

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

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Queenstown Lakes District Proposed District Plan,
Hearing Stream 14 - Wakatipu Basin rezoning

AND

IN THE MATTER of Hearing Submissions 2489 and 0229.

STATEMENT OF EVIDENCE OF NICHOLAS KARL GEDDES ON BEHALF OF

Ladies Mile Consortium (#2489)

Felzar Properties Limited (#0229)

Dated 13 June 2018

1.0 QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Nicholas Karl Geddes. I hold a degree of Bachelor of Science majoring in Geography and Graduate Diploma in Environmental Science from Otago University.
- 1.2 I have fifteen years' experience as a resource management practitioner, with past positions as a Planner in local Government in Auckland, private practice in Queenstown and contract work in London, England. I have been a practicing consultant involved in a wide range of developments, district plan policy development and the preparation and presentation of expert evidence before Councils.
- 1.3 I was employed by a Queenstown consultancy in 1999 before moving to Auckland City Council in 2001 where I held a senior planning position with Auckland City Environments. Leaving Auckland in 2005 I worked in London as a planner for two and a half years before returning to Queenstown where I have been practicing as a planning consultant since. I currently hold a planning consultant position with Clark Fortune McDonald & Associates Limited.
- 1.4 I have read the Code of Conduct for Expert Witnesses in the Environment Court consolidated Practice Note (2014). I agree to comply with this Code of Conduct. This evidence is within my area of expertise, except where I state I am relying on what I have been told by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- 1.5 I authored submissions on Stage 1 of the plan review, prepared evidence and attended hearings in relation to the following submissions: 121, 228, 233, 235, 314, 323, 328 336, 342, 338, 347, 354, 411, 414 & 715.
- 1.6 I authored submissions on Stage 2 of the plan review and/or have prepared evidence in relation to the following submissions: 2332, 2254, 2247-2249, 2400, 2250, 2252, 2298 & 2300.

2.0 SCOPE OF EVIDENCE

- 2.1 The purpose of this evidence is to assist the Hearings Panel within my expertise of resource management planning in relation to the submission lodged by Ladies Mile Consortium on the Queenstown Lakes Proposed District Plan.
- 2.2 I have prepared evidence where I assess and explain:
 - a) Submission 2489, part 3 / page 3;
 - b) National Policy Statements, part 4 / page 11;
 - c) Regional Policy Statements, part 4 / page 12;

- d) PDP – Strategic Chapters, part 4 / page 15;
- e) Part 2 of the Act, part 4 / page 19;
- f) Assessment of Environmental Effects, part 5 / page 20;
- g) Section 32A(A) Evaluation, part 6 / page 22;
- h) Other Statutory requirements, part 7 / page 24;
- i) Further Submissions, part 8 / page 24;
- j) Section 42A Report, part 9 / page 25.

2.3 In the preparation of this evidence I have reviewed the following:

- a) Stage 1 Section 32 Evaluation Reports, Council s.42A Reports and QLDC right-of-reply for the following PDP Chapters; Strategic Chapters 3-6, Rural Residential and Rural Lifestyle, Rural, Residential, Subdivision and Wakatipu Basin;
- b) Stage 1 associated evidence submitted on behalf of QLDC prepared by Mr Glenn Davis, Mr Ulrich Glasner and Mr Phillip Osborne.
- c) Stage 2 s.42A reports by prepared on behalf of QLDC by Mr Marcus Langman, Mr Craig Barr and Ms Anita Vanstone;
- d) Stage 1 associated evidence submitted on behalf of QLDC prepared by Ms Helen Mellsop, Mr Glenn Davis, Mr Vaughn Crowther, Ms Bridget Gilbert, Mr David Smith and Ms Andrea Jarvis.
- e) The relevant submissions and further submissions of other submitters.

2.4 Abbreviations:

Queenstown Lakes District Council - "QLDC"
 Proposed District Plan – "PDP"
 Operative District Plan – "ODP"
 Resource Management Act 1991 – "The Act"
 New Zealand Transport Agency – "NZTA"
 Special Housing Area – "SHA"
 Expression of Interest – "EOI"
 Wakatipu Basin Landuse Study – "WBLS"
 Ladies Mile Gateway Precinct – "LMGP"
 Rural Residential Zone – "RRZ"
 National Policy Statement: Urban Development Capacity 2016 – "UDC"
 Operative Otago Regional Policy Statement – "OORPS"
 Proposed Otago Regional Policy Statement – "PORPS"

3.0 SUBMISSION 2489

- 3.1 Submissions 532 and 535 were lodged as part of Stage 1 of the District Plan Review representing those members of the Ladies Mile Consortium who submitted a combined submission on Stage 2 (2489). A copy of this submission is included in Appendix 1 for ease of reference along with the legal submission and response from the Panel in Rural Residential zoning, or otherwise Wakatipu Basin Lifestyle Precinct zoning, over the subject land.
- 3.2 Submission 2489 seeks a number of amendments to Chapters 3, 6, 21, 24 & 27 of the PDP and these have been considered by the QLDC s.42A report by Mr Craig Barr. I have discussed the proposed amendments and Mr Barr's report within part 9 of my evidence.
- 3.3 The proposed amendment to Planning Map 13d (re-zoning) is contained in Appendix 2.
- 3.4 The eastern portion of the site comprises of approximately 39ha and has already been subdivided into the development known as "Threepwood". While this area is included in the "site" the future yield from this area should only expect 5 further 4000m² allotments based upon the existing title arrangement and areas within.
- 3.5 The bulk of land yet to be developed on at the eastern end of the site is owned by the Strains which when combined totals 14.5ha and contains two existing dwellings. Due to the sensitive edge with Lake Hayes the submission has been amended so that it seeks that this land be developed to accommodate 10,000m² allotments and depicted in "dark green" on the revised plan contained in Appendix 2.
- 3.6 Based upon previous rural living subdivisions with similar topography and constraints I believe it is appropriate to apply a loss towards roading and servicing of 15%. Therefore, the developable area equates to 12.34ha with two existing units on the land a further 10 allotments of 10,000m² can be expected.
- 3.7 The remainder of the site is depicted in "light green" on the revised plan. This Ladies Mile block includes 14.55ha on the southern side of State Highway 6 (one existing dwelling) and 57.55ha on the northern side of State Highway 6 (five residential dwellings). The total developable area is 59.8ha.
- 3.8 Should the northern side of the Ladies Mile block be subdivided collectively by the nine land owners there is potential to create 117 allotments of 4000m² in size. Should landowners promulgate subdivisions on an individual basis this would reduce the allotment numbers to 111.
- 3.9 Based upon the above, I believe the total yield associated with the proposed re-zoning under submission 2489 to reach a maximum of 150-156 depending on the scope of future subdivision applications.

- 3.10 Primary relief is for the Rural Lifestyle zone to be applied across the area of the re-zoning with a minimum allotment size of 4000m² and 10,000 as it applies to the Stain's land, as well as a Ladies Mile specific set back of 25m. Both allotment sizes are set out in the Chapter 27 amendments, Appendix 3.
- 3.11 Secondary relief is for the Wakatipu Basin Lifestyle Precinct to be applied across the area of the re-zoning with the same minimum allotment size as set out in Chapter 27 amendments, discussed above.
- 3.12 The site has been part of a QLDC Master Planning exercise to include it within the Lead Policy for Special Housing Areas and has been recognised as an area which can accommodate a density of living akin to urban development within the Wakatipu Basin Landuse Study¹. In addition, work was completed within the site area towards an Expression of Interest for a Special Housing Area.
- 3.13 The current submission seeks a number of amendments to the Chapters 3, 6, 21, 24 & 27 of the PDP. These are set out in Appendix 3.
- 3.14 The s.42A report by Mr Craig Barr has considered the requested amendments set out in the original submission where part 3 of my evidence lists the outstanding amendments and details the rationale for each recommended amendment.

4.0 STATUTORY CONSIDERATIONS

- 4.1 The statutory framework for assessing the merits of any submission seeking to apply a zone was set out in paragraph 9.2 of QLDC's strategic section 42A report prepared by Ms Kim Banks towards hearing stream 13, stage 1 of the District Plan Review. Pages 35-39 of the Commissioners Report 17-1 provided additional clarification and comment on the strategic section 42A report with reference to "zoning principles".
- 4.2 Matters listed (a) to (j) in paragraph 9.2 of the strategic section 42A report were amended by Commissioners in Report 17-1 to become principals (a) to (k) with two other relevant factors. All of which are acknowledged and have been addressed under relevant headings.

National Policy Statements

- 4.3 Section 75(3) requires that a district plan must give effect to any national policy statement; any New Zealand Coastal Policy Statement; and any regional policy statement.
- 4.4 The following National Policy Statements have been considered:
- a) Urban Development Capacity

¹ Parts 1.2, 1.35, 7.2 & Table 1, Wakatipu Basin Landuse Study

- b) Freshwater Management
 - c) Renewable Electricity Generation
 - d) Electricity Transmission
 - e) Coastal Policy Statement
- 4.5 With the exception of Urban Development Capacity, in my opinion, none of the remaining policy statements listed above are relevant.

National Policy Statement on Urban Development Capacity 2016 (UDC)

- 4.6 The NPSUDC has been discussed in part 5 of the s.42A report compiled by QLDC Planner Ms Anita Vanstone where she confirms there are only three relevant rezoning submissions as the land in question (Wakatipu Basin) is largely outside the Queenstown Urban Environment.
- 4.7 I am mindful of the development capacity which has been accounted for in the Wakatipu Basin as part of the Stage 1 of the NPSUDC evidence and discussions which evidences there is sufficient development capacity over the short, medium, and long term, as required under the NPSUDC..
- 4.8 Notwithstanding, I believe it is important to note the evidence of Mr Phillip Osborne, 1st May 2017 highlights that a well-functioning housing market requires a large number of potential development opportunities and in a similar light paragraph 5.2 of Mr Michael Copeland's evidence towards Hearing Steam 2 states:

“There is now a general acceptance in New Zealand and other countries that economic wellbeing and economic efficiency are maximised when investment decisions are left to individual entrepreneurs or firms, without intervention from Government. The essence of this approach is that the efficient use of resources, and therefore "sustainable management" results from the creation of a climate where the market enables people to make investment decisions "to provide for their economic well being". Sometimes "market imperfections" or "externalities"6 arise because the actions of individuals or firms create positive or negative impacts on others.”

- 4.9 Based upon the evidence of Mr Osborne and Mr Copeland in Stage 1 proceedings I believe that a healthy functioning market is required which is one that is supported by multiple development opportunities in multiple locations and in multiple and ownerships, and these should be derived from people and communities providing choices for their social and economic wellbeing in the short and long term.
- 4.10 I believe the proposed re-zoning extends the range of housing typology and housing location available in the Wakatipu Environment.

Operative Otago Regional Policy Statement

- 4.11 Objectives and Policies of the Operative Regional Policy Statement are contained within Appendix 4 of my evidence along with those of the Proposed Regional Policy Statement. In particular;
- 4.12 Objective 5.4.1 relates to the sustainable management of Otago land resource and 5.4.2 seeks to avoid, remedy or mitigate degradation of the natural and physical resources from activities using the land resource.
- 4.13 Objective 5.4.3 seeks to protect outstanding natural features and landscapes.
- 4.14 Policy 5.5.4 promotes the diversification and use of the land resource to achieve sustainable land use and management systems and uses. This is supported by Strategic Chapter Objective 3.2.1.4.
- 4.15 Policy 9.4.1 seeks to promote the sustainable management of Otago's built environment in order to meet the present and reasonably foreseeable needs of Otago's people and communities, provide for amenity values, conserve / enhance environmental and landscape quality while recognising and protecting heritage values.
- 4.16 Objective 9.4.2 seeks to promote the sustainable management of Otago's infrastructure to meet the present and reasonably foreseeable needs of Otago's communities (Policies 9.5.2 and 9.5.3)
- 4.17 Objective 9.4.3 seeks to avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources. (Policies 9.5.1 and 9.5.3 to 9.5.6)
- 4.18 Policy 9.5.4, addresses the effects of urban development and settlement.
- 4.19 Policy 9.5.5 promotes the quality of life for people and communities within Otago's built environments, through the identification and provision of an acceptable level of amenity; management of effects on communities' health and safety from the use, development and protection of natural and physical resources; and managing effects on landscape values.
- 4.20 I consider that submission 2489 is consistent with relevant Objectives and Policies of the Operative Regional Policy Statement for the following reasons:
- a) The effects of the proposed re-zoning have been discussed in Part 5 where it is concluded that any adverse effects associated with the proposed re-zoning are acceptable.
 - b) The continued use of the land for farming is not economic and the land does not contain any high-quality soils which would otherwise be lost or compromised by rural living development.
 - c) The proposed re-zoning creates development opportunity and offers people and the community to provide for their social and economic wellbeing.

- d) No significant natural systems have been identified within the areas proposed to be rezoned.
- e) The proposed zoning is not within a statutory management area with respect to Iwi and is not considered to frustrate the partnership between Council and Ngai Tahu to collaboratively manage the District's natural and physical resources.
- f) No significant areas of existing indigenous vegetation within the area of the proposed re-zoning have been identified.
- g) Air quality will be maintained by Air Standards under the Regional Plan: Air.
- h) Efficient and effective infrastructure can be developed to service the proposed re-zoning.
- i) Rural Living development can be undertaken within land proposed to be re-zoned without giving rise to reverse sensitivity effects.
- j) Natural hazards can be adequately addressed at the time of any future resource consent.
- k) PSI and DSI investigations have been discussed in Part 5 of my evidence where it is considered that any areas subject to HAIL activities will be limited. If identified, these areas can be adequately avoided and/or remedied to provide land fit for residential occupation.

Proposed Otago Regional Policy Statement

- 4.21 Having regard to the provisions of the Proposed Otago Regional Policy Statement (PORPS) is further limited as a majority of the provisions have been appealed and have not yet been concluded. As such, I believe limited weight can be given to the relevant objectives and policies.
- 4.22 Part 6.2 of the QLDC s.42A report by Mr Langman specifies the relevant objectives and policies in the PORPS. For the reasons listed (a) to (k) above I believe that the proposed re-zoning is consistent with each of the relevant objectives and policies of the Proposed Otago Regional Policy Statement.

Proposed Queenstown Lakes District Plan – Strategic Chapters

Chapter 3 – Strategic Directions

Objective 3.2.1

- 4.23 In relation to Objective 3.2.1 and its related policies, in my opinion, policies 3.2.1.6, 3.2.1.8 and 3.2.1.9 are the only relevant policies for the following reasons:
 - a) The proposed re-zoning does not include visitor industry facilities, services or agricultural landuse;
 - b) The area of the proposed re-zoning is not located in the Town Centre Zone, Frankton urban area, Three Parks Zone, commercial or industrial centre;

3.2.1.6 *Diversification of the District's economic base and creation of employment opportunities through the development of innovative and sustainable enterprises.*

4.24 The proposed re-zoning is considered to be consistent with 3.2.1.6 for (but not limited too) the following reasons:

- a) The proposed re-zoning includes re-zoning to a rural living which is not considered to diversify the District's economic base. However, it does create employment opportunities associated with rural living opportunities in the Wakatipu Basin;

3.2.1.8 *Diversification of land use in rural areas beyond traditional activities, including farming, provided that the character of rural landscapes, significant nature conservation values and Ngāi Tahu values, interests and customary resources, are maintained. (also elaborates on S.O.3.2.5 following)*

4.25 The proposed re-zoning is considered to be consistent with 3.2.1.8 for (but not limited too) the following reasons:

- a) The proposed re-zoning is considered to represent a diversification of land use;
- b) The Wakatipu Basin Landuse Study determines that the Ladies Mile Precinct as having a 'high' capability to absorb development;
- c) QLDC consultant Ecologist Glen Davis raises no specific concern with the proposed re-zoning. A site inspection did not reveal any significant areas of native vegetation and none are recognised in the PDP. As such, I consider that there is no significant conservation value associated with the area of the proposed re-zoning;
- d) For the reasons outlined under Chapter 6 policies below; Ngāi Tahu values, interests and customary resources are not considered to be compromised as part of the proposed re-zoning.

3.2.1.9 *Infrastructure in the District that is operated, maintained, developed and upgraded efficiently and effectively to meet community needs and to maintain the quality of the environment. (also elaborates on S.O. 3.2.2 following)*

4.26 The proposed re-zoning is considered to be consistent with 3.2.1.9 for (but not limited too) the following reasons:

- a) For the reasons set out in part 5 "Infrastructure" I believe the proposed re-zoning can be fully serviced.

4.27 In summary, for the reasons set out above I believe that the proposed re-zoning is consistent with Objective 3.2.1 of Chapter 3 and its related policies 3.2.1.1 – 3.2.1.9.

Objective 3.2.2

4.28 In relation to this Objective and (a) to (h) of its policy, the proposed re-zoning seeks a rural living landuse and 4000m² minimum allotment size. I do not consider this to represent “urban” development. As such, I do not believe Objective 3.2.2.1 and its related policies are relevant.

Objective 3.2.3

4.29 The area of the proposed re-zoning includes the Glenpanel Homestead and associated grounds which are recognised in the Operative District Plan as a Category 3 protected feature. I do not consider that the heritage value of this feature will be diminished should the area be re-zoned as pursuant to 27.2.4.2 any subsequent subdivision consent must ensure the values of heritage features and other protected items scheduled or identified in the District Plan.

4.30 Based upon the above, I believe that the proposed re-zoning is consistent with Objective 3.2.3 and its policy 3.2.3.1.

Objective 3.2.4

4.31 Objective 3.2.4 and related policies 3.2.4.1 – 3.2.4.5 have been assessed and the proposal is considered to be consistent with each for (but not limited too) the following reasons:

- a) The WBLS stipulates that the Ladies Mile Precinct can absorb development to a medium to low residential density. The proposed re-zoning seeks a rural living density which provides a 4000m² minimum allotment size which is considered to maintain a sufficient level of the life-supporting capacity of air, water, soil;
- b) A site inspection of the area to be re-zoned did not reveal an abundance of wilding species, any significant areas of indigenous biodiversity, lakes, rivers or wetlands;
- c) The QLDC subdivision code of practice will ensure that any servicing (including stormwater) is adequately provided prior to the completion of any subdivision consent approval;
- d) There is currently no public access over the area of the proposed re-zoning and I consider that it is unlikely that there will be any demand from rural living for access to the natural environment.

Objective 3.2.5

4.32 In relation to this Objective 3.2.5 and its policies 3.2.5.1 and 3.2.5.2, the Wakatipu Basin Landuse Study determines that the Ladies Mile Precinct as having a ‘high’ capability to absorb development as discussed in part 5 “Landscape and Visual Amenity”.

Objective 3.2.6

4.33 Based upon the evidence of Mr Osborne and Mr Copeland in Stage 1 proceedings I believe that a healthy functioning market is required which is one that is supported by multiple development opportunities in multiple locations.

4.34 I believe the proposed re-zoning extends the range of housing typology and housing location available in the Wakatipu Environment and this represents people and communities providing choices for their social and economic wellbeing in the short and long term.

Objective 3.2.7

4.35 Objective 3.2.7 and policies 3.2.7.1 and 3.2.7.2 have been assessed and the proposal is considered to be consistent with these as the site is not recognised as containing any items of cultural significance.

Strategic Policies

4.36 Strategic policies 3.3.1 – 3.3.35 have been assessed and are not considered to be relevant or the proposal is considered to be consistent with relevant policies for the following reasons:

- a) The site of the proposed re-zoning is not located in a Town Centre, Commercial, Industrial Zone, Significant Natural Area, Rural area, Outstanding Natural Landscape;
- b) The proposed re-zoning seeks a rural living landuse and 4000m² minimum allotment size. I do not consider this to represent “urban” development;
- c) The reasons set out above in confirming the proposed re-zoning is consistent with Objectives 3.2.1 – 3.2.7 and related policies;
- d) Policies 3.3.33 to 3.3.35 have been assessed and the proposal is considered to be consistent with this policy as the site is not recognised as containing any items of cultural significance.

Chapter 5 – Tangata Whenua

4.37 Objectives 5.4.1 – 5.4.5 and related policies have been assessed and I consider that the proposed re-zoning is consistent with each for (but not limited too) the following reasons:

- a) The proposed re-zoning is not within a statutory management area with respect to Iwi;
- b) The proposed re-zoning is not considered to frustrate the partnership between Council and Ngai Tahu to collaboratively manage the District’s natural and physical resources;
- c) There is no known waahi tapu within the area of the proposed re-zoning;
- d) If required, Accidental Discovery Protocol can be imposed by conditions of any future resource consent.

Chapter 6 – Landscape

- 4.38 Policies 6.3.19 – 6.3.29 have been assessed and I consider that the proposed building set back from State Highway 6 of 100 metres, selected planting within this setback and all existing trees removed and confirmed on a landscape plan at the time of any future resource consent for the development of the site will ensure the virtues of the Slope Hill ONF in the background will be protected.

