

Appendix C - A copy of the relevant parts of the decision; and

PART D: PETER MANTHEY

Submitter Peter Manthey (Submission 75)

Further Submissions

None

13. PRELIMINARY MATTERS

13.1. Subject of Submissions

20. This submission related to land at the rear of 2 - 22 Vancouver Drive owned by QLDC.

13.2. Outline of Relief Sought

21. The submission requested that the Council set aside the narrow strip of land between the rear of the northern Vancouver Drive properties and the existing gravel road which extends West / East. This is part of a larger land parcel to the rear of 18 Vancouver Drive and the submitter sought that it be rezoned from MDRZ to "Non-developable Green Space Zoning."

13.3. Description of the Site and Environs

22. Vancouver Drive is a recently developed residential area on the southwest facing slopes of Queenstown Hill. There are extensive lake and mountain views from this elevated area.

23. The Commonage is a large parcel of land to the rear of the houses at 2 – 22 Vancouver Drive and it is mostly covered in wilding conifers and other exotic species (Figure 2-5). It was created as part of a subdivision and land exchange approved under RM150220. At the same time as the land exchange, the Recreation Reserve status of the site was removed.¹⁶

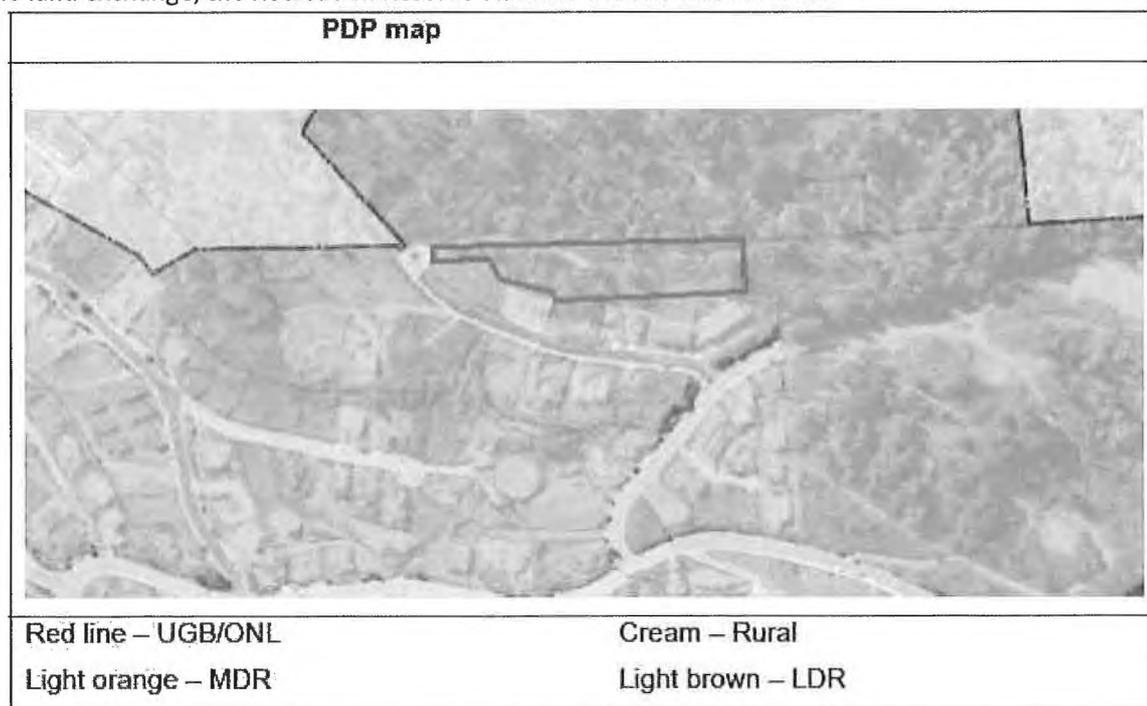


Figure 2-5 – the land at the rear of 2 - 22 Vancouver Drive is outlined in blue

¹⁶ S. Skelton, EIC, 9 June 2017, paragraphs 5 & 6

13.4. The Case for Rezoning

24. Mr Peter Manthey explained the background to the development of this area and The Commonage. He expressed great concern that the land swap, rezoning and eventual subdivision of The Commonage for some 400 blocks (his estimate) would have major not minor impacts and create injurious affection on the submitters and other adjoining owners.¹⁷
25. Whilst holding to his opinion that the proposed rezoning to MDR and subdivision for the whole of The Commonage should not be accepted, should it proceed he proposed that *“the impact of such a major potential subdivision be mitigated between some of the existing housing and further providing some visual green space to Queenstown CBD and surrounding areas.”* Instead of the original request, he proposed that a lesser area of about 1200m² running along the northern boundaries of 16 – 22 Vancouver Drive properties become parkland and/or reserve (shown in Attachment 4 to his evidence).
26. Mr Manthey also addressed the Council’s submission on The Commonage¹⁸ however he was not a submitter or further submitter on this matter therefore this part of his evidence is not addressed in our recommendations.
27. For the Council, Ms Devlin noted that the submitter had not provided any assessment of ecological, visual amenity or recreation values that would support the creation of a non-developable green space. For that reason, she could not support the rezoning request.¹⁹
28. Ms Devlin supported MDR zoning because most of the surrounding land is MDRZ and as such MDR development would be consistent with the surrounding character and amenity.²⁰
29. In her opinion, downzoning to green space would result in a loss of 16 potential residential lots and an inefficient use of urban zoned land within the UGB. The site is located in an area that can accommodate increased densities and is relatively accessible to the town centre.²¹

