursuant to Rule 23.4.21 relating to an Outline Development Master Plan.](#)

### 23.7 Rules - Assessment Matters (Landscape)

Unless where the matters of control or discretion are specified in the rule (controlled or restricted discretionary activities), the following assessment matters apply to any discretionary or non-complying activity within the Gibbston Character Zone where the landscape is relevant.

#### 23.7.1 Effects on landscape character

The following shall be taken into account:

23.7.1.1 Where the activity is adjacent to an Outstanding Natural Feature or Landscape, whether and the extent to which the proposed development will adversely affect the quality or character of the adjacent Outstanding Natural Landscape or Feature.

23.7.1.2 Whether and the extent to which the scale and nature of the proposed development will degrade the character of the surrounding landscape.

23.7.1.3 Whether the design and landscaping would be compatible with or would enhance the character of the landscape.

[23.7.1.4 Whether the development represents or is part of a cluster of development within the Gibbston Valley Sub Zone.](#)

### **23.7.2 Effects on visual amenity**

Whether the development will result in a loss of the visual amenity of the Gibbston Valley landscape, having regard to whether and the extent to which:

23.7.2.1 The visual prominence of the proposed development from any public places, in particular State Highway 6, cycleways and bridleways.

23.7.2.2 The proposed development is likely to be visually prominent such that it detracts from private views.

23.7.2.3 Any screening or other mitigation by any proposed method such as earthworks and/or new planting will detract from the landscape character or obstruct views of the landscape from both public and private locations.

23.7.2.4 The proposed development is enclosed by any confining elements of topography and/or vegetation and the ability of these elements to reduce visibility from public and private locations.

23.7.2.5 Any roads, access boundaries and associated planting, earthworks and landscaping will reduce visual amenity, with particular regard to elements that are inconsistent with the existing natural topography and patterns.

23.7.2.6 Boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape or landscape units.

[23.7.2.6 The extent and form of landscaping and use of building materials/colours to soften the prominence of development within the Gibbston Valley Sub Zone.](#)

### **23.7.3 Design and density of development**

In considering the appropriateness of the design and density of proposed development, whether and to what extent:

23.7.3.1 Opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (ie. open space held in one title whether jointly or otherwise).

23.7.3.2 There is merit in clustering the proposed building(s) or building platform(s) having regard to the overall density of the proposed development and whether this would exceed the ability of the landscape to absorb change [in locations outside of the Gibbston Valley Sub Zone](#).

23.7.3.3 Development [in the Gibbston Character Zone \(outside of the Gibbston Valley Sub Zone\)](#) is located within the parts of the site where they will be least visible from public and private locations.

23.7.3.4 Development [in the Gibbston Character Zone \(outside of the Gibbston Valley Sub Zone\)](#) is located in the parts of the site where they will have the least impact on landscape character.

#### **23.7.4 Tangata Whenua, biodiversity and geological values**

23.7.4.1 Whether and to what extent the proposed development will degrade Tangata Whenua values including Tōpuni or nohoanga, indigenous biodiversity, geological or geomorphological values or features and, the positive effects any proposed or existing protection or regeneration of these values or features.

The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.

#### **23.7.5 Cumulative effects of development on the landscape**

Taking into account whether and to what extent any existing, consented or permitted development (including unimplemented but existing resource consent or zoning) has degraded landscape quality, character, and visual amenity values. The Council shall be satisfied.

23.7.5.1 The proposed development will not further degrade landscape quality and character and visual amenity values, with particular regard to situations that would result in a loss of rural character and openness due to the prevalence of residential activity within the Gibbston Valley landscape [\(outside of the Gibbston Valley Sub Zone\)](#).