Part 2 of the Act

Section 5

- 4.39 Submission 2489 seeks to change zoning and has been prepared in order to achieve the purpose of the Resource Management Act 1991 “the Act”, which is to promote the sustainable management of natural and physical resources.
- 4.40 Matters listed (a) to (c) within section 5(2) have been considered and this submission is considered to support the purpose of the Act for the (but not limited to) following reasons:
- a) Provides for additional residential land to meet future needs enabling the community to provide for their economic well-being;
 - b) Can be efficiently and effectively serviced;
 - c) Affords direct access to McDowell Drive and State Highway 6;
 - d) The effects of the proposed re-zoning have been discussed in Part 5 where it is concluded that any adverse effects associated with the proposed re-zoning are acceptable.
 - e) The predominant use of the land in farming is no longer economic. The proposed re-zoning creates development opportunity and offers people and the community to provide for their social and economic wellbeing.
 - f) No significant natural systems have been identified within the areas proposed to be rezoned.
 - g) The proposed zoning is not within a statutory management area with respect to Iwi and is not considered to frustrate the partnership between Council and Ngai Tahu to collaboratively manage the District’s natural and physical resources.
 - h) No significant areas of existing indigenous vegetation within the area of the proposed re-zoning have been identified.
 - i) Air quality will be maintained by Air Standards under the Regional Plan: Air.
 - j) Efficient and effective infrastructure can be developed to service the proposed re-zoning.
 - k) Residential development can be undertaken within land proposed to be re-zoned without giving rise to reverse sensitivity effects.
 - l) Natural hazards can be adequately addressed at the time of any future resource consent.

- 4.41 I believe that proposed re-zoning does not compromise the potential of any natural or physical resources. The life supporting capacity of air, water and ecosystems will be safeguarded.

Section 6

- 4.42 Matters of National Importance. This requires that any submission seeking to locate any zone shall recognise and provide for the appropriate management, use, development, and protection of natural and physical resources.
- 4.43 Matters listed (a) to (g) under this section of the Act provided for in the PDP by ONF, ONL and SNA areas with particular reference to the strategic chapters of the PDP which have been discussed above in Paragraphs 4.34 to 4.45. For reasons listed in these paragraphs the submission is considered to recognise and provide for the protection of natural and physical resources.

Section 7

- 4.44 Matters listed (a) to (j) in s.7 of the Act have been considered and for the reasons listed in paragraph 4.47 and further supported by paragraphs 4.34 to 4.45 I believe submission 2489 is fully consistent with the purpose and principles of the Resource Management Act.

5.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

Landscape and Visual Amenity

- 5.1 The Wakatipu Basin Landuse Study (WBLs) undertook primarily a landscape assessment of the Wakatipu Basin which included the Ladies Mile Gateway Precinct (LMGP). This assessment states that the density of development which can be accommodated across the LMGP would be the same level as the PDP's low and medium density residential zones. This equates to a residential density of 1 unit per 450m² and 1 unit per 250m² respectively.
- 5.2 Based upon similar subdivisions, residential development of this density on a site of this nature should expect a 30% loss towards roading and servicing. Based upon the developable areas discussed in part 3 of my evidence I believe the recommended densities of the WBLs equates to a total of 1087 (450m²) or 1957 (250m²) dwelling units.
- 5.3 Notwithstanding the building set back, development character and structure plan process I believe this represents a significant level of development which is deemed acceptable within the WBLs. This recommended density was subject to:
- a) The provision of a building set back from State Highway 6 of 75 metres;
 - b) An 'urban parkland' type development character;

- c) A structure plan process to address amenity, landscape and infrastructure issues.

5.4 In addition to the above, the absorption capability of the site is reliant on the SHAs as stated in paragraph 5.31 of the WBLs:

“In the case of (LCU) 10 Ladies Mile and 24 Arrowtown South, absorption capability was largely driven by the UCPs and distinctly urban SHA developments within each unit. Were these SHAs not in place, each of these units would have rated as Low or Very Low as a consequence of the important role they each play in shaping the character of the Basin (Ladies Mile: very high-profile location and reads as part of the entrance to Queenstown; Arrowtown South: forms part of the defensible edge to Arrowtown).”

5.5 The Queenstown Country Club SHA is firmly in place on the southern side of Ladies Mile and appears to be nearing completion.

5.6 As discussed earlier in my evidence the proposed re-zoning equates to a total of 10 (10,000m²) and 111-127 (4,000m²) allotments. The proposed re-zoning offers a building set back from State Highway 6 of 25 metres and within this setback all existing trees are to be removed while a landscape plan for the setback must be submitted at the time of any future resource consent for the development of the site.

5.7 Should submission 2489 be accepted, any development on the site will be required to obtain subdivision consent and landuse consent for building platforms / dwellings. Based upon primary relief further development of the site would be required under Chapter 22. I believe the further development assessment required for subdivision and building under Chapter 22 to be sufficiently robust that when coupled with the proposed building setback and landscaping the ‘development character’ and ‘structure plan process’ are adequately served by the consent process for future subdivision.

5.8 Based upon secondary relief further development of the site would be required under Chapter 24. For the reasons outlined above, I believe the planning mechanism contained in Chapter 24 to establish residential platforms and / or land use consent for subdivision and dwellings will ensure that future rural living development will not result in inappropriate adverse effects upon landscape character or visual amenity.

5.9 Based upon the absorption capacity of the Ladies Mile Precinct stipulated in the WBLs I believe that the 150-156 platforms across 63.44 hectares of land coupled with the proposed building setback and landscape requirements when detailed within a future resource consent subdivision application will enable a fine grained assessment of buildings in relation to viewshafts to Slope Hill and the proposed landscaping can ensure any adverse effects upon landscape character or visual amenity are adequately addressed.

- 5.10 Ms Helen Mellsop has undertaken an assessment on behalf of QLDC in relation to the Slope Hill ONF where she recommends the ONF boundary along the foot of Slope Hill is amended to exclude the Glenpanel Homestead and its domestic grounds from the ONF.
- 5.11 Ms Mellsop has undertaken an assessment proposed re-zoning where she recommends a density of rural living across the site with a minimum allotment size of 1ha and an average of 2ha which equates to some 53-58 platforms depending on the scope of any future subdivision consent.
- 5.12 Ms Mellsop's assessment does not account for the 1087-1957 residential allotments recommended in the WBLs and has not considered the amended submission which seeks a density of rural living of 4000m².

Traffic

- 5.13 The site has been part of a QLDC Master Planning exercise and has been recognised as an area which can accommodate a density of living akin to urban development within the Wakatipu Basin Landuse Study. As part of this Master Planning exercise it was considered that the Ladies Mile Precinct could accommodate a further 1100 residential units.
- 5.14 An assessment was undertaken on behalf of QLDC by Mr David Smith who concludes at paragraphs 18.8 and 18.9:

"I oppose any zoning that would allow for an increase in development in this area. This is because it is expected to have a significant impact on the efficiency of the network at the Shotover River Bridge that would necessitate significant investment in additional capacity that has not been planned.

Consequently, I oppose this area zoned as Rural Lifestyle or Rural Residential based on transportation grounds. I, do however note that the transportation effects due to Rural Lifestyle or Rural Residential zoning would be less significant than those under a higher density zoning such as may be achieved through a SHA application."

- 5.15 The current QLDC position set out above appears to be at odds with the QLDC Ladies Mile Master Plan and the intentions for this set out in QLDC's revised lead policies on affordable housing and the SHA Housing Accord. Notwithstanding, should submission 2489 be accepted I believe this would add certainty to any future business case which will ultimately be needed to ensure an upgrade to Shotover River Bridge.

Infrastructure

- 5.16 An assessment of the existing infrastructure was undertaken as part of the EOI for the Glenpanel SHA by Mr Chris Hansen, Manager, Clark Fortune McDonald & Associates and his report is contained in Appendix 5 of my evidence.

- 5.17 It must be noted Mr Hansen's report deliberates the provision of servicing for 208 residential units. However, this report contains an assessment of existing infrastructure and concept designs for servicing options which I believe are beneficial for the consideration of submission 2489. Based upon Mr Hansen's conclusions I consider there to be no constraints which cannot be addressed at the time of any future subdivision consent application.

Ecology

- 5.18 An assessment of the ecology within the Wakatipu Basin has been undertaken on behalf of QLDC by Mr Glen Davis. Mr Davis confirms in Figure 3 (page 12) of his evidence that the site has less than 10% indigenous cover left.
- 5.19 A site inspection did not reveal any significant areas of native vegetation and none are recognised in the PDP. As such, I consider that there is no significant conservation value associated with the area of the proposed re-zoning.

National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health.

- 5.20 Further investigation towards whether land is actually or potentially contaminated within the subject site will be required at the time of any future subdivision consent as a Preliminary Site Investigation (PSI).
- 5.21 HAIL activities which are generally associated with activities such as the storage of pesticides, fertilisers, machinery and/or fuel. The areas in which these activities occur are not widespread but confined and are able to be avoided or remediated to provide land fit for residential purposes.

Hazards

- 5.22 QLDC's Hazards Register recognises there are two alluvial fan hazards on the northern boundary of the site while the entire site area is recognised as being possibly susceptible to liquefaction.
- 5.23 Residential buildings have been constructed on the alluvial fan hazard which exists at the Threepwood end of Ladies Mile. As such, I believe that should the same be required by any future subdivision in the area of the proposed re-zoning an appropriately qualified geotechnical engineer can assess the hazard specifically and recommend foundation design. If the severity of this hazard stipulates buildings are located outside the fan area I believe there is still sufficient space outside the hazard area to facilitate the density of residential living contained in the current submission.

5.24 The liquefaction risk over the site extends over a majority of land between Slope Hill and the Kawarau River which includes Lake Hayes Estate and Bridesdale residential developments. Again, I believe that following a detailed geotechnical investigation of the site at the time of subdivision consent will enable this risk to be appropriately avoided or mitigated.

6.0 SECTION 32 EVALUATION

6.1 The submission seeks to re-zone land from Rural to Rural Lifestyle and/or Lifestyle Precinct within recommended amendments to Chapters 3, 6, 21, 24 and 27 as detailed in part 3 of my evidence. Amendments to Chapter 24 are detailed in full within Appendix 3 of my evidence.

6.2 I consider it is important to note that the s.42A report of Ms Vanstone concludes that rezoning the land for rural living would not provide for the extent of urban development as envisaged through the indicative Ladies Mile Structure Plan (under the SHA Lead Policy). She therefore concludes that comparatively, this proposed rezoning is not an efficient use of land.

6.3 I consider that for the purposes of a comparative section 32 analysis, it is of assistance to compare zoning options which are feasible and within the scope of the hearing. This does not include an urban rezoning akin to that envisaged under the Lead Policy.

6.4 Therefore, I have made a comparative assessment to the notified zoning of the site (operative zone) and the most density which could be achieved through submissions. Any relief in between would also be open for consideration.

6.5 Furthermore, I do not consider it appropriate to rely on outcomes which could be achieved under the SHA Lead Policy where the overarching legislation is due to be repealed imminently (no new SHAs can be created after September 2019). I consider that the District Plan Review should provide a future zoning which is appropriate to the intended life time of the plan, being at least ten years.

6.6 Options for the zoning of this land which are within the scope of this hearing are:

- a) Retain the Rural Zone;
- b) Re-zone all of the land Rural Lifestyle Zone / Wakatipu Basin Lifestyle Precinct allotment size 4000m²; or
- c) A zoning between those two outcomes.

Retain the Rural Zone

6.7 *Costs:*

- a) Unlikely to cater for predicted levels of growth and needs for diversified housing options.
- b) Rural Zone objectives and policies will not facilitate residential development.

- c) An attempt to seek development on the basis of the Rural Zone rules would involve a detailed prescription of controls relating to residential building platforms to replicate appropriate building design, height and landscape controls and significant detail relating to the staging of development to sequence the development over the construction period.
- d) Provides for an inefficient use of the land resource.

6.8 *Benefits:*

- a) Fewer costs resulting in the District Plan Review Process.

Rural Lifestyle (4000m²)

6.9 *Costs:*

- a) Has costs associated with going through the District Plan Review process;
- b) Increasing density from traditional rural lifestyle levels could potentially diminish rural amenity;
- c) Does not achieve the goal for a streamlined District Plan.

6.10 *Benefits:*

- a) Provides for a diverse range of residential activities to occur to serve the needs of the community;
- b) Enables the policy framework to be critically assessed and strengthened where necessary;
- c) Enables additional areas that are currently undeveloped to be considered for inclusion in the zone;
- d) The re-zoning enables diversity of housing options in the District, and makes a positive contribution to the District's economy;
- e) Supports 5(2) of the RMA through ensuring development enables people and communities to provide for their social, economic and cultural wellbeing. Meets the intent of Section 7 (Other Matters) of the RMA which requires particular regard to "*the maintenance and enhancement of amenity values*";
- f) Acknowledges that the amenity and character of some Rural Lifestyle land can enable increased rural living densities;
- g) Recognises that increased density development shall only occur where specific characteristics of the land permit;
- h) Supports the purpose of the RMA through mitigating adverse effects of development, whilst enabling social and economic wellbeing through support for efficient land densities.

6.11 The proposed re-zone to Rural Lifestyle 4000m² lot size remains the primary relief sought by submission 2489, secondary relief seeks re-zone to Lifestyle Precinct with a 4000m² lot size.

7.0 OTHER STATUTORY REQUIREMENTS

- 7.1 A number of requirements remain outstanding in relation to the proposed re-zoning where I consider:
- a) There are no relevant management plans or strategies prepared under other Acts;
 - b) There are no relevant entries on the New Zealand Heritage List / Rārangī Kōrero;
 - c) There is no relevant planning document recognised by an iwi authority and lodged with the territorial authority, that has a bearing on the resource management issues of the land affected by this submission or any land further afield;
 - d) The submission does not give rise to any potential for trade competition.

8.0 FURTHER SUBMISSIONS

- 8.1 Submission 2489 received two further submissions.

FS2727 – NZTA

- 8.2 The further submission from NZTA comments:

“The transport agency understands the subject site to this submission was not included in the Wakatipu Basin Rural Amenity Zone under this variation as the Council is undertaking a detailed assessment of a range of factors such as transport infrastructure capacity. Urban growth needs to be appropriately managed to avoid adversely affecting the efficient operation, maintenance, upgrading and development of infrastructure. The transport agency supports the careful consideration of urban development in this area due to infrastructure constraints. The Transport Agency also suggests that submission 2489.1 is out of scope.”

- 8.3 The concerns of QLDC traffic engineer Mr Smith are accurately recorded in the s.42A report by Ms Vanstone and her analysis is discussed in part 9 below. A 1100 residential unit threshold has been set for the Shotover River Bridge as discussed in paragraphs 10.11 and 10.12 of Ms Vanstone’s s.42A report.
- 8.4 For the reasons outlined by Counsel for the submitter in Appendix 1 I do not believe the current submission is out of scope.

FS2763: Michael Paul Henry and Maureen Elizabeth Henry

- 8.5 The submission from the Henry’s supports the current submission 2489.

9.0 SECTION 42A REPORTS

- 9.1 Three s.42A reports relate to Submission 2489.

Mr Langman

- 9.2 The s.42A report by Mr Marcus Langman relates to land at the Threeewood end of the area of the proposed re-zoning. In relation to the current submission Mr Langman comments:

“Ms Vanstone has undertaken an assessment of these submissions in Section X of her evidence for QLDC. This is because these properties fall partly in the Ladies Mile area and partly within the Stage 2 area of the Wakatipu Basin.

I agree with Ms Vanstone’s assessment and rely on Ms Mellsop’s opinion on the matter and I recommend that the ONF boundary be amended to exclude Glenpanel, 339 Frankton Ladies Mile Highway and 14 Lower Shotover Road. I do not support the other amendments sought by submitters.”

Ms Vanstone

- 9.3 The rural living density sought by the current submission is 4000m².
- 9.4 The s.42A report by Ms Anita Vanstone accurately records the concerns set out by Mr Smith in relation to traffic. Ms Vanstone’s analysis finds that the proposed re-zoning would not be an efficient use of the land and favours residential development of low-high densities despite the recorded concerns of Mr Smith.
- 9.5 Paragraph 13.19 of the s.42A report by Ms Anita Vanstone reads:
- “Consequently, in my opinion, a review of the entirety of the Ladies Mile landscape unit, including the promotion of a structure plan that considers the efficient future development of the whole area would be beneficial to ensure the area can be developed holistically, maximising density and which allows all environmental effects (including transportation) to be carefully considered. I also consider it important that the community is involved in the development of this area being one of the key gateway entrances to Queenstown. While I note that there is an opportunity for the Community to be involved in the PDP review this is limited through the submission process.”*
- 9.6 The current submission offers treatment of a 25m no build ladies mile corridor adjoining State Highway 6 where all existing trees are to be removed and a detailed landscape plan for the setback must be submitted at the time of any future resource consent which can consider specific platform locations.
- 9.7 Taking into account the State Highway 6 treatment, I believe the planning regime to assess any future consent will ensure the desired response for locating rural living platforms where the overriding zone approved across the land holding will ensure an acceptable rural living outcome independent of whether future development occurs across the site collectively or on an individual land holding basis.
- 9.8 The QLDC favoured residential development of low-high densities appears to be at direct odds with the limitations set out in the evidence of Mr Smith where QLDC prefer to

rely upon the 1100 residential unit threshold set for the Shotover River Bridge as discussed in paragraphs 10.11 and 10.12 of Ms Vanstone's s.42A report.

- 9.9 I believe the proposed densities sought by the current submission to be far more sympathetic to the transport limitations of the Shotover Bridge and the landscape considerations set out in the evidence of Ms Mellsop.

Nick Geddes

13th June 2018

Appendix 1 Ladies Mile Consortium Submission #2489

Submission on Queenstown Lakes Proposed District Plan Stages 1 and 2

Under Clause 6 of the First Schedule, Resource Management Act 1991

To: Queenstown Lakes District Council

Submitter: Ladies Mile Consortium (c/o GW Stalker Family Trust, Mark Tylden, Sam Strain, Bill and Jan Walker Family Trust)

1. This is a submission on the Queenstown Lakes Proposed District Plan – Stages 1 and 2 (**Proposed Plan**)
2. The Ladies Mile Consortium (**Submitter**) could not gain a trade competition advantage through this submission (clause 6(4) of Part 1 of Schedule 1 of the RMA 1991).
3. The specific provisions that this submission relates to are: Chapter 24 Wakatipu Basin Variation (**Variation**), Chapter 27 Subdivision, Chapter 3 (Strategic Direction), Chapter 6 (Landscapes), Map 13d, and Map 30.

Introduction

4. This Submission is made in addition to the Submitter's Submissions on Stage 1 of the Proposed District Plan (#535 (G W Stalker Family Trust, Mike Henry, Mark Tylden, Wayne French, Dave Finlin, Sam Strain) and #532 (Bill and Jan Walker Family Trust)). Those Stage 1 Submitters had previously presented separate submissions requesting similar relief in respect of the rezoning of their respective properties on Ladies Mile. Each of those Submitters now presents a joint submission to stage 2 of the Proposed Plan and seeks leave to amend the original submissions as set out in this Submission. For the reasons set out in this Submission, there is considered jurisdiction to make this amendment and seeks leave of the Chair to accept the late submission for processing; and
5. If the amendment to the Stage 1 submissions is not accepted as requested above, the Submitter seeks inclusion of the land identified in Appendix 3 to the Wakatipu Basin Lifestyle Precinct. The land identified in Appendix 3 is the combined area of land requested to be rezoned in original submissions 535 and 532.

Reasons for the Submission – Part 1 (amendment to Stage 1 Submissions)

6. The Submitters requested in the Stage 1 submissions that part of the land identified in the submissions be rezoned from Rural as notified to Rural Lifestyle Zone (**RLZ**) or similar, subject to specific amendments to the provisions of the RLZ, and sought to amend the location of the notified ONL boundary (see green land in **Appendix 3**).

