

Appendix A - Relief sought

Provision (PDP decision version)	Reason for appeal	Relief sought
Planning Map 31a and Frankton North specific issues		
Planning Map 31a	The current Zoning of the Site and the adjacent Frankton North land is an inefficient and ineffective zoning regime, taking into account current and projected shortfalls in commercial zoned land and housing affordability and supply issues in the District.	<p>Rezone the Site and the adjacent Frankton North land, as indicated in orange and dark red in Appendix B to either of the following zones (or a combination thereof);</p> <ul style="list-style-type: none"> • High Density Residential; • Mixed Business Use; • Or other similar zoning to achieve the above outcomes <p>Provide for site-specific provisions for the rezoned Frankton North Land.</p>
Chapter 27 – Rules 27.2., 27.7.1 and Chapter 16, Chapter 9 Structure Plan	The access rules for the Frankton North land are unclear and are not facilitated by the agreed Structure Plan as presented in the hearing.	<p>Amend Chapter 27 and Chapters 9 / 16 to provide for the Frankton North Structure Plan (included as Appendix C) and associated provisions, as necessary, including:</p> <p><u>16..x.xx Structure Plan</u></p> <ul style="list-style-type: none"> • <u>Internal road access shall be provided in accordance with the Structure Plan in Rule 16.7 as follows:</u> • <u>Road access into the zone from State Highway 6 shall be via the fourth (northern) leg of the Hawthorn Drive/State Highway 6 roundabout (Designation #370), unless otherwise approved by the NZ</u>

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		<p style="text-align: center;"><u>Transport Agency:</u></p> <p><u>Subject to compliance with a. above, Required Primary Road Access shall be provided as shown on the Structure Plan except that the exact location of such roading may vary by up to 50 metres.</u></p> <p>Consequentially amend Rule 16.2.3.8 and 16.2.3.9 and Chapter 27</p>
<p>Policy 8.2.8.8</p> <p>Ensure coordinated, efficient and well-designed development by requiring, prior to, or as part of subdivision and development, construction of the following to appropriate Council standards:</p> <p>a. a 'fourth leg' off the Hawthorne Drive/State Highway 6 roundabout;</p> <p>b. all sites created in the area to have legal access to either Hansen Road or the Hawthorne Drive/State Highway 6 roundabout; and</p> <p>c. new and safe pedestrian connections between Hansen Rd</p>	<p>The combination of policy 8.2.8.8 and Rule 8.5.3.1 provides an uncertain outcome with respect to how and when any upgrade access to the State Highway will be facilitated. It is unclear how the location, extent, and contributions to the upgrade would be provided for through the land use standards, as compared to a structure plan approach proposed by the Appellant. Furthermore there is a disconnect between the policy and rule 8.5.3.1, as the policy appears to require State Highway access and upgrade as a precondition of development, whereas Rule 8.5.3.1 anticipates that development will provide for connections via Hawthorne Drive or State Highway 6 Roundabout and / or Ferry Hill Drive.</p> <p>The Site has available access presently through Ferry Hill Drive, and if the Appellant is not successful in seeking HDR</p>	<p>Delete policy 8.2.8.8, pending further amendments in the course of hearings to clarify its intention and effect.</p>

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<p>and the southern side of SH6, and the Hawthorne Drive/State Highway 6 roundabout, Ferry Hill Drive and the southern side of State Highway 6.</p>	<p>Zoning, the fall back zoning may be confirmed as MDR. In this instance the Appellant requires certainty as to the mechanisms and triggers for any future SH6 upgrade, and certainty as to the ability to develop while utilising the Ferry Hill Drive access. Although no specific alternative wording for relief on this policy has been sought at this stage, the Appellant generally seeks deletion of the policy, pending further refinements to its intent and effect in the course of any appeal hearings.</p>	
<p>Rule 8.5.3.1 Transport parking and access design</p>	<p>See above reasoning in respect of policy 8.2.8.8</p>	<p>Delete Rule 8.5.3.1 pending further amendments in the course of hearings to clarify its intention and effect.</p>
<p>Chapter 8, Rule 8.5.3 landscape Buffer to SH6</p>	<p>The landscaping rule is fairly prescriptive as to the scale and area of planting with the BMU one, but in relation to the MDR Zone some of the text from the equivalent BMU planting rule has been omitted. The MDR planting rule fails to specify the width of required planting and we suggest appealing to ensure the standard is not so widely framed and made similar to the BMU Zone rule requiring 4m of planting.</p>	<p>Amend Rule 8.5.3 to provide further clarity in respect of landscaping requirements</p>

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Chapter 8, Rule 8.5.1	Given the 90m wide sleeve of BMU located along the State Highway, where building is enabled up to 12m and possibly up to 20m through a RD consent, this is inconsistent for building within the MDR Zone behind that to be restricted to 8m.	Amend Rule 8.5.1 to provide for a permitted maximum height limit of 12m in the Frankton North MDR Zone, and Restricted Discretionary height limit 12m – 20m.
Chapter 8, Rule 8.5.6	Recession planes provided for in this rule are overly prescriptive and onerous to meet. These will not allow for individualised design and site-specific planning requirements, to achieve the purpose of the Zone. These are sought to be amended to provide a more flexible design and planning regime by reducing the current recession requirements.	Amend Rule 8.5.6 to reduce or remove the recession plane requirements, allowing for site-specific design and amenity outcomes.
Alternative relief – HDR Zone site specific provisions as required	In the instance that the Site and the adjacent Frankton North land is rezoned to High Density Residential, Universal seeks a suite of consequential amendments, including to objectives, policies, and rules, which are required to give effect to site-specific planning issues of the Frankton North land. Such relief could include, but is not limited to, similar matters to those specifically provided for in respect of the range of MBU Frankton north provisions, currently contained in Chapter 16	Amend Chapter 9 HDR to provide a site specific suite of objectives, policies, and rules relevant to the Frankton North land, including but not limited to matters currently contained in Chapter 16.