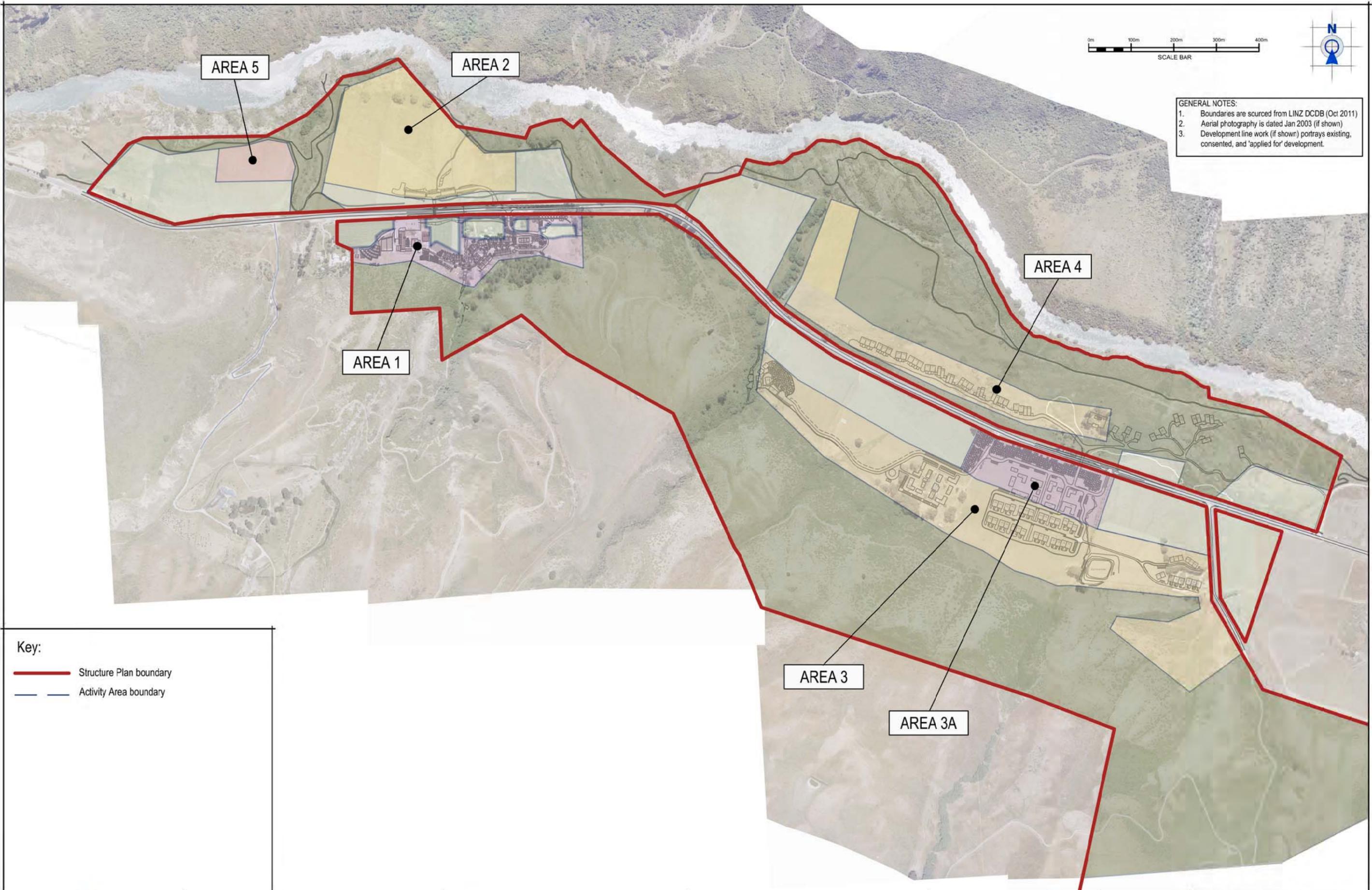
23.7.5.2 Where in the case resource consent may be granted to the proposed development but it represents a threshold to which the landscape could absorb any further development. Whether any further cumulative adverse effects would be avoided by way of imposing a covenant, consent notice or other legal instrument that maintains open space.