7. The Stage 1 submissions also requested that the RLZ as notified be amended to provide for a 1ha average density (as opposed to the 2ha average as notified), and to include 'Ladies Mile' specific provisions, including a building restriction area within 100m setback from State Highway 6 and the requirement to accompany any resource consent application with a landscaping plan.
8. Since the lodgement of the submissions in August 2015, significant changes have occurred to the planning regime affecting Ladies Mile. This includes the recently consented Queenstown Country Club development, the identification of the Ladies Mile land within the Council's lead policy for Special Housing Areas, the promulgation of the Wakatipu Basin Landscape Study, and the Variation to the Wakatipu Basin.
9. Collectively, these factors, as well as the significant time which has elapsed since Stage 1 notification, mean the landowners are now in very different positions leading into the rezoning hearings for this land. The Submitters therefore seek amendments to their original submissions so as to align their requested relief better with other plan changes occurring around them.
10. The particular amendments sought are as follows:

- a) Amend Rule 27.5.1 as follows:

4000m² average in the Rural Lifestyle (Ladies Mile sub zone)

- b) The following new provisions are proposed for the area identified in Appendix 3 to be rezoned (to replace the table in the Stage 1 Submissions):

Table 7	Rural Lifestyle (Ladies Mile sub zone)	Non-compliance status
22.5.39	Building restriction area: No buildings shall be located within 25m of State Highway 6	NC

11. Given this submission is being lodged with other Stage 2 submissions, and will be notified (and therefore the subject of further submissions) there is no prejudice to any other persons if the Panel accepts this late submission.
12. The Panel is referred to its commentary of the case law in respect of section 37 (powers relating to waiving and extending time limits) detailed in its Minute dated 2 February 2017 as follows:

The most apposite guidance is provided in the Court's observation in Omaha Park Ltd v Rodney DC that the Act "encourages participation (in an orderly way, certainly) in the decision-making process, with the general philosophy that the possible

inconvenience, delays and costs caused are hopefully outweighed by better informed decision-making and better environmental outcomes”.

13. The Submitter therefore respectfully request's that the Panel accept this request for leave for formally amend Submissions 535 and 532.

Reasons for the Submission – Part 2 (inclusion in Wakatipu Basin Lifestyle Precinct)

14. Part 2 of this Submission requests that the land identified in green in Appendix 3 be rezoned Wakatipu Basin Lifestyle Precinct, subject to specific amendments to Chapter 24 (including Ladies Mile specific provisions). This part of the submission is made on the basis that this is 'on' the Variation as notified according to case law and therefore there is jurisdiction for the Council to accept the submission for the reasons as set below.

15. *The law – when submissions are 'on' a plan change in accordance with clause 6, Schedule 1*

- a) The wealth of case law on the concept of scope comes down, essentially, to questions of procedural fairness, and ensuring that the process of a plan change in dealing with amendments is fair to the parties submitting and the general public.
- b) The consideration of procedural fairness was discussed in the High Court case of *Motor Machinists Ltd v Palmerston North City Council*¹ That case was principally concerned with the issue of whether a submission was "on" a plan change, but Kós J examined that question in its context of the scope for amendments to plan changes as a result of submissions by reference to the bipartite approach taken in *Clearwater*, namely:

*The first limb in Clearwater serves as a filter, based on direct connection between the submission and the degree of notified change proposed to the extant plan. It is the dominant consideration. It involves itself two aspects: the breadth of alteration to the status quo entailed in the proposed plan change, and whether the submission then addresses that alteration.*²

¹ *Motor Machinists Ltd v Palmerston North City Council* [2013] NZHC 1290.

² *Ibid* at [80] with reference to *Clearwater Resort Ltd v Christchurch City Council HC Christchurch AP34/02*, 14 March 2003.

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That approach requires analysis as to whether, first, the submission addresses the change to the status quo advanced by the proposed plan change and, secondly, there is a real risk that persons potentially affected by such a change have been denied an effective opportunity to participate in the plan change process³

- c) In particular, his Honour noted that a core purpose of the statutory plan change process is to ensure that persons potentially affected by the proposed plan change are **adequately informed of what is proposed**. He observed:

[77] . . . It would be a remarkable proposition that a plan change might so morph that a person not directly affected at one stage (so as not to have received notification initially under clause 5(1A)) might then find themselves directly affected but speechless at a later stage by dint of a third party submission not directly notified as it would have been had it been included in the original instrument. It is that unfairness that militates the second limb of the Clearwater test.

- d) However, this approach does not set any absolute limit:

[81] . . . Yet the Clearwater approach does not exclude altogether zoning extension by submission. Incidental or consequential extensions of zoning changes proposed in a plan change are permissible, provided that no substantial further s 32 analysis is required to inform affected persons of the comparative merits of that change. Such consequential modifications are permitted to be made by decision makers under schedule 1, clause 10(2). Logically they may also be the subject of submission.

- e) The breadth of the Wakatipu Basin is significant and affects a large number of landowners in the District. The degree of notified change to the operative plan is significant, and this Variation represents a significant policy shift from the current planning regime. It is therefore more tolerable and expected that the nature and intent of the Variation may further evolve as it progresses through hearings. This supports the basis for the submission seeking rezoning of Ladies Mile land.
- f) As discussed at [81] above, there are circumstances where zoning extensions beyond a notified plan's boundaries are acceptable. The inclusion of Ladies Mile into the Basin Variation would logically fall within this category as the land in question is adjacent to, and surrounded by, other land which is included in the Variation. Moreover, Ladies Mile and its particular characteristics and suitability for residential zoning or otherwise are already discussed with the section 32 documents supporting the Variation. There is therefore no need for substantial further analysis of the type anticipated in the *Clearwater* approach.

³ Ibid, at [91]

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16. *The Variation includes Ladies Mile LCU text*

- a) When determining what submissions are 'on' the Variation, the entire Variation as notified must be considered as a whole in order to assess jurisdiction. In this instance, although the Variation maps purport to exclude the Ladies Mile land by identifying these areas as white rather than a rezoning colour, significant reference to Ladies Mile is made elsewhere in the text of the Variation.
- b) The Landscape Classification Units included as part of notified Chapter 24 form an intrinsic part of the new Zone and guide how subdivision and development is anticipated to occur in the future. Landscape Classification Unit 10 is specific to Ladies Mile (including all of the land coloured white). This description is particularly detailed of Ladies Mile, including the following detail on the opportunities and benefits of further development:

*The discreet nature of the western end of the unit makes it more suited to absorbing change.
Larger-scaled lots suggest the potential for subdivision whilst retaining generous setback from SH6.
Close proximity to Queenstown.
Close proximity to urban infrastructure.
Urbanising effects of the approved Queenstown Country Club SHA suggest a tolerance for (sensitive) urban
Development Potential for integration of walkways/ cycleways.
Riparian restoration potential (limited).*

And the conclusion that the Landscape Unit has a 'high' capability to absorb further development.

- c) When determining what is 'on' or 'in' a variation, one cannot only look to part of the Plan as notified (for example the maps), but must look at all notified documents.
- d) Part of Submission 535 is actually included in the Basin Variation (the eastern portion adjacent to Lake Hayes) and the Variation follows the boundary of notified ONL boundaries which the Submitter also sought to amend. It follows that logically, if part of the submission has been transferred to the Basin Variation, and part has not, the Submitter should have the opportunity to submit against this and seek to rezone its land either way.
- e) There will be no prejudice to the general public by allowing this submission to the Variation given that submissions will be notified for further submissions.

Summary of Relief

17. The Submitter seeks the following decision:

- a) Accept the Submitter's request for leave to amend the Stage 1 Submissions (535 and 532) as set out in this submission; or

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- b) If leave is refused, that the land identified in green in **Appendix 3** be rezoned as Wakatipu Basin Lifestyle Precinct, and that specific amendments be made to the Variation and other identified chapters of the Proposed Plan which achieve a similar integrated outcome for the Submitter's land as sought in its Stage 1 as detailed in this submission and Appendices; and
- c) Support a range of densities across different Wakatipu Basin Lifestyle Precinct areas, noting that the land identified in green in **Appendix 3** is suited to a 4000m² average density (identified as Precinct 'A') in **Appendix 1**; and
- d) The relief requested in paragraph 10 above.
- e) The Submitter further seeks any alternative or consequential changes/relief as necessary or appropriate be within scope for the Submitter to pursue in order to address the matters and outcomes identified in this Submission.

18. The Table below sets out a summary of the relief sought and specific reasons for amendments to provisions in the Proposed Plan. These amendments and other consequential and contextual amendments sought are shown in track changes identified to Chapter 24 and 27 included as **Appendix 1** and **2** to this Submission.

Provision	Support/Oppose	Reasoning	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as italics struck-through]
Chapter 3 –Strategic Direction (right of reply version)			
3.2.5.4.3 New policy	Include new policy	The current policy 3.2.5.4.2 recognises the need to 'provide for rural living opportunities in appropriate locations'. This is the only positive policy which acknowledges the existence and benefits of rural living development. In light of the new objective and policy suite sought in Chapter 24, which further recognises the benefits of rural living development, it is important that this is also recognised at the strategic level.	3.2.5.4.3 New Policy – <u>Recognise and provide for the amenity, social, cultural, and economic benefits of rural living development.</u>
3.2.5.5 Objective - The character of the district's landscapes is maintained by ongoing agricultural land use and land management	Oppose	The Wakatipu Basin Variation acknowledges that the character of the Basin is not predominantly derived from agricultural practices any longer, and is rather a mixed character which has evolved through rural and rural living subdivision and development. Given the Wakatipu Basin Rural Amenity Zone (WBRAZ) and Wakatipu Basin Lifestyle Precinct (Lifestyle Precinct) are a subset of 'rural land' and this Objective is not exclusive to Rural zoned land, it is important that this preference for continued agricultural use is only favoured where that is central to landscape	3.2.5.5 Objective - The character of the district's landscapes is maintained by ongoing agricultural land use and land management <u>where landscape character is derived from predominantly agricultural use.</u>

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<p>established pattern of housing on smaller landholdings. The landscape character of these areas has been modified by vehicle accesses, earthworks and vegetation planting for amenity, screening and shelter, which have reduced the open character exhibited by larger scale farming activities.</p> <p>While acknowledging these rural areas have established rural living and development there is limited capacity for sensitive and sympathetic housing and development in appropriate locations. A substantial amount of subdivision and development has been approved in these areas and the landscape values of these areas are vulnerable to degradation from further subdivision and development. It is realised that rural living development has a finite capacity if the District's distinctive rural landscape values are to be sustained</p>		<p>character and amenity values are not predominantly derived from agricultural uses, but rather a historic and evolved pattern of rural living and other lifestyle uses. It is also recognised, by way of the Precinct zoning, that there are places which are able to absorb further rural living subdivision and development and this needs to be recognised at the descriptive level of this chapter.</p>	<p>established pattern of housing on smaller landholdings. The landscape character of these areas has been modified by vehicle accesses, earthworks and vegetation planting for amenity, screening and shelter, which have reduced the open character exhibited by larger scale farming activities.</p> <p>While Acknowledging these rural areas have established rural living and development, <u>and landscape character and amenity values are derived from that evolved land use</u>, there is limited capacity for <u>further</u> sensitive and sympathetic <u>subdivision</u> housing and development in appropriate locations <u>where this maintains and enhances existing landscape and amenity values</u>. A substantial amount of subdivision and development has been approved in these areas and the landscape values of these areas are vulnerable to degradation from further subdivision and development. It is realised that rural living development has a finite capacity if the District's distinctive rural landscape values are to be sustained <u>has benefits for the District and can also maintain and enhance rural landscape values where this is located in areas which have the ability to absorb further subdivision and development</u></p>
<p>Policy 6.3.2 That subdivision and development proposals located within the Outstanding Natural Landscape, or an Outstanding Natural Feature, be assessed against the assessment matters in provisions 21.7.1 and 21.7.3 because subdivision and development is inappropriate in almost all locations within the Wakatipu Basin, and inappropriate in many locations throughout the District wide Outstanding Natural Landscapes</p>	<p>Oppose</p>	<p>The Wakatipu Basin does not include ONF/ONL zoned land and is therefore not intended to be captured by this policy.</p> <p>The statement that subdivision and development is inappropriate in almost all locations in the Wakatipu Basin is in direct contradiction to the WBRAZ and precinct provisions which provide for an effects-based approach to further development.</p>	<p>Policy 6.3.2 That subdivision and development proposals located within the Outstanding Natural Landscape, or an Outstanding Natural Feature, be assessed against the assessment matters in provisions 21.7.1 and 21.7.3 because subdivision and development is inappropriate in almost all locations within the Wakatipu Basin, and inappropriate in many locations throughout the District wide Outstanding Natural Landscapes</p>

<p>Policy 6.3.1.5 Encourage Rural Lifestyle and Rural Residential Zone plan changes in preference to ad-hoc subdivision and development and ensure these occur in areas where the landscape can accommodate change</p>		<p>There is no lower order policy support in the Precinct or rural living zones for a preference to direct plan changes over resource consent applications for further development.</p>	<p>Policy 6.3.1.5 Encourage <u>rural living Rural Lifestyle Zone and Rural Residential Zone</u> plan changes in preference to ad-hoc subdivision and development and ensure these <u>where this</u> occurs in areas where the landscape can accommodate change</p>
<p>New Policy 6.3.1.x</p>		<p>Currently this policy suite provides for the protection of rural amenity values from further rural living subdivision and development, however does not recognise specific amenity benefits of this development, as requested to be included in Chapter 24.</p> <p>New policy recognition is required within Chapter 6 which specifically recognises the Wakatipu basin distinct character, its separate development and subdivision regime, and the benefits of the same.</p>	<p>New Policy 6.3.1.x - <u>Recognise the distinctive character of the Wakatipu Basin and the amenity benefits of rural living development in this area.</u></p>
<p>Variation to Stage 1 Landscapes Chapter 6:</p> <p>Part 6.2 Values - Last paragraph: Delete. Landscapes have been categorised into three classifications within the Rural Zone. These are Outstanding Natural Landscapes (ONL) and Outstanding Natural Features (ONF), where their use, development and protection are a matter of national importance under Section 6 of the RMA. The Rural Landscapes Classification (RLC) makes up the remaining Rural Zoned land and has varying types of landscape character and amenity values. Specific policy and assessment matters are provided to manage the potential effects of subdivision and development in these locations.</p> <p>Part 6.4 Rules - Amend: 6.4.1.2 The landscape categories apply only to the Rural Zone. The Landscape</p>		<p>It is not efficient to assess development in all zones not zoned rural against landscape classification objectives, policies and assessment matters. Those zones have been assumed to particularise landscape issues where they are relevant within the lower order chapter.</p> <p>Rural living zones including the Lifestyle Precinct are areas which by their definition are considered to be able to absorb some effects of further subdivision and development. Those chapters already particularise landscape concerns and it is unnecessary to require further assessment against the entirety of Chapter 6.</p>	<p>Variation to Stage 1 Landscapes Chapter 6:</p> <p>Landscapes have been categorised into three classifications within the Rural Zone. These are Outstanding Natural Landscapes (ONL) and Outstanding Natural Features (ONF), where their use, development and protection are a matter of national importance under Section 6 of the RMA. The Rural Landscapes Classification (RLC) makes up the <u>majority of the remaining Rural Zoned land (except for Rural Residential, Rural Lifestyle, and Wakatipu Basin Lifestyle Precinct zones)</u> and has varying types of landscape character and amenity values. Specific policy and assessment matters are provided to manage the potential effects of subdivision and development in these locations.</p> <p>Part 6.4 Rules - Amend: 6.4.1.2 <u>The landscape categories apply</u></p>

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<p>Chapter and Strategic Direction Chapter's objectives and policies are relevant and applicable in all zones where landscape values are at issue.</p> <p>6.4.1.3 The landscape categories assessment matters do not apply to the following within the Rural Zones:</p> <p>a. Ski Area Activities within the Ski Area Sub Zones. b. The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps. c. The Gibbston Character Zone. d. The Rural Lifestyle Zone. e. The Rural Residential Zone</p>			<p><u>only to the Rural Zone, with the exception of the following areas in the Rural Zones:</u> The Landscape Chapter and Strategic Direction Chapter's objectives and policies are relevant and applicable in all zones where landscape values are at issue.</p> <p>6.4.1.3 The landscape categories assessment matters do not apply to the following within the Rural Zones:</p> <p>a. Ski Area Activities within the Ski Area Sub Zones. b. The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps. c. The Gibbston Character Zone. d. The Rural Lifestyle Zone. e. The Rural Residential Zone <u>f. The Wakatipu Basin Lifestyle Precinct</u></p>
<p>Chapter 21 (Rural Zone – Assessment matters Right of Reply)</p>			
<p>21.7.2 – 21.7.3 RLC Assessment Matters</p>		<p>If the submission above is not accepted and the landscape categories (including assessment matters) are applied to all zones, including the WBRAZ, then further amendments are required as set out.</p> <p>Further additions to RLC assessment matters are required to be included given Chapter 6 was promulgated without the Wakatipu Basin variation in mind. These additions recognise the specific and different character of the Basin, and the intention that further development in this Zone be led by an effects-based planning approach which is primarily guided by detailed landscape classification units.</p>	<p>21.7.2.3 Effects on landscape quality and character</p> <p>c. whether the design and any landscaping would be compatible with or would enhance the quality and character of the Rural Landscape <u>and the characteristics identified in the applicable Landscape Classification Units (for development within the Wakatipu Basin Rural Amenity Zone).</u></p> <p>21.7.2.4 Effects on visual amenity</p> <p>Whether the development will result in a loss of the visual amenity of the Rural Landscape, having regard to whether and the extent to which:</p> <p>...</p>

			<p><u>g. the proposed development complements existing landscape character and development patterns and characteristics as described in the applicable Landscape Classification Units (for development within the Wakatipu Basin Rural Amenity Zone).</u></p> <p>21.7.3.3 other factors and positive effects, applicable in all the landscape categories</p> <p>---</p> <p><u>g. Whether the proposed development provides for rural living opportunities in areas which are capable of absorbing effects of further rural living subdivision and development.</u></p>
Chapter 24 – Wakatipu Basin			
Chapter 24 and Stage 2 Map 13d – Wakatipu Basin Rural Amenity Zone	Oppose	<p>The proposed zoning under the Wakatipu Basin Variation as set out in Chapter 24 is opposed in full. The proposed zoning does not sufficiently take into consideration the actual character and current utilisation of land in the Basin, and inappropriately zones certain areas as Rural Amenity Zone while in reality they are of a Lifestyle Precinct character. There is a mismatch between the limitations enforced under the proposed zones, and the use and general character of the land in practice.</p> <p>This proposed zoning should take into consideration the actual character and practical use of the land, through comprehensive landscape assessment. The Submitter's land is capable of absorbing further development of a nature anticipated in the Lifestyle Precinct.</p>	<p>1. <i>Amend Chapter 24:</i> As per the amendments set out in Appendix 1.</p> <p>2. <i>Amend Map 13d:</i> So that the Submitter's land is identified as Wakatipu Basin Lifestyle Precinct 'A' with the amended provisions as set out in Appendix 1 and 2.</p>
Stage 2 Map 13d	Oppose	<p>The zoning boundary of the Rural Amenity Zone and Lifestyle Precinct is opposed.</p> <p>The land along Lower Shotover Road and lower parts of Slope Hill Road opposite the Hawthorne Triangle should be zoned as Lifestyle Precinct.</p> <p>The proposed zoning of this area as Rural Amenity ignores the established character of the land and its current utilisation by land</p>	<p>Amend Map 13d to: Rezone the land identified in green in Appendix 3 as Wakatipu Basin Rural Lifestyle Precinct A:</p>

		<p>owners. Zoning should be consistent with the activities currently carried out on the land and the needs associated with those activities.</p> <p>Zoning the area as Lifestyle Precinct would enable future development that is an efficient and effective use of this land resource.</p>	
<p>Rule 24.4.5</p> <p>The construction of buildings including exterior alteration to existing buildings including buildings located within an existing approved/registered building platform area.</p>	Oppose	<p>It is unreasonable to require restricted discretionary activity resource consent for building construction and alterations on pre-approved building platforms.</p> <p>This activity is a controlled activity under the Queenstown Lakes Operative District Plan. QLDC's Proposed District Plan Fact Sheet 07 – Residential Buildings in Rural Areas, specifically noted that requiring resource consent 'to construct or alter a building located within an approved building platform' is 'considered inefficient' 'because the merits of whether a building is appropriate in that location has already been considered as part of the original resource consent to identify the building platform'.</p> <p>The proposed change to restricted discretionary status is in direct contradiction to QLDC's previous section 32 analysis on Stage 1, and is generally illogical, for the reasons pointed out by QLDC themselves.</p>	Amend Rule 24.4.5 so this is a permitted activity as under the PDP as notified
New Rules sought		New rules as set out in Appendix 1 are sought to be included which reflect and retain the discretionary regime established under the Operative District Plan, in particular, the identification of building platforms through subdivision.	<p>1. <i>Amend Chapter 24:</i></p> <p>As per the amendments set out in Appendix 1.</p>
<p>Table 24.3 standards</p> <ul style="list-style-type: none"> • Building coverage; • Setbacks from internal and Roadside boundaries; • Setbacks from landscape features; • Heights of buildings; and • Protection of amenity trees. 	Oppose	<p>Various standards identified in chapter 24 seek to remove or reduce the extent of existing landowner rights in the Wakatipu Basin.</p> <p>These rights include:</p> <ul style="list-style-type: none"> • building coverage; • setbacks from internal and roadside boundaries; • setbacks from landscape features; • heights of buildings; and • protection of amenity trees. <p>There is no justification identified in the Variation and supporting section 32 analysis which supports removing rights pertaining to</p>	<p>1. <i>Amend Chapter 24:</i></p> <p>As per the amendments set out in Appendix 1.</p>

		these standards. The matters of discretion associated with a breach of those standards ensures that design outcomes complement the existing character of an area already. Rules protecting amenity trees have been removed given this is ultra vires the tree protection rules in section 76 of the RMA	
Chapter 27 – Subdivision			
Rule 27.5.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, average, less than the minimum specified.	Oppose	A stepped average density approach for different Precinct areas is supported as this seeks to achieve variation in subdivision design and layout, rather than implementing average lot sizes.	Delete Rule 27.5.1 and replace with a discretionary subdivision regime which will allow for an effects based approach in the Amenity Zone. Amend Rule 27.5.1 to provide for sub-precinct zones which have a range of densities, reflecting historical development patterns and ability for landscape to absorb further change as set out in Appendix 2.