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Alternative Relief – MBU Zone site specific provisions as required	In the instance that the Site and the adjacent Frankton North land is rezoned to Mixed Business Use, Universal seeks a suite of consequential amendments, including to objectives, policies, and rules, which are required to give effect to site-specific planning issues of the Frankton North as a consequence of extending the zoning. Such relief could include, but is not limited to, similar matters to those specifically provided for currently in Chapter 16.	Amend Chapter 16 MBU to provide a site specific suite of objectives, policies, and rules relevant to the Frankton North land, including but not limited to matters currently contained in Chapter 16.
Alternative Relief – Chapter 27 subdivision site specific provisions as required	In the instance that the Site and the adjacent Frankton North land is rezoned to High Density or Mixed Business Use, Universal seeks a suite of consequential amendments, including to objectives, policies, and rules, which are required to give effect to site-specific planning issues of the Frankton North land. Such relief could include, but is not limited to, similar matters to those specifically provided for in respect of the range of MBU Frankton North provisions, currently contained in Chapter 16.	Amend Chapter 27 Subdivision to provide a site specific suite of objectives, policies, and rules relevant to the Frankton North land, including but not limited to matters currently contained in Chapter 16.
MDR Chapter 8 – general appeal matters		

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Objective 8.2.6, Rule 8.4.13; 8.4.16; 8.4.9	Objective 8.2.6 enables support for community activities in the MDR Zone, subject to addressing residential amenity values. This is not reflected in Rules 8.4.13 and 8.4.16 / 8.4.9 which result in a non-complying activity status for community activities and commercial activities over 100m ² , and discretionary activity status for commercial activity status under 100m ² . These rules are sought to be amended to better enable those activities and to achieve Obj 8.2.6	Amend Table 1 to provide for: <ul style="list-style-type: none"> • Community activities as a controlled activity; • Commercial activities over 100m² as a discretionary activity, and under 100m² as a controlled activity.
Chapter 3		
Strategic objective 3.2.1.3 The Frankton urban area functions as a commercial and industrial service centre, and provides community facilities, for the people of the Wakatipu Basin.	This objective should also recognise the important contribution of mixed business use and residential housing in the Frankton area	Amend Strategic Objective 3.2.1.3 to also recognise the mixed business use and residential contributions of Frankton
Strategic policy 3.3.6 Avoid additional commercial zoning that will undermine the function and viability of the Frankton commercial areas as the key service centre for the Wakatipu Basin, or which will undermine increasing integration between those areas and the	This objective does not recognise the projected shortfall of commercial zoned land in the District over the medium – long terms, and as required to be provided for through the NPS-Urban Development Capacity	Amend strategic policy 3.3.6 as follows: Avoid-Manage additional commercial zoning that will <u>may</u> undermine the function and viability of the Frankton commercial areas as the key service centre for the Wakatipu Basin, or which will <u>may</u> undermine increasing integration

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industrial and residential areas of Frankton. (relevant to S.O. 3.2.1.3)		between those areas and the industrial and residential areas of Frankton, <u>while ensuring sufficient development capacity for commercial and residential land is provided for over the short, medium, and long term.</u> (relevant to S.O. 3.2.1.3)
Chapter 4		
<p>Policy 4.2.2.12</p> <p>Ensure that any transition to rural areas is contained within the relevant urban Growth boundary</p>	<p>This policy undermines the ability for land within UGBs to develop and achieve the purpose of Chapters 3 and 4. Protection of adjacent rural amenity values should not impact on the viability of residential and business zoned land within UGBs. There is no RMA reason not to provide for a 'hard' urban boundary.</p>	Delete Policy 4.2.2.12
Chapter 27		
Rule 27.5.7 all subdivision defaults to RDA activity status	Subdivision within urban zones is anticipated and should be enabled through chapter 27, subject to appropriate matters of reserved control. Requiring RDA subdivision rather than controlled will result in a disconnect between the rules	<p>Amend Rule 27.5.7 to a default controlled activity status for all zones unless otherwise specified.</p> <p>Zones to be included in a controlled activity status include;</p> <ol style="list-style-type: none"> 1. Lower Density Suburban Residential Zone;

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	applicable to the Zone and the purpose of the Zone.	2. Medium Density Residential Zone; 3. High Density Residential Zone; 4. Town Centre Zones; 5. Arrowtown Residential Historic Management Zone; 6. Large Lot Residential Zone; 7. Local Shopping Centre; 8. Business Mixed Use Zone; 9. Airport Zone – Queenstown. <u>10. Township Zones;</u> <u>11. Rural Residential;</u> <u>12. Rural Lifestyle.</u>
Frankton North – Structure Plan	The mechanisms for the creation of access to and within the BMUZ at Frankton are unclear and uncertain. I'll consider that adherence to a Structure Plan would remedy such problems.	Insert a new rule within Chapter 27 (Subdivision), requiring that subdivision be undertaken in accordance with the Structure Plan for the Frankton North Business Mixed Use Zone.
Rule 27.10 Applications for all controlled and restricted discretionary activities shall not require the written approval of other persons	The protection of the State Highway is adequately achieved through separate policies which assure its efficient and safe functioning. The application of this policy could be broader for notification than just to NZTA.	Amend Rule 27.10 as follows: Applications for all controlled and restricted discretionary activities shall not require the written approval of other persons

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<p>and shall not be notified or limited notified except:</p> <p>a. where the site adjoins or has access onto a State Highway;</p>		<p>and shall not be notified or limited notified except:</p> <p>a. where the site adjoins or has access onto a State Highway;</p>