#### **23.7.6 Other Factors and positive effects**

In considering whether there are any positive effects in relation to the proposed development, or remedying or mitigating the continuing adverse effects of past subdivision or development, the Council shall take the following matters into account:

- 23.7.6.1 Whether the proposed subdivision or development provides an opportunity to protect the landscape from further development and may include open space covenants or esplanade reserves.
- 23.7.6.2 Whether the proposed subdivision or development would enhance the character of the landscape, or protects and enhances indigenous biodiversity values, in particular the habitat of any threatened species, or land environment identified as chronically or acutely threatened on the Land Environments New Zealand (LENZ) threatened environment status.
- 23.7.6.3 Any positive effects including environmental compensation, easements for public access to lakes, rivers or conservation areas.
- 23.7.6.4 Any opportunities to retire marginal farming land and revert it to indigenous vegetation.
- 23.7.6.5 Where adverse effects cannot avoided, mitigated or remedied, the merits of any compensation.
- 23.7.6.6 In the case of a proposed residential activity or specific development, whether a specific building design, rather than nominating a building platform, helps demonstrate the proposed development would maintain or enhance the character of the Gibbston Valley landscape.
- [23.7.6.7 Whether development within the Gibbston Valley Sub Zone will provide for worker's accommodation and/or facilities that will provide benefits to viticultural, winery or rural related activities in the Gibbston Valley.](#)

Evidence will be presented at the hearing to this effect, based on the numerous expert reports that have been prepared for the underlying resource consent



**GENERAL NOTES:**

1. Boundaries are sourced from LINZ DCDB (Oct 2011)
2. Aerial photography is dated Jan 2003 (if shown)
3. Development line work (if shown) portrays existing, consented, and 'applied for' development.

**Key:**

- Structure Plan boundary
- Activity Area boundary

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Client/Location:  
**Gibbston Valley Station & Gibbston Valley Wines Ltd**  
 1850-1976 Gibbston Highway/SH6, Gibbston

Purpose/Drawing Title:  
**Structure Plan**

No.	Original issue	By	Date
A.	Original issue	SW	16/3/2017
No.	Revision details	By	Date

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### Gilberton Valley

**SCALE**  
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Map Scale	
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1:10,000	1:10,000
1:5,000	1:5,000

## **Gibbston Valley Station Resort – Executive Summary**

In 2008 consent was granted for Gibbston Valley Station Resort (GVSR). This included private residences, visitor accommodation, a golf course, a vintner's village, viticultural and horticultural activity and public access via the Gibbston trail.

The current review of the District Plan has allowed Gibbston Valley the opportunity to re-assess the plan. Since 2008 the economic environment in the Lakes District has changed as well as our understanding and requirements for the winery and what we believe is the best outcome for Gibbston Valley Station (GVS). In 2008 the perceived urban boundary of Queenstown was Frankton. The reality is that the urban boundary is now the eastern end of Ladies Mile. In addition, Arrowtown now has specific boundaries that are limiting growth. Demand for housing is far greater and GVS is now on the peripheral of the urban boundaries. In addition, there is a greater demand for staff and visitor accommodation than was recognised in 2008.

It is logical for us to cluster all tourism activities in proximity to the winery. We are intending to build an underpass from the winery to the north side of the State Highway that will also link with the parking lot on the north side. This underpass will service the requirements of pedestrian and cycle movements as well as passenger vehicles. Transit has also approved an off-ramp from State Highway 6 that will provide direct access to and from the parking lot, on the north side of the State Highway. This will also service the tourism and visitor accommodation activities in the future. It is our intention to build the underpass this winter. This will form a tourism cluster that also has connections to the cycle ways to Arrowtown and Queenstown.

We are intending to cluster the housing around the vintner's village. The vintner's village was seen as a benefit by the local community as part of the consented project. We will retain all elements as agreed in the 2008 consent. These included a café, cellar door for local wineries and vineyards that do not have a cellar door, a farmers market and the opportunity for local artisans to lease space and sell their products. It is intended that the vintner's village will become a hub for the local and wider community.