19. Section 32 Analysis

- The section 32 analysis purporting to exclude Ladies Mile from the Variation is not sufficiently detailed or justified to inform the lay submitter as to whether that land is in fact excluded from the Variation. The section 32 report contains the following explanation:

The Council is currently progressing plans to carefully manage urban development in this area, to address the above issues and to address the need to facilitate urban growth in the future in suitable locations such as this in an efficient way. Other factors include that it may be subject to a Special Housing Area Application or a future detailed plan variation. More detailed assessment of a range of factors such as transport infrastructure capacity is required in order to complete a detailed plan change for this area.

- The hypothetical future development to be progressed by private landowners is not justification for exclusion of a particular area of land for rezoning. The assessment of whether an area of land should be rezoned must be considered against higher order objectives of the PDP and the purpose of the Act.
- The purpose of the Act is better achieved by rezoning the Submitter's land Wakatipu Basin Lifestyle Precinct 'A', or similar, subject to the proposed modifications to the Plan as sought in this submission.

20. I wish to be heard in support of my submission.

21. I will consider presenting a joint case with others presenting similar submissions.



Ladies Mile Consortium
Signed by its duly authorised agents
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Appendix 1 – Proposed amendments to Chapter 24 – Wakatipu Basin

24. Wakatipu Basin

24.1 Purpose

This chapter applies to the Wakatipu Basin Rural Amenity Zone (the Zone) and Wakatipu Basin Lifestyle Precinct (the Precinct) ~~which is part of the Zone~~. The purpose of the Zone is to ~~protect~~, maintain and enhance the ~~particular-established~~ character and amenity ~~values~~ of the ~~rural Wakatipu Basin~~ landscape which distinguishes the Wakatipu Basin from other parts of the District that are zoned Rural.

A primary focus of the Zone is on ~~protecting~~, maintaining and enhancing ~~rural the~~ landscape and amenity values ~~of the Basin, while noting that productive farming is not a dominant activity in the Wakatipu Basin which have been derived from a mix of rural and lifestyle activities, while accepting that productive farming is not a dominant activity in the Wakatipu Basin. To achieve the purpose of the Zone a minimum lot size of 80 hectares is required if subdividing and all buildings except small farm buildings in the Zone require resource consent as a means to~~. Within the Zone, Landscape Classification Units (LCUs) are identified which further particularise the landscape ~~values of those areas to provide a basis for assessment of the effects of any further subdivision and development and to ensure~~ rural landscape character and visual amenity outcomes are fulfilled ~~for that LCU and the wider Zone~~.

A wide range of supportive activities that rely on and seek to locate within the ~~rural landscape resource~~ ~~Wakatipu Basin~~ are contemplated in the Zone, including rural living ~~at a variety of low~~ densities, recreation, commercial and tourism activities as well as enabling farming and farming related activities. There are also ~~some~~ established industrial type activities that are based on rural resources or support rural type activities.

Land within the District is subject to natural hazards and, where applicable, it is anticipated that development will recognise and manage the risks of natural hazards at the time of subdivision and applications for resource consent for buildings.

Within the Zone, variations in landscape character support higher levels of development in identified ~~Wakatipu Basin Lifestyle Precinct~~ areas. The Precinct provides for ~~rural~~ residential living opportunities within areas where additional development can be absorbed without ~~detracting from the resulting in inappropriate adverse~~ landscape and visual amenity ~~values-effects of the on the Precinct character and and the wider landscape character and amenity values of the wider Zone and its surrounding~~ landscape context.

There is a diversity of topography and landscape character within the Precinct that has a variety of existing lot sizes and patterns of development. The Precinct ~~incorporates-enables~~ a range of rural ~~lifestyle-living type~~ developments, generally characterised as low-density residential development on rural land. ~~These sites include scattered rural residential, farmlet and horticultural sites~~. Existing vegetation including shelter belts, hedgerows and exotic amenity plantings characterise the Precinct.

While the Zone and Precinct do not contain Outstanding Natural Features or Landscapes, they do contain part of the District's distinctive and high amenity value landscapes and are located adjacent to or nearby Outstanding Natural Features and Landscapes. Some land within the Precinct has been identified as being of particular landscape sensitivity. ~~A rule requiring a setback of buildings and development from these identified landscape features as shown on the planning maps requires that an assessment is undertaken to ensure the values of these landscapes are maintained~~.

Development within the Zone or Precinct that is adjacent to or nearby Outstanding Natural Features or Landscapes is to be managed to ensure that the Outstanding Natural Features or Landscapes are protected from inappropriate subdivision, use and development. ~~While there are~~

Comment [AL1]: It is important to recognise that the special character and amenity of the Basin is derived from rural living and development which has occurred over the lifetime of the ODP. It is this domestication in the landscape which creates a varied and manicured environment which is valued by residents and visitors. Appropriately describing the existing environment is critical for the basis of sound planning decisions moving forward.

Comment [AL2]: This method has been added into the purpose description as the LCU's can act as guidelines for subdivision and development and are central to determinations of whether and to what extent particular areas can accommodate further development effects, and those areas which cannot.

Comment [AL3]: Low density implies LDR Zone or one type of density across the Basin, but in reality the existing rural living patterns are greatly varied.

Comment [AL4]: This rule has been removed given a 50m setback provision as identified, in all instances, is not justified. The ONLF provisions within Chapters 3 and 6 are stringently applied to subdivision such that their outstanding values are protected on a case by case basis. There are many instances where location of buildings within 50m of an ONLF would not otherwise undermine that landscape.

Requiring a setback of 50m for buildings, but not controlling other domestic elements such as planting and fences in the same way is arbitrary and would lead to incremental creep into the ONLF which would be more likely to undermine that landscape.

The first part of this sentence is retained as the policy support for protection of adjacent ONLFs is not opposed.

~~not specific setback rules for development in relation to Outstanding Natural Features or Landscapes, all buildings except small farm buildings and subdivision require resource consent. Discretion is provided to manage the effects of subdivision, use and development on any adjacent or nearby Outstanding Natural Feature or Landscape, as well as managing the effects on landscape character and visual amenity values within the Zone and Precinct.~~

Comment [AL5]: This has been deleted due to unnecessary detail and repetition within the Purpose section

In the Precinct, ~~a limited opportunity for subdivision for rural living activities is provided for with a range of minimum densities which reflect existing use rights, historical zoning, and landscape sensitivities in particular areas, with a minimum lot size of 6000m² in conjunction with an average lot size of one hectare (10,000m²). This approach recognises different characteristics between different Precinct areas and also differentiates the Precinct from the Zone.~~ Controls on the location, nature and visual effects of buildings are used to provide a flexible and ~~design-led effects - based~~ response to the landscape character and visual amenity qualities of the Precinct.

Comment [AL6]: This reflects the intention of the incorporation of LCUs into decision making to ensure that the particular characteristics which are required to be protected are recognised within an LCU, as distinct from those areas which can accommodate further development. Removal of the blanket density regime also allows for variation in development potential between different LCUs and different areas of Precinct zoning according to their landscape sensitivity. Variation in density is further discussed in the amendments to chapter 27.

Building location, access, services, earthworks, landscaping, infrastructure and natural hazards are managed through the identification of suitable building platforms at the time of subdivision. These matters as well as the bulk and location, building design and finish may also be ~~assessed controlled by way of conditions~~ at the time of obtaining resource consent for a building.

Pursuant to Section 86B (3) of the Act the following rules have immediate legal effect:

- Rule 24.4.21 Activities on or over the surface of waterbodies.
- Rule 24.5.7 Setback of buildings from waterbodies.
- Rule 24.5.12 Grazing of animals in or on the margin of waterbodies.

24.2 Objectives and Policies

Objectives 24.2.1 to 24.2.54 and related policies apply to the Zone and Precinct. Objective 24.2.65 and related policies apply to the Precinct only.

24.2.1 Objective - Landscape and visual amenity values are protected, maintained and enhanced.

Policies

24.2.1.1 ~~Implement minimum and average lot sizes within the Wakatipu Basin Rural Amenity Zone and the Wakatipu Basin Lifestyle Precinct to protect landscape character and visual amenity values. Assess all applications for subdivision and development against the relevant Landscape Classification Units described in Schedule 24.8.~~

Comment [AL7]: Ensuring the key policy for maintaining landscape values is the assessment of LCU's will provide for an effects based planning approach, which appropriately responds to development potential of each particular area.

~~24.2.1.2 Recognise that the amenity and landscape characteristics of the Zone are derived from historical rural and rural living subdivision and development.~~

~~24.2.1.2~~

Comment [AL8]: It is important to recognise amenity in the Basin is derived not only from pastoral land use, but also a varied form and pattern of rural living development which has evolved over time.

24.2.1.3 Ensure subdivision and developments ~~are is~~ designed (including accessways, services, utilities and building platforms) to minimise ~~inappropriate~~ modification to the landform, and maintain and enhance the landscape character and visual amenity values.

Comment [AL9]: The introduction of built form will usually have the effect of modification of the landscape but not all such modification will be inappropriate.

24.2.1.4 Ensure that subdivision and development maintains and enhances the Wakatipu Basin landscape character and visual amenity values identified for the ~~the~~ Landscape Character Units as described in Schedule 24.8.

24.2.1.5 Maintain and enhance the landscape character and visual amenity values associated with the Zone ~~and Precinct~~ and surrounding landscape context by controlling the

colour, scale, form, coverage, location (~~including setbacks from boundaries and from Identified Landscape Features~~) and height of buildings and associated infrastructure, vegetation and landscape elements.

24.2.1.6 Require all buildings to be located and designed so that they do not compromise the qualities of adjacent or nearby Outstanding Natural Features and Outstanding Natural Landscapes, or of identified landscape features.

24.2.1.7 Ensure ~~the scale and location of~~ non-residential activities ~~avoid maintains and enhances~~ ~~adverse effects on the~~ landscape character and visual amenity values.

24.2.1.8 Control earthworks and vegetation clearance so as to minimise adverse ~~changes~~ ~~to effects on the~~ landscape character and visual amenity values.

~~24.2.1.9 Ensure land use activities protect, maintain and enhance the range of landscape character and visual amenity values associated with the Zone, Precinct and wider Wakatipu Basin area.~~

~~24.2.1.10~~ 24.2.1.9 Provide for activities that maintain a sense of openness and spaciousness in which ~~buildings built form are subservient to complements~~ natural landscape elements.

~~24.2.1.11~~ 24.2.1.10 Facilitate the provision of walkway, cycleway and bridle path networks.

~~24.2.1.12~~ 24.2.1.11 Manage lighting so that it does not cause ~~adverse-inappropriate~~ glare to other properties, roads, public places or the night sky.

~~24.2.1.13~~ 24.2.1.12 Have regard to the spiritual beliefs, cultural traditions and practices of Tangata Whenua ~~as set out in Chapter 5.~~

24.2.2 Objective – Existing development rights and additional rural living opportunities are recognised and provided for

~~24.2.2.1 Recognise and provide for existing and consented rights to carry out land-use activities and to erect and use buildings.~~

~~24.2.2.2 Recognise and provide for the social, cultural, and economic benefits derived from rural living subdivision and development, including:~~

- ~~• The enjoyment of rural living amenities by residents and visitors~~
- ~~• The opportunity for rural living opportunities within close proximity to employment and social opportunities in town centres;~~
- ~~• The diversification of land use where farming is no longer viable or economically productive;~~
- ~~• The onsite and offsite employment opportunities generated by subdivision, construction, landscaping, property maintenance and related activities;~~
- ~~• The efficient and effective use of a finite rural land resource;~~

Comment [AL10]: The avoid wording of this provision would not otherwise allow for the establishment of any non-residential activities. Many such activities rely on the rural land resource and contribute positively to the amenity of the Basin, e.g. cellar door operations.

Comment [AL11]: This is deleted as is a repetition of 24.2.1.3 and 24.2.1.4 above

Comment [AL12]: The intention of this new objective and policy suite is to specifically recognise the benefits associated with further rural living subdivision and development within the Basin. Post King Salmon, applications for consent are assessed primarily against the provisions of the Plan, and short of any validity of the plan are not assessed directly against Part 2. Therefore, if a Plan does not provide for the positive and enabling elements of Part 2, these are not otherwise considered in the case of resource consents. The Plan may also otherwise be argued to be 'incomplete' for this same reason.

Comment [AL13]: Existing rights within the Basin are critical to many landowners who have invested and developed their land on the basis of controlled activity rights. It is an efficient use of planning resources to reduce uncertainty and consenting requirements.

Comment [AL14]: Each of the benefits listed are tangible and have positive impacts on the Wakatipu and wider District. It is equally legitimate to recognise and provide for these benefits as part of the enabling aspect of section 5 of the RMA as it is to provide for landscape protection as in the above policy suite.

24.2.224.2.3 Objective – Non-residential activities are compatible with infrastructure, and maintain and enhance landscape character and amenity values.

Policies

~~24.2.2.1~~ ~~24.2.3.1~~ ~~Support~~ Provide for a range of non-residential activities, including commercial, recreation and tourism related activities which rely on the rural land resource and where these activities protect, maintain or enhance the landscape character and visual amenity values identified in the relevant Landscape Classification Unit.

~~24.2.2.2~~ ~~24.2.3.2~~ Ensure traffic, noise and the scale and intensity of non-residential activities do not adversely impact on the landscape character and visual amenity values or affect the safe and efficient operation of the roading and trail network or access to public places.

~~24.2.2.3~~ ~~Restrict the type and intensity of non-residential activities to those which are compatible in visual amenity terms and in relation to other generated effects (e.g. traffic, noise, and hours of operation) with surrounding uses and the natural environment.~~

~~24.2.2.4~~ ~~24.2.3.3~~ Ensure traffic generated by non-residential development does not individually or cumulatively compromise road safety or efficiency.

~~24.2.2.5~~ ~~Ensure non-farming activities with potential for nuisance effects from dust, visual, noise or odour effects are located a sufficient distance from formed roads, neighbouring properties, waterbodies and any residential activity.~~

~~24.2.2.6~~ ~~24.2.3.4~~ Ensure informal airports are located, operated and managed to maintain the surrounding rural amenity, having regard to the differing densities of the Zone and Precinct.

24.2.324.2.4 Objective – Reverse sensitivity effects are avoided or mitigated where rural living opportunities, visitor and tourism activities, community and recreation activities occur.

Policies

~~24.2.3.1~~ ~~24.2.4.1~~ Ensure ~~informal~~ airports are not compromised by the establishment of incompatible activities.

~~24.2.3.2~~ ~~24.2.4.2~~ Ensure reverse sensitivity effects on residential lifestyle and non-residential activities are avoided or mitigated.

~~24.2.3.3~~ ~~24.2.4.3~~ Support productive farming activities such as agriculture, horticulture and viticulture in the Zone by ensuring that reverse sensitivity issues do not constrain productive activities.

24.2.424.2.5 Objective - Subdivision and ~~land use~~ development maintains and enhances water quality, ecological quality, and recreation values while ensuring the efficient provision of infrastructure.

Policies

~~24.2.4.1~~ ~~24.2.5.1~~ Avoid adverse cumulative impacts on ecosystem services and nature conservation values.

Comment [AL15]: Deleted as there is no justification for compatibility or comparability of non-residential activities. This could often not be achieved in most instances of non-residential activities given the different scale and nature of effects generated from non-residential use. , e.g. in the instance of a commercial cellar door operation, traffic and bulk and location effects are unlikely to be comparable to those of existing uses in the Basin. This is also a repetition of the reverse sensitivity concerns addressed in 24.2.3.2 above.

Comment [AL16]: Deleted as repetition of 24.2.3.2 above

~~24.2.4.2~~ ~~24.2.5.2~~ Provide for improved public access to and the maintenance and enhancement of the margins of waterbodies including Mill Creek and Lake Hayes.

~~24.2.4.3~~ ~~Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.~~

~~24.2.4.4~~ ~~Ensure development does not generate servicing and infrastructure costs that fall on the wider community.~~

~~24.2.4.5~~ ~~24.2.5.3~~ ~~Ensure development infrastructure is self sufficient and does not exceed capacities for infrastructure servicing. Ensure development infrastructure and servicing is provided in accordance with the provisions as set out in Chapter 27.~~

~~24.2.4.6~~ ~~24.2.5.4~~ Ensure that other utilities including regionally significant infrastructure are located and operated to maintain landscape character and visual amenity values, having regard to the important function and location constraints of these activities.

Comment [AL17]: The provisions of Chapter 27 are comprehensive for subdivision development infrastructure. Consolidating this assessment here will simplify the planning regime.

~~24.2.5~~ ~~24.2.6~~ **Objective - The landscape character and visual amenity values of the Precinct are maintained and enhanced in conjunction with enabling rural residential living opportunities.**

Objective 24.2.65 and policies 24.2.65.1 to 24.2.65.6 apply to the Precinct only.

Policies

~~24.2.5.1~~ ~~24.2.6.1~~ Provide for rural residential subdivision, use and development ~~only~~ where it protects, maintains or enhances the landscape character and visual amenity values as described within the ~~U~~landscape ~~e~~character ~~U~~unit as defined in Schedule 24.8.

~~24.2.5.2~~ ~~24.2.6.2~~ Promote design-led and innovative patterns of subdivision and development that maintain and enhance the landscape character and visual amenity values of the Wakatipu Basin overall.

~~24.2.5.3~~ ~~24.2.6.3~~ Provide for non-residential activities, including restaurants, visitor accommodation, and commercial recreation activities while ensuring these are appropriately located and of a scale and intensity that ensures that the amenity, quality and character of the Precinct is retained.

~~24.2.5.4~~ ~~24.2.6.4~~ Implement minimum ~~and~~ average lot size standards in conjunction with building coverage and height standards ~~so that the landscape character and visual amenity qualities of the Precinct are not compromised by cumulative adverse effects of development to enable development and variation in subdivision design and layout which reflects the characteristics identified in the applicable Landscape Classification Units.~~

~~24.2.5.5~~ ~~Maintain and enhance a distinct and visible edge between the Precinct and the Zone.~~

~~24.2.5.6~~ ~~24.2.6.5~~ ~~Retain~~ ~~Encourage the retention of established~~ vegetation where this contributes to landscape character and visual amenity values of the Precinct and is integral to the maintenance of the established character of the Precinct.

Comment [AL18]: The intention of an average lot size is not to reduce cumulative effects, but to encourage variation in subdivision design

24.3 Other Provisions and Rules

24.3.1 District Wide

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation and Biodiversity
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	Planning Maps	

24.3.2 Advice Notes

24.3.2.1 A permitted activity must comply with all of the rules and any relevant district wide rules.

24.3.2.2 The surface of lakes and rivers are zoned Rural, unless otherwise identified on the Planning Maps as zoned Wakatipu Basin Rural Amenity Zone.

24.3.2.3 Guiding Principle: Previous Approvals

- a. Requirements relating to building platforms and conditions of consents, including landscaping or other visual mitigation, that are registered on a site's computer freehold register as part of a resource consent approval by the Council are considered by the Council to remain relevant and will remain binding unless altered or cancelled.
- b. Applicants may apply to alter or cancel any conditions of an existing resource consent as a component of an application for resource consent for development. Whether it may be appropriate for the Council to maintain, or to alter or cancel these conditions shall be assessed against the extent to which a proposal accords with the objectives and provisions of the Wakatipu Basin Rural Amenity Zone and Wakatipu Basin Lifestyle Precinct.

24.3.2.4 These abbreviations for the class of activity status are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

P	Permitted	RD	Restricted Discretionary
D	Discretionary	NC	Non-Complying
PR	Prohibited		

~~24.3.2.5 Clarifications of the meaning of root protection zone, minor trimming of a hedgerow, minor trimming and significant trimming are provided in Part 32.3.2 of the Protected Trees Chapter 32.~~

Comment [AL19]: Reference to this proposed rule have been deleted due to this being ultra vires s76 RMA

24.3.3 General Rules

- 24.3.3.1 The Wakatipu Basin Lifestyle Precinct is a sub-zone of the Wakatipu Basin Rural Amenity Zone and all rules in Table 24.1 apply to the Precinct. Where specific rules and standards are identified for the Precinct in Tables 24.2 and 24.3, these shall prevail over the Zone rules in Table 24.1.
- 24.3.3.2 All activities, including any listed permitted activities shall be subject to the rules and standards contained in Tables 24.1 to 24.3.