13.5. Discussion of Planning Framework

30. The purpose of the MDRZ is to enable a greater supply of diverse housing options for the District at a higher density than the LDRZ. Development controls are designed to ensure that the reasonable maintenance of amenity values is maintained. MDR zones should be easily accessible to local shopping centres, town centres or schools by public transport, cycling or walking.

14. ISSUES

- a. The most appropriate zone for the land to the rear of 2 – 22 Vancouver Drive
- b. Status as a recreation reserve or non-developable green space

¹⁷ P. Manthey, Evidence, 9 August 2017, page 4

¹⁸ Submission 790

¹⁹ R. Devlin, Section 42A Report Group 1C, 24 May 2017, paragraphs 14.6 & 14.9

²⁰ Ibid, paragraph 14.10

²¹ Ibid, paragraph 14.11

15. DISCUSSION OF ISSUES AND CONCLUSIONS

31. There is a long history to the Commonage and this was described in evidence presented by the Council on Submission 790.²² Suffice to say, decisions concerning the status of all or part of this land as a recreation reserve are not the subject of this hearing therefore we have not addressed this matter any further.
32. Unlike many other RMA plans, the notified PDP did not make provision for open space or recreation zones. Consequently, regardless of the merits of his submission, Mr Manthey's request for a "Non-developable Green Space Zoning" over some or all of The Commonage cannot be recommended to the Council because there is no PDP or ODP zone that would be suitable for this purpose. If Mr Manthey had proposed specific planning provisions, including zones, that satisfied the strategic direction and planning framework of the PDP it would have been open to this panel to make such a recommendation. However, he did not do this therefore we have no option but to confirm MDR zoning of The Commonage.
33. We note that Stage 2 of the Plan review was notified in November 2017. The Council proposed to insert a new chapter containing a suite of Open Space and Recreation zones (Chapter 38) and accompanying mapping changes. Stage 2 therefore provided a further opportunity for the community to make submissions on 'green space zoning' in the context of a fully-developed proposed planning framework for open space and recreation.
34. We consider that MDR zoning is the most appropriate zone for The Commonage for the reasons set out in the Section 42A Report. In summary, the land is suitable for medium density development and located in an area that can accommodate increased densities reasonably close to the town centre. Medium density development of this vacant land increases feasible capacity within the UGB which helps give effect to the objectives of the NPSUDC 2016 and the Strategic Direction of the PDP. Zoning a substantial area on and around Vancouver Drive as MDRZ increases the range of housing types and choices on Queenstown Hill.

16. RECOMMENDATION

35. For the reasons set out above, we recommend that;
- a. Submission 75 be rejected; and
 - b. MDR zoning be confirmed for the land to the rear of 2 – 22 Vancouver Drive as shown on Planning Map 37.

²² See Part G of this report for discussion of that part of Submission 790 relating to the Commonage.