One item on the approved plan that has changed since 2008 is the perception of the necessity for a golf course as part of the development. It is now recognised that the local golf demand is well met by the number of courses in the Wakatipu. We do not believe that the golf course is now a strong part of what we are proposing at

Gibbston. Our goal is to develop a winery resort with visitor and residential activity. The setting for this winery resort will be the vineyards we are proposing to plant, starting this winter.

In addition, since 2008 cycling has become a major tourism attraction in New Zealand and in particular the Lakes District. It is only going to grow stronger in the future with Gibbston well placed in the middle of this cycling activity. Gibbston is currently linked with Arrowtown and Queenstown and in the future this link will continue down the Kawarau Gorge to Clyde and the Rail Trail. In addition there will be a link over to Wanaka and return. We now have cycle centre at the winery that forms a hub for cycling in the Gibbston region. We see cycling as a major attraction to bring visitors to Gibbston. We have worked with the Wakatipu Trails Trust to develop the Gibbston River Trail as well as putting in Rabbit Ridge, which has approximately 25kms of trails that are open to the public. Approximately 3 kilometres of the Gibbston trail is on GVS land with a public access easement.

When we applied for the development in 2008, Gibbston Valley Winery (GVW) wine production requirements were significantly less than they are today. In addition, Gibbston as a sub-region is marginal regarding its number of growing days and what is required for successfully growing pinot noir. This is particularly true on the north side of the state highway on GVS land. Today GVW is producing significantly more Rose and we have developed Methode Traditionelle products which are becoming very popular. Both of these products do not require the same number of growing days as pinot noir. Both Rose and Methode Traditionelle are picked approximately a month earlier than pinot noir. This means that we avoid the autumn frosts, which on the north side of GVS land were going to be an issue. We are now in a position to plant pinot noir grapes for Rose and Methode Traditionelle and at the same time create the aesthetic setting for the GVS winery resort. In 2008 we were proposing the planting of 7.4 hectares of grapes as part of the GVS and now we are proposing to plant at least 15 hectares of grapes. This means that we are supporting the underlying premise of the Gibbston Character Zone which is the promotion of viticulture and horticulture. This further planting, which we intend to start this coming winter, combined with the current 8.5 hectares we have at the winery and Glenlee will mean we will have approximately 23.5 hectares of vineyard planting on GVS and GVW. This not only supports the underlying premise for the Gibbston Character Zone but also creates the setting for affiliated activities to do with viticulture. Winery tourism certainly has to be considered an affiliated activity. There are a number of small accommodation providers in Gibbston and a number of

commercial activities that need tourism to survive. With this further planting, we will enhance Gibbston as a winery tourism destination with the added aesthetic that will be created from our planting of an additional 23.5 hectares of grapes.

Between 2007 and February 2008 we met with the Gibbston Community Association on five occasions, presenting our proposal taking feedback on board and then refining the plan to ensure our proposal was in keeping with the Gibbston Communities expectations. We also held meetings with the Wakatipu Trails Trust and the Queenstown Historical Society. All of this input formed a part of our final design. The proposed plan is in keeping with what we presented to the Gibbston Community Association, Trails Trust and Historical Society. I am proposing to have key members of the local community come along and speak in support of our current application. I recognise that this is not a required part of this process but I want it to be understood that what we are now proposing is seen as being in line with our consented activity and a benefit to the local and wider community.

As part of our consent granted in 2008, we had a number of key reports completed for ecology and the protection of historical and archaeological sites on GVS. These reports and their recommendations will be retained and form part of the current plan if approved.

In summary, it is my view that the plan we are putting forward as part of the review of the District Plan is not only in keeping with what we were consented in 2008 but should be seen as an evolution that not only protects the key elements that the local community expects but will provide a better outcome with the proposed placement of visitor and tourism accommodation in one hub, by the winery with private residents and the vintners village in another area. What I am loathe to do is create a sleeper community and the vintners village will ensue that they have a community hub as well as a commercial hub, which will serve the local and wider community.

I feel the passage of time since 2008 has given us the opportunity to reassess our consent and now present a refined plan that better suits the needs and demands of 2017 for not only ourselves but also the wider community.