24.4 Rules – Activities

Table 24.1 – Activities in the Wakatipu Basin Rural Amenity Zone		Activity Status
24.4.1	Any activity not listed in Tables 24.1 to 24.3.	NC
24.4.2	Farming.	P
Buildings and residential activities		
24.4.3	The use of land or buildings for residential activity except as provided for in Table 24.1 or Table 24.2.	P
24.3.4	One residential unit per site / <u>residential building platform</u> .	P
24.3.4	<u>The creation of a new residential building platform</u>	D
24.4.5	The construction of buildings including exterior alteration to existing buildings, <u>that are:</u> <u>a. including buildings</u> located within an existing approved/registered building platform <u>area; or</u> <u>b. would have been a permitted or controlled activity on 23 November 2017 under the previous Rural Residential Zone-</u> <u>Discretion is restricted to:</u> <ul style="list-style-type: none"> <u>• Building location scale and form.</u> <u>• External appearance including materials and colours.</u> <u>• Accessways.</u> <u>• Servicing and site works including earthworks.</u> <u>• Retaining structures.</u> <u>• Infrastructure (e.g. water tanks).</u> <u>• Fencing and gates.</u> <u>• External lighting.</u> <u>• Landform modification, landscaping and planting (existing and proposed).</u> <u>• Natural hazards.</u> Excludes farm buildings as provided for in Rule 24.4.8	PRD
24.4.6	Residential Flat not exceeding 150m ² gross floor area and attached to the Residential Unit.	P

Comment [AL20]: This retains the operative plan position with respect to a discretionary regime for identification of new building platforms.

Identification of platforms within the precinct is separately provided for in table 24.2 below which is prescribed by density requirements in Chapter 27

Because no density is proposed in this submission for the Amenity Zone, it is appropriate that the default is a discretionary regime.

Comment [AL21]: Proposed to be amended to reflect the PDP rights as notified and which reflect ODP rights which have existed for a number of years. The proposed change from controlled to RD for this activity is a fundamental shift in policy for the Wakatipu Basin, given that property values are critically dependent upon rights to build in certain locations. There is no need to require this activity as restricted discretionary given that the identification of a building platform has in all instances already gone through a thorough landscape assessment as to the effects of future buildings within that platform.

Table 24.1 – Activities in the Wakatipu Basin Rural Amenity Zone		Activity Status
24.4.7	Residential Flat not exceeding 150m ² gross floor area that is not attached to the Residential Unit. Discretion is restricted to: <ul style="list-style-type: none"> • Building location scale and form. • External appearance including materials and colours. • Accessways. • Servicing and site works including earthworks. • Retaining structures. • Infrastructure (e.g. water tanks). • Fencing and gates. • External lighting. • Landform modification, landscaping and planting (existing and proposed). • Natural hazards. 	RD
24.4.8	Farm Buildings.	P
24.4.9	The construction of any buildings including the physical activity associated with buildings such as roading, access, lighting, landscaping and earthworks not specifically provided for by any other rule in Table 24.1 or Table 24.2. Non-residential activities	D
24.4.10	Roadside stall buildings.	P
24.4.11	Home occupation.	P
24.4.12	Informal airports.	P
24.4.13	Retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site.	P
24.4.14	Retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site where the access is onto a State Highway.	D
24.4.15	Commercial recreational activities that are undertaken on land, outdoors and involve not more than 12 persons in any one group.	P
24.4.16	Commercial recreational activities that are undertaken on land, outdoors and involve more than 12 persons in any one group.	D
24.4.17	Cafes and restaurants.	D
24.4.18	Residential visitor accommodation and homestays.	P
24.4.19	Visitor accommodation.	D

Table 24.1 – Activities in the Wakatipu Basin Rural Amenity Zone		Activity Status
24.4.20	Community activities.	D
24.4.21	Activities on or over the surface of waterbodies.	D
24.4.22	Industrial activities directly associated with wineries and underground cellars within a vineyard. Discretion is restricted to: <ul style="list-style-type: none"> Noise. Access and parking. Traffic generation. Odour. Hours of operation. Waste treatment and disposal. 	RD
24.4.23	Any commercial or Industrial activity not otherwise provided for in Table 24.1 including those associated with farming.	NC
24.4.24	Panelbeating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motorbody building, or any activity requiring an Offensive Trade Licence under the Health Act 1956. Excludes activities undertaken as part of a Farming Activity, Residential Activity or as a permitted Home Occupation.	NC

Table 24.2: Activities in the Wakatipu Basin Lifestyle Precinct		Activity Status
<u>Buildings and Residential Activities</u>		
24.4.25	<u>The construction of buildings, including exterior alteration to existing buildings which are not a permitted activity under Rule 24.4.5</u>	NC
24.4.26	<u>The creation of a new residential building platform which complies with Rule 27.5.1</u>	C
24.4.27	<u>The creation of a new residential building platform which does not comply with Rule 27.5.1</u>	NC
24.4.28 6	Residential Flat not exceeding 150m ² gross floor area that is not attached to the principal Residential Unit but is not separated from the principal Residential Unit by more than 6 metres. <u>but is located within an approved residential building platform</u>	P
	Residential Flat not exceeding 150m² gross floor area that is not attached to the principal Residential Unit and is separated from the principal Residential Unit by	NC

Comment [AL22]: These three rules revert to the rights under the operative plan for rural living zones, where controlled activity rights are the default for activities within the prescribed densities and identified building platforms.

Where this is not achieved, the activity defaults to non-complying so as to ensure amenity values are protected.

~~more than 6 metres.~~

Non-residential activities

~~24.4.297~~ Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, or any activity requiring an Offensive Trade Licence under the Health Act 1956. PR

Excludes activities undertaken as part of a Farming Activity, Residential Activity or as a permitted home occupation.

~~24.4.3028~~ Informal airports. D

~~24.4.29~~ ~~Clearance, works within the root protection zone or significant trimming of exotic vegetation that is of a height greater than 4 metres.~~ RD

~~Discretion is restricted to:~~

- ~~• The extent of clearance.~~
- ~~• Trimming and works within the root protection zone.~~

Comment [AL23]: This rule has been deleted as it is ultra vires section 76 of the RMA

24.5 Rules - Standards

The following standards apply to all activities-

Table 24.3 - Standards		Non-compliance status
24.5.1	<p>Building coverage</p> <p>The maximum building coverage for all buildings shall be 15% of lot area, or 51000m² gross floor area whichever is the lesser.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> • Building location, character, scale and form. • External appearance including materials and colours. • Landform modification/planting (existing and proposed). 	RD
24.5.2	<p>Setback from internal boundaries</p> <p>The minimum setback of any building from internal boundaries shall be 10m <u>in the Precinct and 15m elsewhere in the Zone.</u></p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> • Building location, character, scale and form. • External appearance including materials and colours. • Landform modification/planting (existing and proposed). 	RD
24.5.3	<p>Height of buildings</p> <p>The maximum height of any building shall be 68m.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> • Building location, character, scale and form including the pitch of roofs. • External appearance including materials and colours. • Landform modification/planting (existing and proposed). 	RD
24.5.4	<p>Setback from roads</p> <p>The minimum setback of any building from road boundaries shall be 20m in the Zone and 10.75m in the Precinct <u>and 20m elsewhere in the Zone.</u></p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> • Building location, character, scale and form. • External appearance including materials and colours. • Landscaping/planting (existing and proposed). 	RD
24.5.5	<p><u>Building and Materials</u></p> <p><u>All buildings, including any structure larger than 5m², new, relocated, altered, reclad, or repainted are subject to the following:</u></p> <ul style="list-style-type: none"> • <u>The exterior colours of all building materials shall be in the range of black, browns, greens, or greys;</u> • <u>Reflectance values for roofs shall be no greater than 20%;</u> • <u>Reflectance values for all other surfaces shall be no greater than 30% (except this rule does not apply to stone);</u> • <u>These standard do not apply to any material or surface colours used</u> 	RD

Comment [AL24]: Deleted given building coverage is defined

Comment [AL25]: Amended to reflect ODP rights and established development

Comment [AL26]: Amended to reflect ODP rights and established development

Comment [AL27]: Amended to reflect ODP rights and established development

Table 24.3 - Standards		Non-compliance status
	<p><u>inside any building:</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <u>Whether the building would be visually prominent;</u> <u>Whether the proposed colours and materials are appropriate given the existence of established screening or in the case of alterations, if the proposed colours is already present on an established building.</u> <p><u>Setback from identified landscape features</u></p> <p><u>Any building or accessway shall be located a minimum of 50m from the boundary of any identified landscape feature as identified on the planning maps.</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <u>Building location, character, scale and form.</u> <u>External appearance including materials and colours.</u> <u>Landform modification/planting (existing and proposed).</u> 	
24.5.6	<p>Setback from boundaries of non-residential buildings housing animals</p> <p>The minimum setback from boundaries for any building housing animals shall be 30m.</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> Effects on open space, rural living character and amenity. Effects on privacy, views and outlook from neighbouring properties and public places. Reverse sensitivity effects on adjacent properties including odour and noise. Landform modification/planting (existing and proposed). 	RD
24.5.7	<p>Setback of buildings from waterbodies</p> <p>The minimum setback of any building from the bed of a wetland, river or lake shall be 30m.</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> Indigenous biodiversity values. Natural Hazards. Visual amenity values. Landscape and natural character. Open space. 	RD
24.5.8	<p>Farm buildings</p> <ol style="list-style-type: none"> The maximum gross floor area shall be <u>5150m²</u>. All exterior surfaces shall be coloured in the range of black, browns, greens or greys (except soffits). Pre-painted steel and all roofs shall have a reflectance value not greater than 20%. All other surface finishes shall have a reflectance value of not 	RD

Comment [AL28]: New standards for building design controls have been added given the above amendment that buildings should be permitted rather than RDA within approved building platforms or legacy RR allotments.

Comment [AL29]: See introductory comment regarding the necessity of a setback rule from ONFL. The delineation of these landscapes is not always precise on the ground and these landscapes are otherwise protected in Chapter 6. Policy support for recognising the need for an appropriate setback to protect outstanding values has been retained.

Table 24.3 - Standards		Non-compliance status
	greater than 30%.	
	Discretion is restricted to:	
	<ul style="list-style-type: none"> • Building location, character, scale and form. • External appearance including materials and colours. • Landform modification/planting (existing and proposed). 	
24.5.9	Home occupations	RD
	a. The maximum net floor area of home occupation activities shall be 150m ² .	
	b. No goods materials or equipment shall be stored outside a building.	
	c. All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building.	
	Discretion is restricted to:	
	<ul style="list-style-type: none"> • The nature, scale and intensity of the activity. • Visual amenity from neighbouring properties and public places. • Noise, odour and dust. • Access, safety and transportation. 	
24.5.10	Roadside stall buildings	RD
	a. The maximum ground floor area shall be 5m ² .	
	b. Buildings shall not be higher than 2.0m from ground level.	
	c. The minimum sight distance from the stall or stall access shall be 250m.	
	d. The minimum distance of the stall or stall access from an intersection shall be 100m; and, the stall shall not be located on the legal road reserve.	
	Discretion is restricted to:	
	<ul style="list-style-type: none"> • Building location, character, scale and form. • External appearance including materials and colours. • Access and safety. • Parking. 	
24.5.11	The maximum gross floor area of buildings shall be 25m ² for retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site.	RD
	Discretion is restricted to:	
	<ul style="list-style-type: none"> • Building location, character, scale and form. • External appearance including materials and colours. • Access safety and transportation effects. • Parking, access and safety. 	

Table 24.3 - Standards		Non-compliance status
24.5.12	<p>Grazing of animals in or on the margins of waterbodies</p> <p>Stock shall be prohibited from standing in the bed of, or on the margin of a waterbody where this causes pugging or damage to the margin of the waterbody.</p> <p>For the purposes of this rule:</p> <ul style="list-style-type: none"> • Margin means land within 3.0 metres from the edge of the bed. • Waterbody and bed have the same meaning as in the RMA, and also includes any drain or water race that goes to a lake or river. 	PR
24.5.13	<p>Glare</p> <p>a. All fixed exterior lighting shall be directed away from adjacent roads and sites.</p> <p>b. Activities on any site shall not result in more than a 3 lux spill (horizontal and vertical) of light to any other site, measured at any point within the boundary of the other site.</p> <p>c. There shall be no upward light spill.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> • Lighting location and number of lights. • Proximity to roads, public places and neighbours. • Height and direction of lights. • Lux levels. 	RD
24.5.14	<p>Informal airports</p> <p>Informal airports that comply with the following standards shall be permitted activities:</p> <p>a. Informal airports shall not exceed a frequency of use of 2 flights per day;</p> <p>b. Informal airports shall be located a minimum distance of 500 metres from any other zone or the notional boundary of any residential dwelling not located on the same site;</p> <p>c. Informal airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities.</p> <p>Advice note: For the purpose of this Rule a flight includes two aircraft movements i.e. an arrival and a departure.</p>	D
24.5.15	<p>Residential visitor accommodation</p> <p>The commercial letting of one residential unit or residential flat per site for up to 3 lets not exceeding a cumulative total of 28 nights per 12 month period.</p>	D
24.5.16	<p>Homestay</p>	D

Table 24.3 - Standards**Non-compliance status**

- a. May occur within either an occupied residential unit or an occupied residential flat on a site, and shall not occur within both on a site.
- b. Shall not exceed 5 paying guests per night.

24.6 Non-notification of applications

Any application for resource consent for restricted discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified, with the exception of the following:

- a. Rule 24.5.1 Building coverage.
- b. Rule 24.5.2 Setback from internal boundaries.
- c. Rule 24.5.3 Height of buildings.
- d. Rule 24.5.4 Setback from roads.
- e. ~~Rule 24.5.5 Setback from identified landscape features.~~

24.7 Assessment Matters - Restricted Discretionary Activities

- 24.7.1** In considering whether or not to grant consent or impose conditions on a resource consent, regard shall be had to the assessment matters set out at 24.7.3 to 24.7.13.
- 24.7.2** All proposals for restricted discretionary activities will also be assessed as to whether they are consistent with the relevant objectives and policies for the Zone or Precinct as well as those in Chapters 3-Strategic Direction; Chapter 4- Urban Development, Chapter 6-Landscapes and Chapter 28- Natural Hazards.

Assessment Matters

- 24.7.3** New buildings (and alterations of existing buildings), residential flat, building coverage and building height infringements:

Landscape and visual amenity

- a. Whether the location, form, scale, design and finished materials including colours of the building(s) adequately responds to the identified landscape character and visual amenity qualities of the landscape character units set out in Schedule 24.8 and the criteria set out below.
- b. The extent to which the location and design of buildings and ancillary elements and the landscape treatment complement the existing landscape character and visual amenity values, including consideration of:
 - building height;
 - building colours and materials;
 - building coverage;
 - design, size and location of accessory buildings;

Assessment Matters

- the design and location of landform modification, retaining, fencing, gates, accessways (including paving materials), external lighting, domestic infrastructure (including water tanks), vegetation removal, and proposed planting;
 - the retention of existing vegetation and landform patterns;
 - earth mounding and framework planting to integrate buildings and accessways;
 - planting of appropriate species that are suited to the general area having regard to the matters set out in Schedule 24.8;
 - riparian restoration planting;
 - the retirement and restoration planting of steep slopes over 15° to promote slope stabilisation and indigenous vegetation enhancement; and
 - the integration of existing and provision for new public walkways and cycleways/bridlepaths.
- c. The extent to which existing covenants or consent notice conditions need to be retained or are otherwise integrated into the proposed development in a manner that ~~delivers optimal~~maintains and enhances landscape character and visual amenity outcomes.
- d. The extent to which the development maintains visual amenity from public places ~~and neighbouring properties.~~
- e. Whether clustering of buildings or varied allotments sizes in subdivision design would offer a better solution for maintaining a sense of openness and spaciousness, or the integration of development with existing landform and vegetation / lifestyle development patterns.
- f. Where a residential flat is not located adjacent to the residential unit, the extent to which this could give rise to sprawl of buildings and cumulative effects.
- g. The extent to which the development avoids, remedies or mitigates adverse effects on the outstanding features, elements and patterns that contribute to the value of adjacent or nearby ONLs and ONFs. This includes consideration of ~~the~~ an appropriate setback from such features as well as the maintenance of views from public roads and other public places to the surrounding ONL and ONF context.
- h. The extent to which development adversely affects other identified landscape features as identified on the planning maps, and in particular the visual amenity values of those features in views from public places outside of the Precinct.
- i. Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds or and consent notices.

Comment [AL30]: Views to private lots should not be a general matter of assessment, as this is otherwise assessed under section 95E. for standards which particularly breach amenity of neighbouring properties (such as internal setbacks) this could otherwise be included as a matter of discretion particular to that standard.

24.7.4 Servicing, hazards, infrastructure and access

- a. The extent to which the proposal provides for adequate on-site wastewater disposal and water supply. The provision of shared infrastructure servicing to more than one property is preferred in order to minimise environmental effects.
- b. The extent to which the proposed access utilises an existing access or provides for a common access in order to reduce visual and environmental effects, including traffic safety, minimising earthworks and vegetation removal.
- c. Whether adequate provision is made for firefighting activities and provision for emergency vehicles.
- d. The extent to which the objectives and policies set out in Chapter 28, Natural

Assessment Matters

Hazards, are achieved.

24.7.5 Non-residential activities

Whether the proposal achieves:

- a. An appropriate scale and intensity of the activity in the context of the amenity and character of the surrounding area including reference to the identified elements set out in Schedule 24.8 for the relevant landscape character unit.
- b. Adequate visual amenity for neighbouring properties and from public places.
- c. Minimisation of any noise, odour and dust.
- d. Acceptable access and safety.

24.7.6 Boundary and road setbacks

Whether the proposal achieves:

- a. The maintenance of landscape character and visual amenity including reference to the identified elements set out in Schedule 24.8 for the relevant landscape unit.
- b. The maintenance of views to the surrounding mountain context.
- c. Adequate privacy, outlook and amenity for adjoining properties.

24.7.8 Setback from boundaries of non-residential buildings housing animals

Whether the proposal achieves:

- a. The maintenance of landscape character and visual amenity including reference to the identified elements set out in Schedule 24.8 for the relevant landscape character unit.
- b. Minimisation of adverse odour, dust and/or noise effects on any neighbouring properties.

24.7.9 Setback of buildings from waterbodies

Whether the proposal achieves:

- a. The maintenance or enhancement of indigenous biodiversity values.
- b. The maintenance or enhancement of landscape character and visual amenity values including reference to the identified elements set out in Schedule 24.8 for the landscape character unit that the proposal falls into.
- c. The maintenance or enhancement of open space.
- d. Mitigation to manage any adverse effects of the location of the building including consideration of whether the waterbody is subject to flooding or natural hazards.

24.7.10 Roadside stalls

Whether the proposal achieves:

- a. An appropriate scale and intensity of the activity in the context of the surrounding landscape character and visual amenity values.
- b. Preservation of visual amenity for neighbouring properties and from public places.
- c. Minimisation of any noise, odour and dust.
- d. Adequate parking, access safety and avoids adverse transportation effects.

Assessment Matters**24.7.11 Retail sales**

Whether the proposal ensures:

- a. An appropriate scale and intensity of the activity in the context of the surrounding landscape character and visual amenity values.
- b. Preservation of visual amenity for neighbouring properties and from public places.
- c. Minimisation of any noise, odour and dust.
- d. Adequate parking, access safety and avoids adverse transportation effects.

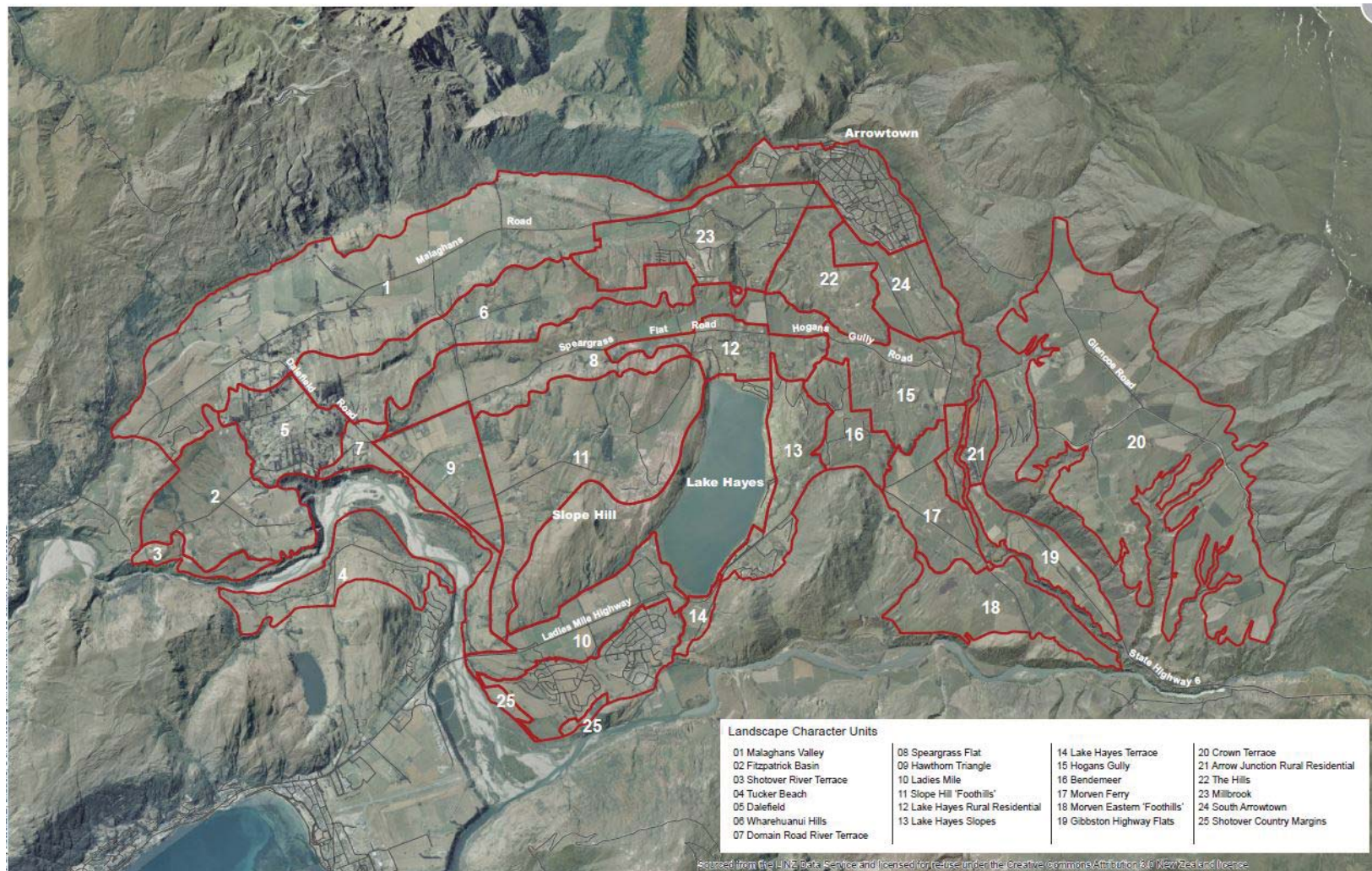
24.7.12 Glare

- a. The effects on adjacent roads and neighbouring sites.
- b. The extent of likely visual dominance from light fixtures, poles and lux levels.
- c. The nature and extent of any effects on character and amenity, including the night sky.
- d. The nature and extent of any effects on privacy, views and outlook from neighbouring properties.
- e. Whether there will be any reverse sensitivity effects on adjacent properties.

~~24.7.13 Clearance, works within the root protection zone or significant trimming of exotic vegetation over 4m in height~~

- ~~a. The degree to which the vegetation contributes to the landscape character and visual amenity values, and the extent to which the clearance or significant trimming would reduce those values.~~
- ~~b. The potential for buildings and development to become more visually prominent.~~
- ~~c. The merits of any proposed mitigation or replacement plantings.~~
- ~~d. a. The effects on the health and structural stability of the vegetation.~~

24.8 Schedule 24.8 Landscape Character Units



Appendix 2 – Amendments to Chapter 27 – Subdivision

Variation to Stage 1 Subdivision and Development Chapter 27:

Underlined text for additions and ~~strike through~~ text for deletions.

Amend Chapter 27 by inserting the following into Rule 27.4.2;

The following shall be non-complying activities:

g. ~~The further subdivision of an allotment that has previously been used to calculate the minimum and average lot size for subdivision in the Wakatipu Basin Lifestyle Precinct, except in the instance that the further subdivision and any prior subdivision, together, complies with Rule 27.5.1.~~

Comment [AL1]: The intention of this rule is to prevent an ultimate breach of the average density.

h. ~~The subdivision of an existing or approved residential flat from the residential unit it is ancillary to, or the subdivision of a second residential unit on any allotment in the Wakatipu Basin Rural Amenity Zone or the Wakatipu Basin Lifestyle Precinct.~~

Comment [AL2]: Part of this rule is deleted given that if a second residential unit complies with density requirements then it should not otherwise be prevented from being further subdivided (in the Precinct) and otherwise in the Amenity Zone, the effects of subdivision will be assessed through the proposed fully discretionary regime.

Amend Chapter 27 by inserting the following into Rule 27.4.3;

The following shall be ~~Restricted Discretionary Controlled~~ activities:

b. ~~Any subdivision in the Wakatipu Basin Rural Amenity Zone or the Wakatipu Basin Lifestyle Precinct meeting the minimum and/or average lot sizes specified in Rule 27.5.~~

Amend Chapter 27 by amending Rule 27.5.1 as follows;

27.5.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, average, less than the minimum specified.

Zone		Minimum Lot Area
Rural Wakatipu Basin	Wakatipu Basin Rural Amenity Zone	N/A 80ha
	Wakatipu Basin Lifestyle Precinct	6000m ² minimum/1.0ha average Precinct Zone 'A' – 4000m ² average Precinct Zone 'B' – 1ha average
Rural Lifestyle		
	Rural Lifestyle Deferred A and B.	No minimum, but each of the two parts of the zone identified on the planning map shall contain no more than two allotments.
	Rural Lifestyle Buffer.	The land in this zone shall be held in a single allotment
Rural Residential		
	Rural Residential Ferry Hill Subzone	4000m ² with no more than 17 lots created for residential activity

Comment [AL3]: The intention of this change is to ensure that different densities in different areas of the precinct are applied to reflect historical development rights (e.g. in the legacy Rural Residential Zoning) and respond to those areas which have capacity to absorb denser subdivision as compared to those areas which don't.

The intention is that this table could be added to for a range of other densities within different precinct areas.

Amend Chapter 27.7 Location Specific objectives, policies and provisions

~~27.7.6 Objective – Ferry Hill Rural Residential Sub Zone – Maintain and enhance visual amenity values and landscape character within and around the Ferry Hill Rural Residential Sub Zone.~~

- ~~Policies~~

~~27.7.6.1 At the time of considering a subdivision application, the following matters shall be had particular regard to:~~

- ~~The subdivision design has had regard to minimising the number of accesses to roads;~~
- ~~the location and design of on-site vehicular access avoids or mitigates adverse effects on the landscape and visual amenity values by following the natural form of the land to minimise earthworks, providing common driveways and by ensuring that appropriate landscape treatment is an integral component when constructing such access;~~
- ~~The extent to which plantings with a predominance of indigenous species enhances the naturalness of the escarpment within Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone;~~
- ~~The extent to which the species, location, density, and maturity of the planting is such that residential development in the Ferry Hill Rural Residential sub-zone will be successfully screened from views obtained when travelling along Tucker Beach Road.~~

Insert the following:

27.7.6.1	<p>Subdivision in the Wakatipu Basin Rural Amenity Zone and the Wakatipu Basin Lifestyle Precinct</p> <p>Restricted DiscretionaryControlled and Discretionary Activities</p>
	<p>Subdivision in the Wakatipu Basin Rural Amenity Zone and the Wakatipu Basin Lifestyle Precinct:</p> <p><u>Control / Discretion (as applicable) is restricted to:</u></p> <ul style="list-style-type: none"> a. <u>Location of building platforms and accessways</u> b. <u>Subdivision design and lot layout including the location of boundaries, lot sizes and dimensions;</u> c. <u>Location, scale and extent of landform modification, and retaining structures;</u> d. <u>Property access and roading;</u> e. <u>Esplanade provision;</u> f. <u>Natural and other hazards;</u> g. <u>Firefighting water supply and access;</u> h. <u>Water supply;</u> i. <u>Network utility services, energy supply and telecommunications;</u> j. <u>Open space and recreation provision;</u> k. <u>Ecological and natural landscape features;</u> l. <u>Historic Heritage features;</u> m. <u>Easements;</u> n. <u>Vegetation removal and proposed plantings;</u> o. <u>Fencing and gates;</u> p. <u>Wastewater and stormwater management;</u> q. <u>Connectivity of existing and proposed pedestrian networks, bridle paths, cycle networks.</u>
27.7.6.2	<p>Assessment Matters - Restricted-Controlled and Discretionary Activities</p> <p><u>General</u></p> <ul style="list-style-type: none"> a. <u>The extent to which the proposal is consistent with relevant objectives and policies including those in Chapter 27 Subdivision, Chapter 24 Wakatipu Basin and Chapter 6 Landscapes.</u> b. <u>The extent to which the subdivision provides for low impactvariation in design that avoids or mitigates adverse effects on the environment, maintains and enhances landscape character and visual amenity values of the Wakatipu Basin.</u> <p><u>Subdivision Design</u></p>

Comment [AL4]: Consequential amendment to changes sought in Chapter 24

- c. The extent to which the location of future buildings and ancillary elements and the landscape treatment complements the existing landscape character, visual amenity values and wider amenity values of the Zone or Precinct, including consideration of:
- I. ~~the retention of~~Compatibility with existing vegetation and landform patterns;
 - II. the alignment of lot boundaries in relation to landform and vegetation features and neighbouring development;
 - III. earth mounding, and framework planting to integrate buildings and accessways;
 - IV. planting of appropriate species that are suited to the general area having regard to the matters set out in Schedule 24.8;
 - V. riparian restoration planting;
 - VI. the retirement and restoration planting of steep slopes over 15° to promote slope stabilisation and indigenous vegetation enhancement;
 - VII. the incorporation of development controls addressing such matters as building height, building colours and materials, building coverage, earthworks, retaining, fencing, gates, accessways (including paving materials), external lighting, domestic infrastructure (including water tanks), vegetation removal, and proposed plantings;
 - VIII. the integration of existing and provision for new public walkways and cycleways/bridlepaths.
- d. The extent to which existing covenants or consent notice conditions need to be retained or are otherwise integrated into the proposed development in a manner that delivers optimal landscape character and visual amenity outcomes
- e. The extent to which the development maintains visual amenity from public places and neighbouring properties.
- f. Whether ~~clustering of future buildings~~variation in lot sizes and subdivision design would offer a better solution for maintaining a sense of openness and spaciousness, or the integration of development with existing landform and vegetation patterns.
- g. The extent to which the development avoids, remedies or mitigates adverse effects on the features, elements and patterns that contribute to the value of adjacent or nearby ONLs and ONFs. This includes consideration of ~~the-an~~ appropriate setback from such features as well as the maintenance of views from public roads and other public places to the surrounding ONL and ONF context.
- h. The extent to which development adversely affects other Identified Landscape Features as identified on the planning maps, and in particular the visual amenity values of those features in views from public places outside of the Precinct.
- i. Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds and consent notices.
- j. Whether the layout of reserves and accessways provides for adequate public access and use.

Access and Connectivity

- k. Whether proposed sites are located and designed so that each site has a minimum frontage that provides for practical, legal and safe access from a formed public road that is suitable for both normal road going vehicles and construction traffic.
- l. Whether the location and design of any proposed pedestrian, cycle, bridlepaths and vehicle accessways on the proposed site(s) avoid or minimise any adverse effects on soil stability, landform patterns and features, and vegetation.

<p>m. <u>Whether subdivision provides for safe and practical pedestrian paths and cycle ways (whether sealed or unsealed) and bridle paths that are located in a manner which connect, or have the potential to connect to reserves (existing or proposed), roads and existing rural walkways.</u></p> <p>n. <u>Whether site design recognises any impact of roading and access on waterbodies, ecosystems, drainage patterns and ecological values.</u></p> <p>o. <u>Whether any subdivision provides for future roads to serve surrounding land or for road links that need to pass through the subdivision.</u></p> <p>Infrastructure and Services</p> <p>p. <u>Ensuring there is sufficient capacity and treatment to provide for the safe and efficient disposal of stormwater and wastewater from possible future development without adversely affecting natural water systems and ecological values.</u></p> <p>q. <u>Ensuring the design of stormwater and wastewater disposal systems incorporate measures to reduce runoff rates where there may be damage caused to natural waterway systems.</u></p> <p>r. <u>Whether any subdivision proposal demonstrates how any natural water system on the site will be managed, protected or enhanced.</u></p> <p>s. <u>Whether subdivision provides for an adequate and reliable supply of potable water to each proposed site.</u></p> <p>t. <u>Whether subdivision provides for an adequate and reliable supply of emergency water supply to each site in the event of fire.</u></p> <p>u. <u>Whether subdivision has sufficient capacity for the disposal of any effluent or other wastewater flow within the boundaries of each proposed site regardless of seasonal variations and loading.</u></p> <p>v. <u>Assessing where more than one site will be created, whether a shared or individual wastewater treatment and disposal system is the most appropriate, having regard to any known physical constraints.</u></p> <p>w. <u>Considering the extent to which easements and consent notices should be applied to protect the integrity of stormwater and/or wastewater treatment and disposal systems.</u></p> <p>x. <u>Assessing the extent to which access easements should provide for lines, including electric lines, telecommunication lines and other lines, where such lines or cables are or may be located within any private property and serve other properties or sites.</u></p> <p>y. <u>Whether sites can be connected to services such as telecommunications and electricity using low impact design methods including undergrounding of services.</u></p> <p>Natural Environment and Cultural values</p> <p>z. <u>Considering the extent to which the subdivision provides for ecological restoration and enhancement. Ecological enhancement may include enhancement of existing vegetation, replanting and weed and pest control.</u></p> <p>aa. <u>Assessing the extent to which the subdivision and subsequent land use on the proposed site(s) adversely affects the historical, cultural or spiritual significance of any site or waahi tapu of significance to iwi.</u></p>
--

- bb. Assessing the extent to which the subdivision design and layout preserves and enhances areas of archaeological, cultural or spiritual significance.
- cc. Assessing the extent to which the integrity of any identified heritage feature(s) is maintained and enhanced.

Earthworks and Hazards

- dd. Considering how earthworks can be undertaken in a manner which mitigates and remedies adverse effects from soil erosion and the generation of sediments into receiving environments.
- ee. Considering whether earthworks are likely to have adverse effects on landscape character or visual amenity values which cannot be avoided, remedied or mitigated.
- ff. Considering the extent to which subdivision will increase the risks associated with any natural hazard and/or how the subdivision avoids, remedies or mitigates any hazard prone area.
- gg. Considering the extent to which contaminated or potentially contaminated soil is able to be treated or disposed of.
- hh. Where the subdivision land includes waterbodies, considering the extent to which remediation measures and methodologies can be employed to avoid, remedy or mitigate any adverse effects on human health, water quality, and to the downstream receiving environment.
- ii. Considering whether consent notices or other protective instruments are needed to ensure that any hazard or contamination remediation measures and methodologies are implemented at the time of development.

Appendix 3 – Proposed Rural Lifestyle / Wakatipu Basin Lifestyle Precinct B rezoning





IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of the Queenstown Lakes
Proposed District Plan

AND

IN THE MATTER of Submissions 532 and
535 lodged on Stage 1

**DECISION ON APPLICATION FOR WAIVER OF TIME
TO AMEND SUBMISSIONS**

Introduction

1. I have received an application from GW Stalker Family Trust, Mike Henry, Mark Tylden, Wayne French, Dave Finlin, Sam Strain (Submission 535) and Bill and Jan Walker Family Trust (Submission 532) seeking a waiver of time to amend parts of the respective submissions.
2. I have been delegated the Council's powers under s.34A of the Act in relation to procedural matters in relation to Stage 1 hearings, including the Council's powers under s.37 to waive or extend time limits in respect of the lodgement of submissions and further submissions and to deal with omissions and inaccuracies in submissions and further submissions.
3. The submission has been lodged in relation to Stage 2 of the PDP. However, within the submission, the submitters seek to amend and add to the submissions they lodged on Stage 1 of the PDP. This decision relates solely to those parts seeking to amend or enlarge the Stage 1 submissions (Submissions 532 And 535).
4. As lodged, both Submission 532 and 535 were wide ranging with relief sought in various chapters. However, in each case, the submissions also sought that land on Ladies Mile (on opposite sides of SH6) be rezoned from Rural to Rural Lifestyle. In addition, each sought alteration to Chapters 22 and 27 to alter the density and minimum site size provisions of the Rural Lifestyle Zone. Finally, each also sought the inclusion of a setback rule in the Rural Lifestyle Zone to apply along Ladies Mile.

5. When Stage 2 was notified, a new zone, the Wakatipu Basin Zone, including the Wakatipu Basin Lifestyle Precinct, was applied to much of the land within the Wakatipu Basin, including the eastern part of the land sought to be rezoned by Submission 535. However, the remainder of the land which these two submissions sought to have rezoned was unaffected by Stage 2 and associated variations.
6. As a consequence of the notified variations, parts of the two submissions have, through the operation of Clause 16B of the First Schedule of the Act, been transferred to become submissions on the variations. In addition, those parts of the submissions relating to the new zoning, including the area specific provisions proposed, are yet to be heard. I understand the transferred parts of the submissions and those relating to the zoning will be held at the same hearing later this year.
7. In summary, the amendments sought to the Stage 1 submissions are as follows:

Amendment Number	Amendment sought to	Hearings situation
1	Amend the zoning sought for the submitters' land to Wakatipu Basin Lifestyle Precinct	Awaiting hearing
2	Amend Rule 27.5.1	Transferred to Stage 2 hearing
3	Insert building set back	Transferred to Stage 2
4	Insert new policy in Chapter 3	Submissions on chapter heard
5	Amend Objective 3.2.5.5 (reply version)	Submissions on chapter heard
6	Amend Policies 6.3.1.5 and 6.3.2 (reply versions)	Submissions on chapter heard
7	Insert new policy in Chapter 6	Submissions on chapter heard
8	Amend Assessment Matter 21.7.2.3 (reply version)	Submissions on chapter heard

Powers in Relation to Waiving and Extending Time Limits

8. Section 37 provides that the Council may waive time limits, subject to the requirements of s.37A. Section 37A requires that I take into account:
 - a) The interests of any person who, in my opinion, may be directly affected by the extension or waiver;
 - b) The interests of the community in achieving adequate assessment of the effects of the proposed district plan;

- c) The Council's duty under s.21 to avoid unreasonable delay.

Principles to Guide Use of the Powers under s.37

9. As there are no rights of appeal in respect of decisions under s.37 there is little case law to guide the decision-making process. The best analogy is the power of the Environment Court to grant waivers under s.281.
10. The most apposite guidance is provided in the Court's observation in *Omaha Park Ltd v Rodney DC*¹ that the Act "encourages participation (in an orderly way, certainly) in the decision-making process, with the general philosophy that the possible inconvenience, delays and costs caused are hopefully outweighed by better informed decision-making and better environmental outcomes".²
11. Based on that guidance, I need to consider the interests of the submitters along with the interests of the community in achieving an adequate assessment of the PDP, giving weight to the encouragement given to public participation in the process, while taking account of the timing of hearings and providing recommendations to the Council for decision-making.
12. The question of whether a waiver should be granted is purely a procedural one. This extends to the question of "undue prejudice" under s.281³, and, I conclude, it would similarly extend to the "interests" question under s.37A(1)(a). In other words, in the present case the question is whether anyone would be prejudiced by the lateness of the amendment, not by the substance of the amendments sought.

Scope for Amendments to Relief Sought

13. It is always permissible for a submitter to narrow their relief. However, it is not open to a submitter to materially change or enlarge their relief, because of the potential prejudice to persons who may have opposed the change or enlargement⁴.
14. The key issue is fairness. I note that in *Motor Machinists*, the High Court recognised the possibility that procedural unfairness could be cured by notification, stating that there was less risk of offending this principle "if the

¹ A46/08

² Quoted with approval in *Royal Forest & Bird Protection Society Inc v Southland DC* [2015] NZEnvC 60
³ *Orr v Tauranga District Council*, A149/97 (EC)

⁴ *Palmerston North City Council v Motor Machinists Ltd* [2013] NZHC 1290, at paragraph 82

submitter takes the initiative and ensures the direct notification of those directly affected by further changes submitted"⁵.

Amendments Sought to Chapters Already Heard

15. The first issue raised by the application is the request to amend the submissions in relation to chapters where the submissions have already been heard (Items 4 - 8 inclusive in my table above).
16. Submissions on Chapters 3 and 6 were heard in March 2016⁶ and submissions on Chapter 212 were heard in May 2016⁷. That included the relevant submission points from Submissions 532 and 535. Procedural fairness requires that if the amended submissions are to be considered, the amendments must be notified in a summary of submissions. Natural justice requires that if the amended submissions are to be considered, the hearing must be reopened.
17. Such a course of action would affect the interests of all other submitters from Hearing Streams 1B and 2 by forcing them to repeat processes they have already completed. It would also affect the interests of the community at large by delaying the Council's decisions on the relevant chapters.
18. As it is, the recommendation reports on Hearing Stream 1B and 2 are complete and will be filed with the Council this month. Delaying these reports would inevitably involve delaying recommendation reports on the remainder of the Stage 1 provisions.
19. The factors listed in the application as justification for the late amendments relate to changed circumstances in Ladies Mile and the promulgation of Stage 2. In my view, those do not comprise sufficient justification to re-open hearings concluded almost 2 years ago on a subject matter that affected the entire district.
20. I conclude that to grant a waiver in those circumstances would be contrary to interests of the community at large and would adversely affect the interests of other submitters on Stage 1 of the District Plan.
21. I refuse to grant a waiver of time for items 4 – 8 inclusive in the table above for those reasons.

⁵ At paragraph [83]
⁶ Hearing Stream 1B
⁷ Hearing Stream 2

Amending Submissions Transferred to Stage 2 Hearings

22. With respect to items 2 and 3 in the table above, the submitters are effectively seeking to enlarge the relief sought by reducing the minimum lot size on their sites and reducing the setback distance from SH6. However, in this instance prejudice to other persons can be avoided as those parts of the submissions can be notified for further submissions concurrently with notification of the summary of submissions on Stage 2.
23. No delay would arise, and it is reasonable to allow the submitters to change their respective positions given the changes at Ladies Mile, as outlined in the application, and the notification of the Wakatipu Basin Zone.
24. Thus, I grant the waiver of time for the amendments listed as 2 and 3 in the table above, subject to the Council publicly notifying a summary of those amendments under Clause 7 of the First Schedule to the Act.

Amending Zoning Sought

25. The zoning of the land on Ladies Mile subject to Submissions 532 and 535 remains open for consideration as rezoning was sought in Stage 1 and those submissions are yet to be heard. As I noted in minutes issued in relation to the Stream 13 hearings⁸, it is open to a submitter to seek any zoning they wish for their land when the land is subject to a review.
26. In this instance, the submitters are seeking a waiver of time to replace the zoning initially sought (Rural Lifestyle) with a zone which did not exist when the PDP was first notified, but which has since been proposed to apply extensively in the Wakatipu Basin. In terms of the hearing process, no delay would occur if I granted the waiver.
27. It is unclear whether any other person would be prejudiced by the grant of a waiver. However, again, that can be overcome by requiring that the amended submission be notified for further submissions in parallel with the notification of the summary of the Stage 2 submissions.

Conclusion

28. Pursuant to sections 37 and 37A of the Act I grant the application by GW Stalker Family Trust, Mike Henry, Mark Tylden, Wayne French, Dave Finlin, Sam Strain (Submission 535) and Bill and Jan Walker Family Trust (Submission 532),

⁸ See the Minutes dated 29 May 2017 and 8 June 2017 concerning submitters seeking the application of the ODP Rural Visitor Zone to their properties.

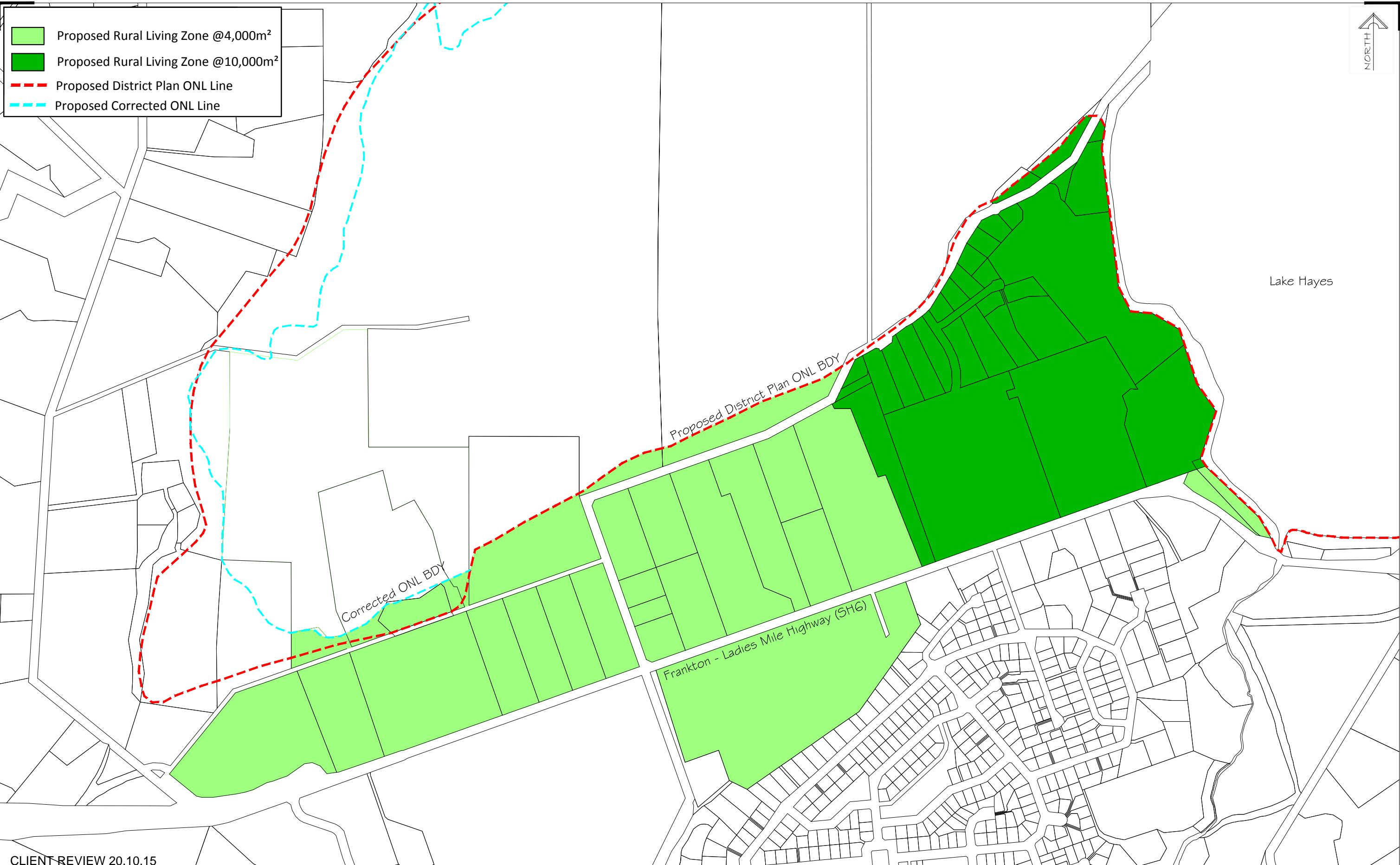
for a waiver of time to amend portions of the respective submissions, in part, for the reasons set out above. With reference to the table in paragraph 7 above, I grant the waiver in respect of items 1, 2 and 3, and refuse the waiver in respect of the remaining items (items 4 to 8 inclusive).

29. I direct that the submissions be notified in accordance with clause 7 of the First Schedule of the Act concurrently with such notification of the submissions on Stage 2 of the District Plan.
30. To minimise the confusion that may arise from the notification of these amended submissions concurrently with the submissions on Stage 2, I direct that the notice specify that these amendments are additional to any submissions on Stage 2 and persons may lodge submissions on these as if they were new submissions. I also direct that those portions of the submission for which waiver has not been granted (items 4 to 8 in the table in paragraph 7 above) be deleted from the submission held on record by the Council, or redacted in some form, so as to make it clear that those portions are not part of the amendments being notified.



Denis Nugent
Hearing Panel Chair
13 March 2018

Appendix 2 Proposed amended Planning Map



CLIENT REVIEW 20.10.15

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Rev.	Date	Revision Details	By
A	07.06.18	Amend hatch areas	JHJ

PROPOSED ZONING LADIES MILE QUEENSTOWN

Client	Surveyed	Signed	Date	Job No.	Drawing No.
				12224	05
	Drawn	Signed	Date	Scale	
	RWB		01.01.14	1:4000 @ A1	
	Designed	Signed	Date	Datum & Level	Rev.
				Mt Nic 2000 & MSL	A

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Appendix 3 Proposed amendments to chapter provisions

APPENDIX 3

Proposed Amendments: Planning Map 13d

Amend Map 13d of Chapter 24:

So that the Submitter's land is identified as Wakatipu Basin Lifestyle Precinct 'A' with the amended provisions as set out in Appendix 1 and 2.

Reasons:

- a) The proposed zoning under the Wakatipu Basin Variation as set out in Chapter 24 is opposed insofar as the proposed zoning does not sufficiently take into consideration the actual character and current utilisation of land in the Basin, and inappropriately zones certain areas as Rural Amenity Zone while in reality they are of a Lifestyle Precinct character. There is a mismatch between the limitations enforced under the proposed zones, and the use and general character of the land in practice. This proposed zoning should take into consideration the actual character and practical use of the land, through comprehensive landscape assessment. The Submitter's land is capable of absorbing further development of a nature anticipated in the Lifestyle Precinct.

Amend Map 13d of Chapter 24:

Rezone the land identified in green in Appendix 3 as Wakatipu Basin Rural Lifestyle Precinct A:

Reasons:

- a) The zoning boundary of the Rural Amenity Zone and Lifestyle Precinct is opposed.
- b) The land along Lower Shotover Road and lower parts of Slope Hill Road opposite the Hawthorne Triangle should be zoned as Lifestyle Precinct. The proposed zoning of this area as Rural Amenity ignores the established character of the land and its current utilisation by land owners. Zoning should be consistent with the activities currently carried out on the land and the needs associated with those activities.
- c) Zoning the area as Lifestyle Precinct would enable future development that is an efficient and effective use of this land resource.

Proposed Amendments: Chapter 3 – Strategic Direction

New Policy - 3.2.5.4.3:

Recognise and provide for the amenity, social, cultural, and economic benefits of rural living development.

Reason:

- a) The current policy 3.2.5.4.2 recognises the need to 'provide for rural living opportunities in appropriate locations'. This is the only positive policy which

acknowledges the existence and benefits of rural living development. In light of the new objective and policy suite sought in Chapter 24, which further recognises the benefits of rural living development, it is important that this is also recognised at the strategic level.

Amend Objective - 3.2.5.5:

The character of the district's landscapes is maintained by ongoing agricultural land use and land management where landscape character is derived from predominantly agricultural use.

Reason:

- a) The Wakatipu Basin Variation acknowledges that the character of the Basin is not predominantly derived from agricultural practices any longer and is rather a mixed character which has evolved through rural and rural living subdivision and development. Given the Wakatipu Basin Rural Amenity Zone (WBRAZ) and Wakatipu Basin Lifestyle Precinct (Lifestyle Precinct) are a subset of 'rural land' and this Objective is not exclusive to Rural zoned land, it is important that this preference for continued agricultural use is only favoured where that is central to landscape character at present.

Proposed Amendments: Chapter 6 – Landscapes and Rural Character

Amend 6.2 Values:

...Some rural areas, particularly those closer to Queenstown and Wanaka town centres and within parts of the Wakatipu Basin, have an established pattern of housing on smaller landholdings. The landscape character of these areas has been modified by vehicle accesses, earthworks and vegetation planting for amenity, screening and shelter, which have reduced the open character exhibited by larger scale farming activities.

~~While Acknowledging these rural areas have established rural living and development, and landscape character and amenity values are derived from that evolved land use, there is limited capacity for further sensitive and sympathetic subdivision housing and development in appropriate locations where this maintains and enhances existing landscape and amenity values. A substantial amount of subdivision and development has been approved in these areas and the landscape values of these areas are vulnerable to degradation from further subdivision and development. It is realised that rural living development has a finite capacity if the District's distinctive rural landscape values are to be sustained has benefits for the District and can also can maintain and enhance rural landscape values where this is located in areas~~

which have the ability to absorb further subdivision and development.

Reason:

- a) Chapter 6 was not promulgated with the Wakatipu Basin Variation in mind and therefore requires additional consequential changes to give specific policy support to those zones and subzones within the landscapes higher order chapter. The WBRAZ and Lifestyle Precinct recognises that landscape character and amenity values are not predominantly derived from agricultural uses, but rather a historic and evolved pattern of rural living and other lifestyle uses. It is also recognised, by way of the Precinct zoning, that there are places which are able to absorb further rural living subdivision and development and this needs to be recognised at the descriptive level of this chapter.

Amend Policy 6.3.2:

That subdivision and development proposals located within the Outstanding Natural Landscape, or an Outstanding Natural Feature, be assessed against the assessment matters in provisions 21.7.1 and 21.7.3 because subdivision and development is ~~inappropriate in almost all locations within the Wakatipu Basin, and~~ inappropriate in many locations throughout the District wide Outstanding Natural Landscapes

Reason:

- a) The Wakatipu Basin does not include ONF/ONL zoned land and is therefore not intended to be captured by this policy.
- b) The statement that subdivision and development is inappropriate in almost all locations in the Wakatipu Basin is in direct contradiction to the WBRAZ and precinct provisions which provide for an effects-based approach to further development.
- c) Subject to relevant rules and standards rural living is anticipated in LUCs with moderate-high or high capacity for absorption of development where adverse effects on the landscape and/or visual amenity values are acceptable.

Amend Policy - 6.3.1.5:

Encourage rural living ~~Rural Lifestyle Zone and Rural Residential Zone plan changes in preference to adhoc~~ subdivision and development ~~and ensure these~~ where this occurs in areas where the landscape can accommodate change

Reason:

- a) There is no lower order policy support in the Precinct or rural living zones for a preference to direct plan changes over resource consent applications for further development.

New Policy - 6.3.1.x:

Recognise the distinctive character of the Wakatipu Basin and the amenity benefits of rural living development in this area.

Reason:

- a) Currently this policy suite provides for the protection of rural amenity values from further rural living subdivision and development, however does not recognise specific amenity benefits of this development, as requested to be included in Chapter 24.
- b) New policy recognition is required within Chapter 6 which specifically recognises the Wakatipu basin distinct character, its separate development and subdivision regime, and the benefits of the same.

Proposed Amendments: Variation to Stage 1 Landscapes Chapter 6

Amend 6.2 Values:

Landscapes have been categorised into three classifications within the Rural Zone. These are Outstanding Natural Landscapes (ONL) and Outstanding Natural Features (ONF), where their use, development and protection are a matter of national importance under Section 6 of the RMA. The Rural Landscapes Classification (RLC) makes up the majority of the remaining Rural Zoned land (except for Rural Residential, Rural Lifestyle, and Wakatipu Basin Lifestyle Precinct zones) and has varying types of landscape character and amenity values. Specific policy and assessment matters are provided to manage the potential effects of subdivision and development in these locations

Reason:

- a) Chapter 6 was not promulgated with the Wakatipu Basin Variation in mind and therefore requires additional consequential changes to give specific policy support to those zones and subzones within the landscapes higher order chapter.
- b) The WBRAZ and Lifestyle Precinct recognises that landscape character and amenity values are not predominantly derived from agricultural uses, but rather a historic and evolved pattern of rural living and other lifestyle uses. It is also recognised, by way of the Precinct zoning, that there are places which are able to absorb further rural living subdivision and development and this needs to be recognised at the descriptive level of this chapter.

Amend Rule 6.4.1.2:

The landscape categories apply only to the Rural Zone, with the exception of the following areas in the Rural Zones: ~~The Landscape Chapter and Strategic Direction Chapter's objectives and policies are relevant and applicable in all zones where landscape values are at issue.~~

Amend Rule 6.4.1.3:

~~The landscape categories assessment matters do not apply to the following within the Rural Zones:~~

- a. Ski Area Activities within the Ski Area Sub Zones.
- b. The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps.
- c. The Gibbston Character Zone.
- d. The Rural Lifestyle Zone.
- e. The Rural Residential Zone
- f. The Wakatipu Basin Lifestyle Precinct

Reasons:

- a) It is not efficient to assess development in all zones not zoned rural against landscape classification objectives, policies and assessment matters. Those zones have been assumed to particularise landscape issues where they are relevant within the lower order chapter.
- b) Rural living zones including the Lifestyle Precinct are areas which by their definition are considered to be able to absorb some effects of further subdivision and development. Those chapters already particularise landscape concerns and it is unnecessary to require further assessment against the entirety of Chapter 6.

Proposed Amendments: Chapter 21 - Rural

Amend Assessment matter 21.7.2.3 (Effects on landscape quality and character):

c. whether the design and any landscaping would be compatible with or would enhance the quality and character of the Rural Landscape and the characteristics identified in the applicable Landscape Classification Units (for development within the Wakatipu Basin Rural Amenity Zone).

New Assessment matter 21.7.2.4 (Effects on visual amenity):

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

...

g. the proposed development complements existing landscape character and development patterns and characteristics as described in the applicable Landscape Classification Units (for development within the Wakatipu Basin Rural Amenity Zone).

New Assessment matter 21.7.3.3 (other factors and positive effects, applicable in all the landscape categories)

...

g. Whether the proposed development provides for rural living opportunities in areas which are capable of absorbing effects of further rural living subdivision and development.

Reasons:

- a) If the submission above is not accepted and the landscape categories (including assessment matters) are applied to all zones, including the WBRAZ, then further amendments are required as set out. Further additions to RLC assessment matters are required to be included given Chapter 6 was promulgated without the Wakatipu Basin variation in mind. These additions recognise the specific and different character of the Basin, and the intention that further development in this Zone be led by an effects-based planning approach which is primarily guided by detailed landscape classification units.

Proposed Amendments: Chapter 24 – Wakatipu Basin

Amend Objectives, Policies, Rules and Standards of Chapter 24:

As per the amendments set out in Appendix 1.

Reasons:

- b) The proposed zoning under the Wakatipu Basin Variation as set out in Chapter 24 is opposed insofar as the proposed zoning does not sufficiently take into consideration the actual character and current utilisation of land in the Basin, and inappropriately zones certain areas as Rural Amenity Zone while in reality they are of a Lifestyle Precinct character. There is a mismatch between the limitations enforced under the proposed zones, and the use and general character of the land in practice. This proposed zoning should take into consideration the actual character and practical use of the land, through comprehensive landscape assessment. The Submitter's land is capable of absorbing further development of a nature anticipated in the Lifestyle Precinct.

Amend Rule 24.4.5:

Amend Rule 24.4.5 so this is a controlled activity as under the PDP as notified.

Reasons:

- a) It is unreasonable to require restricted discretionary activity resource consent for building construction and alterations on preapproved building platforms.
- b) This activity is a controlled activity under the Queenstown Lakes Operative District Plan. QLDC's Proposed District Plan Fact Sheet 07 – Residential Buildings in Rural Areas, specifically noted that requiring resource consent 'to construct or alter a building located within an approved building platform' is 'considered inefficient' 'because the merits of whether a building is appropriate in

that location has already been considered as part of the original resource consent to identify the building platform'.

- c) The proposed change to restricted discretionary status is in direct contradiction to QLDC's previous section 32 analysis on Stage 1, and is generally illogical, for the reasons pointed out by QLDC themselves.
- d) The controlled activity status is more appropriate because it provides certainty for landowners while still allowing the Council to manage the effects of a dwelling within the RBP, and associated works, through imposing conditions in relation to the matters of control, as set out in the rule;
- e) The planning method of creating a RBP at the time of the discretionary activity / restricted discretionary subdivision, with controlled activity status for subsequent buildings within the RBP, is well-established in the District, and there is no evidence or section 32 evaluation suggesting that the method has generated adverse effects and is inappropriate;

New Rules Chapter 24

As per the amendments set out in Appendix 1.

Reasons:

- a) New rules as set out in Appendix 1 are sought to be included which reflect and retain the discretionary regime established under the Operative District Plan, in particular, the identification of building platforms through subdivision.

Amend Table 24.3 Standards

As per the amendments set out in Appendix 1.

Reasons:

- a) Various standards identified in chapter 24 seek to remove or reduce the extent of existing landowner rights in the Wakatipu Basin.

These rights include:

- building coverage;
 - setbacks from internal and roadside boundaries;
 - setbacks from landscape features;
 - heights of buildings; and
 - protection of amenity trees.
- b) There is no justification identified in the Variation and supporting section 32 analysis which supports removing rights pertaining to these standards. The matters of discretion associated with a breach of those standards ensures that design outcomes complement the existing character of an area already.
 - c) Rules protecting amenity trees have been removed given this is ultra vires the tree protection rules in section 76 of the RMA.
 - d) Given the wide variety of locational attributes, topographies, and degrees of potential visibility from other areas, the "one size fits all" approach, with a minimum and average area, is not appropriate for the WBLP. Some areas may be able to absorb smaller sites, some not, and in some areas an average may be appropriate. Accordingly, the words "minimum and average" are deleted from the policy;

- e) The words "... of the Precinct ..." are deleted because landscape and visual amenity values are not constant across all areas within the Precinct; there is a wide variety of locational attributes, topographies, and degrees of potential visibility. Each area within the Precinct is addressed in the Landscape Character Unit descriptions in Schedule 24.8, and it is appropriate that these descriptions, rather than an assumed generic set of values are the subject of the Policy.

Proposed Amendments: Chapter 27 – Subdivision

Delete Rule 27.5.1

Replace with a discretionary subdivision regime which will allow for an effects based approach in the Amenity Zone.

Amend Rule 27.5.1

To provide for sub-precinct zones which have a range of densities, reflecting historical development patterns and ability for landscape to absorb further change as set out in Appendix 2.

Reasons:

- a) A stepped average density approach for different Precinct areas is supported as this seeks to achieve variation in subdivision design and layout, rather than implementing average lot sizes.
- b) The minimum lot size of 6000m² and average lot size of 1ha will not enable a "flexible and design led response ..." as is intended by the purpose statement. Rather, the similarity in the minimum and average lots sizes would yield a standard, uniform, "cookie-cutter" subdivision outcome, across the WBLP, with lots generally between 6000m² and 1.4ha. This range may not be the best fit for the particular natural features, landscape character or amenity values of a particular area;
- c) Across the WBLP there is a wide variety of locational attributes, topographies, and degrees of potential visibility. The most appropriate intensity in some areas may be a 6000m² minimum lot size / 1ha average, but in other areas this may not be the case; a smaller minimum lot size, and perhaps no average, may be more appropriate, to achieve:
- greater flexibility and innovation in subdivision design; and
 - design that integrates lots and development with the natural features, landscape character or amenity values of a site and wider surrounds;
- d) Areas within which new development is able to be absorbed into the landscape without adverse effects on the wider landscape values of the Basin – as generally delineated by the WBLP – are, collectively, a finite resource. More efficient use of these areas, for the WBLP's primary purpose of rural residential development, should be enabled; the provisions should generally promote a greater intensity of rural residential lots while maintaining development standards to appropriately manage external effects;

- e) There is no clear section 32 evaluation that justifies the 6000m² / 1ha regime across the entire WBLP;
- f) The WBRAZ removes land use and subdivision rights established through existing zonings. This precludes landowners from providing for their social and economic wellbeing as they have made and continue to make significant economic decisions based on those zonings.

Appendix 4 Otago Regional Policy Statement Objectives and Policies

APPENDIX 4

5.4.3 To protect Otago's outstanding natural features and landscapes from inappropriate subdivision, use and development.

The subdivision of land and its use and development can adversely impact on Otago's outstanding natural features and landscapes. The Resource Management Act requires that, in achieving the purpose of the Act, natural features and landscapes be protected from inappropriate subdivision, use and development. It is important to protect those landscapes and natural features that are outstanding or significant because of their values including their

5.5.1 4.4.1 to 4.4.2
4.4.5
5.5.6 6.4.4
6.4.8
8.4.5
9.4.1 to 9.4.3
10.4.3
11.4.1

9 BUILT ENVIRONMENT

9.4 Objectives

	Explanation and Principal Reasons for Adopting	Policies	See Also Other Objectives
9.4.1 To promote the sustainable management of Otago's built environment in order to: (a) Meet the present and reasonably foreseeable needs of Otago's people and communities; and (b) Provide for amenity values, and (c) Conserve and enhance environmental and landscape quality; and (d) Recognise and protect heritage values.	The well being, safety and health of people and communities is dependent, to a greater or lesser degree, on the constraints and benefits afforded by the built environment. The built environment must be sustainably managed for the present and future needs of Otago's communities. This will be achieved by promoting sustainable patterns of urban development and settlement while allowing for amenity values.	9.5.1 9.5.2 9.5.3 9.5.4 9.5.5 9.5.6	4.4.1 to 4.4.6 5.4.1 to 5.4.3 5.4.5 6.4.1 to 6.4.8 8.4.1 to 8.4.3 8.4.5 to 8.4.6 10.4.1 10.4.3 11.4.1 to 11.4.4 12.4.1 to 12.4.2 13.4.1 13.4.4 14.4.1 to 14.4.2 15.4.1
9.4.2 To promote the sustainable management of Otago's infrastructure to meet the present and reasonably foreseeable needs of Otago's communities.	Roading and rail networks, power generation and transmission systems, water and sewage reticulation and telecommunication systems are all important in ensuring that the needs of Otago's communities are able to be met. They provide an infrastructure for urban development and settlement, economic activity and for the distribution of goods and services within the region. Their sustainable management is required to ensure that they will continue to meet the needs of Otago's communities.	9.5.2 9.5.3	4.4.4 to 4.4.6 5.4.2 8.4.1 8.4.3 11.4.1 to 11.4.4 12.4.1 12.4.3 13.4.1 13.4.4 14.4.1 to 14.4.2 15.4.1
9.4.3 To avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources.	Urban development and settlement, and economic activities undertaken within the built environment, may have adverse effects on Otago's natural and physical resources. These adverse effects include, amongst others, increasing air and water pollution from emissions and discharges, increasing energy use for transport, domestic and industrial uses, the taking of land for urban development, particularly the threat of urban expansion on high class soils, the loss of, or damage to landscapes and heritage resources, and the loss of amenity values.	9.5.1 9.5.3 9.5.4 9.5.5 9.5.6	4.4.1 to 4.4.6 5.4.1 to 5.4.3 5.4.5 6.4.2 to 6.4.6 6.4.8 7.4.1 8.4.2 8.4.4 to 8.4.6 10.4.1 10.4.3 11.4.1 to 11.4.4 12.4.1 to 12.4.3 13.4.1 13.4.4 14.4.1 to 14.4.2 15.4.1

11.4 Objectives

	Explanation and Principal Reasons for Adopting	Policies	See Also Other Objectives
11.4.1	To recognise and understand the significant natural hazards that threaten Otago's communities and features.	In natural hazard management there is first a need to identify and assess potential threats from hazards. Once identified planning and response mechanisms can be put in place to deal with their potential and actual adverse effects. Flood-plain mapping and coastal hazard and drought hazard assessment are examples of this type of identification process.	11.5.1 4.4.1 to 4.4.2 11.5.6 4.4.5 to 4.4.6 11.5.7 5.4.1 5.4.3 6.4.6 6.4.8 8.4.1 8.4.3 9.4.1 9.4.3 10.4.2 14.4.1 14.4.2 15.4.1

Appendix 5 Glenpanel Infrastructure Assessment Report

INFRASTRUCTURE ASSESSMENT REPORT



**Glenpanel – Special Housing Area
June 2016**



CLARK FORTUNE MCDONALD & ASSOCIATES
REGISTERED LAND SURVEYORS, LAND DEVELOPMENT & PLANNING CONSULTANTS



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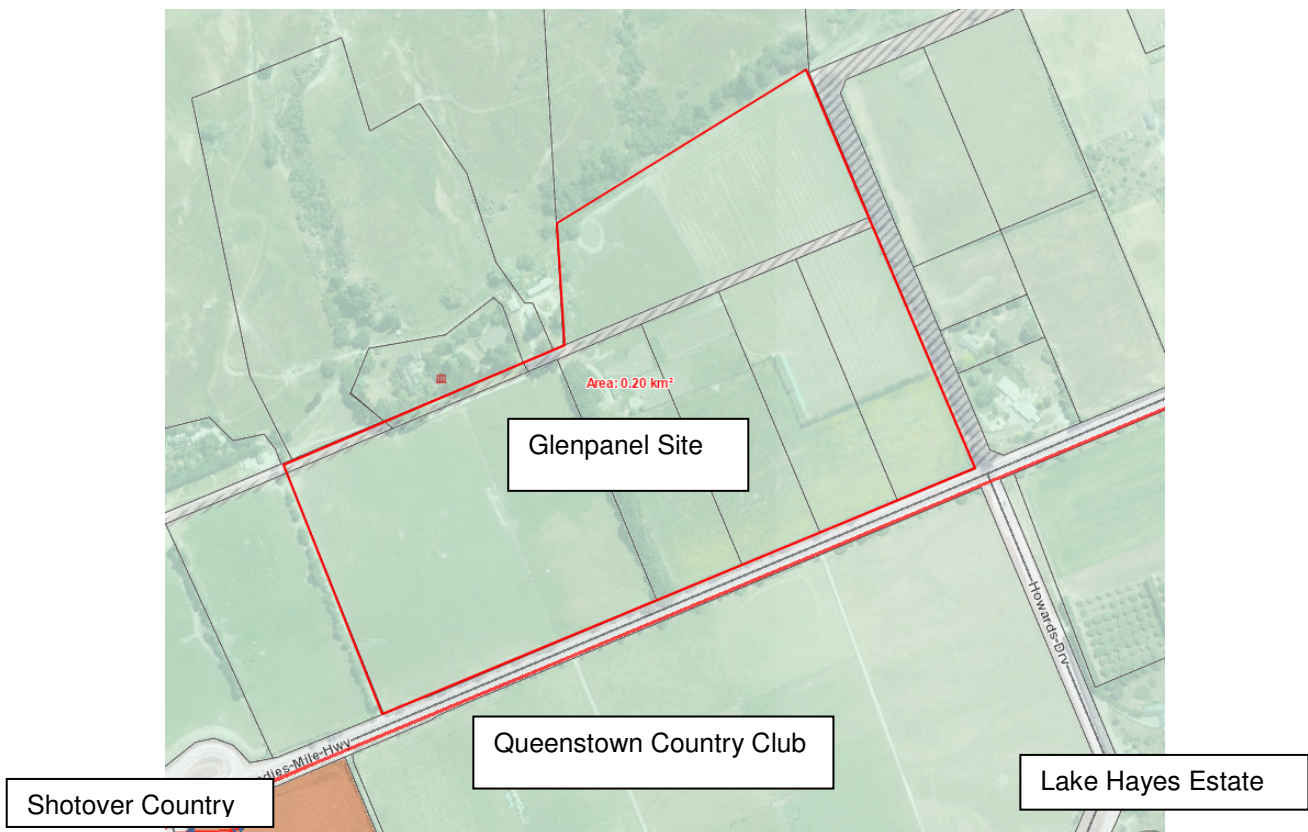
1 INTRODUCTION

Clark Fortune McDonald & Associates (CFM) has been engaged to assess infrastructure options for a proposed development on land located on the northern side of Ladies Mile opposite the Queenstown Country Club.

The proposal seeks to develop a Special Housing Area (SHA) creating low to medium density residential activities and worker accommodation.

The site is legally described as Lots 2, 4 & 7 D.P.463532 & Sections 42 – 44 Block III Shotover Survey District. The total site area comprises approx 20 ha and is contained in CT's 613707 & 613709.

The site has frontage to the Frankton Ladies Mile highway (SH6). The site adjoins the southern flanks of Slope Hill.



The site is relatively flat gently sloping towards Lake Hayes to the east.

The development area is presently zoned Rural General under the QLDC District Plan (the Plan).

This report is preliminary and for the SHA expression of interest only. Further information and detailed engineering design will be required as development proceeds.

The report considers infrastructure demands based on the proposed residential activities.

2 SCOPE OF WORK

The scope of work includes examination of existing QLDC as-built records, confirmation of capacity of existing services to determine the adequacy of the existing infrastructure, and recommendation of infrastructure servicing options.

3 DESIGN STANDARDS

Site development standards include, but are not limited to, the following:

- QLDC Land Development and Subdivision Code of Practice adopted June 2015.
- NZS4404:2010
- Drinking-Water Standards for New Zealand 2005.
- NZS PAS 4509:2008, New Zealand Fire Service Fire-fighting Water Supplies Code of Practice.
- Water for Otago, Otago Regional Council regional water plan.
- Document for New Zealand Building Code Surface Water - Clause E1 / Verification Method 1.

4 PROPOSED DEVELOPMENT PLAN

The Masterplan for the development proposes a mix of residential activities over the site. The basis of the design considers a possible 240 dwelling equivalent (DE) summarised as follows:

- 41 DE - Villas
- 65 DE – Low density lots
- 102 DE – Medium density lots or Multi Unit development (e.g. worker's accommodation)

The Masterplan and the above scope of development is indicative and subject to change.

The following report examines the feasibility of connecting into the existing QLDC infrastructure adjoining the site that currently services Lake Hayes Estate and Shotover Country subdivisions.

The demand figures above are used in assessing demands for wastewater and water supply in the following sections of the infrastructure report.

5 WASTEWATER

5.1 Design flows – Glenpanel SHA

Demand based on anticipated activities has been determined in accordance with the development standards:

Refer QLDC Infrastructure code.

No of residential units/DE:	208
Average dry weather flow:	250 l / person / day.
Dry weather diurnal peak factor:	2.5.
Infiltration factor:	2.
Occupancy:	3 person / du.

Dry weather average daily flow: **156 m³ / day.**
Peak hour flow: **9.0 l / sec.**

5.2 Existing infrastructure

As part of the development of the Stalker Road roundabout; QLDC's existing sewer rising mains were re-located and upgraded in size.

Concurrently; a 125mm OD PN12.5 PE100B sewer main was laid across the state highway to the subject property. The 125mm main (100mm bore) is connected to a manifold that joins the Shotover Country 150mm rising main and the Lake Hayes Estate rising main to the existing 375mm gravity main that ultimately crosses the Shotover River and discharges to the Shotover Waste Water Treatment plant.

A schematic of the arrangement of sewer pipelines has been drawn by Fluent Solutions for the Queenstown Country Club SHA and figure 3.2 is reproduced below. The 125mm line is highlighted for clarity.

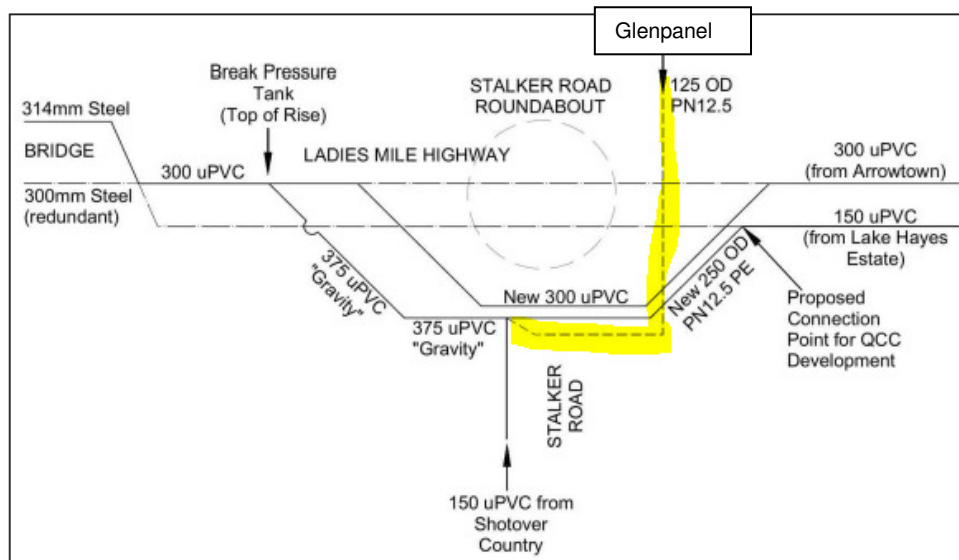


Figure 3.2: Schematic Diagram of Sewer Pipework at the Western End of Ladies Mile

(figure 3.2 courtesy of Fluent Solutions.)

The capacity of the existing 375 uPVC “Gravity” pipeline which was laid at 0.65% has been calculated at 150l/s with a velocity of 1.5m/s.

Approx. flows expected from the completed developments are summarised below.

Lake Hayes Estate	– 25l/s
Shotover Country	– 25l/s
Queenstown Country Club	– 12 l/s
Glenpanel SHA	– 9 l/s
Total	- 71 l/s

This would leave a balance capacity of 79l/s available to service the greater Arrowtown/Lake Hayes area.

Modelling and capacity of the main across the Lower Shotover Bridge would need to be confirmed. It appears from previous reporting that this is sufficient. We anticipate that Rationale on behalf of QLDC would be able to confirm this. It may be required to examine the storage capacities at each of the pump stations and synchronise the discharges to ensure all pumps are not discharging simultaneously.

5.3 Proposed Servicing for the Glenpanel SHA

It is proposed that new gravity sewer reticulation will be constructed internally to service the SHA. This would likely be 150mm – 225mm diameter mains. At the end of the gravity reticulation a new foul sewer pump station will be required. Appropriate storage and standby generation would also be constructed to provide for at least 8 hours emergency storage. The pump station rising main would then be connected to the existing 125mm pressure connection at the Stalker Road roundabout.

5.4 Required upgrades

Any effects on the QLDC’s wider infrastructure being the Shotover Waste Water Treatment Plant will be mitigated by the imposition of headworks fees at the time of connection to Council’s service. It is assumed that the Glenpanel SHA would be levied the same as Shotover Country under the proposed 2016/2017 Development Contribution policy. This is assumed on the basis that the Shotover Country rate recognises that only the treatment component of infrastructure is utilised. The current figure being levied is \$2,907 per residential unit. The additional 208 residential units under the current levy would net Council $208 \times \$2,903 = \$603,824.00$ ex GST. Upgrades to the Shotover Waste Water Treatment Plant are currently under construction.

6 STORMWATER

The development of the site area will increase stormwater runoff and introduce contaminants into the receiving aquatic environment.

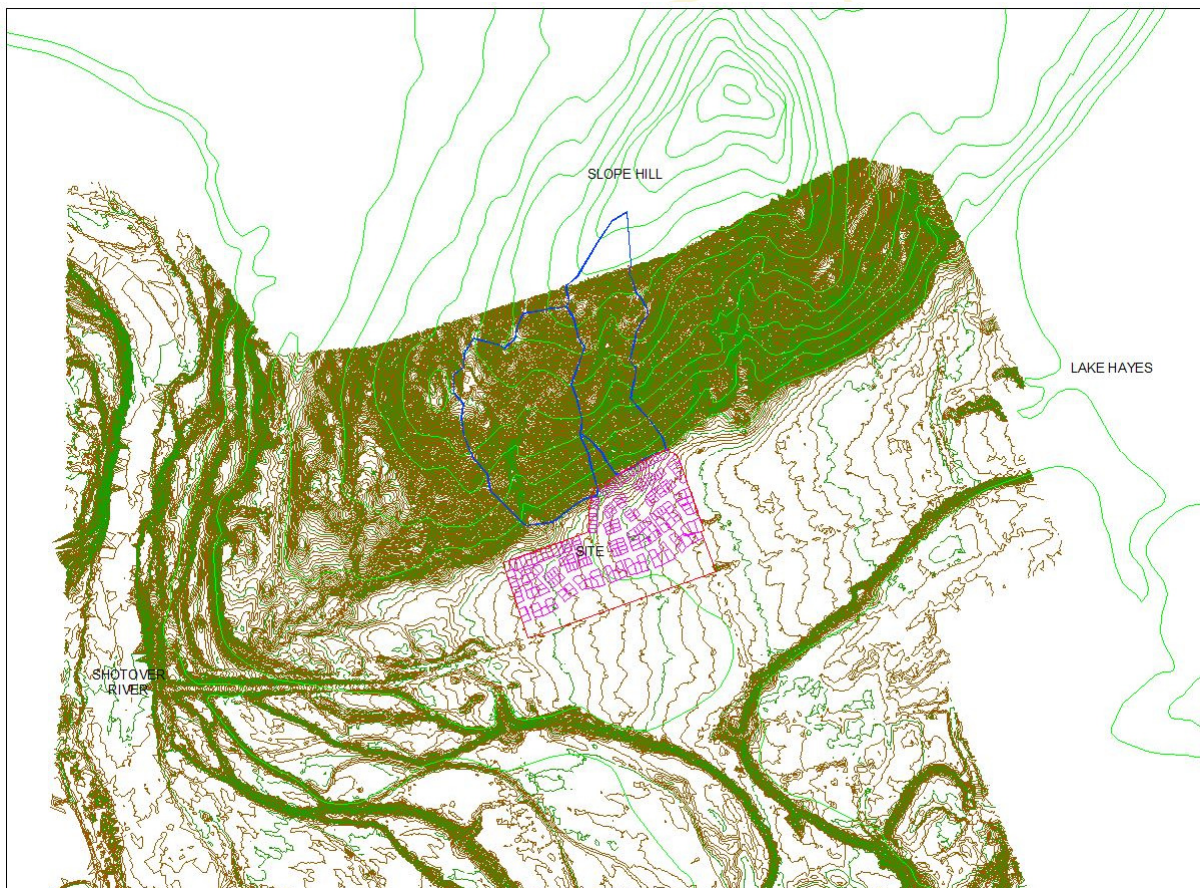
6.1 Stormwater Catchment Management Plan (SCMP)

It is proposed that the Glenpanel SHA prepare and submit to QLDC a SCMP to be approved by QLDC prior to development of the site.

6.2 Stormwater Catchments

The topography of the development area is predominantly flat. The site slopes west to east generally falling towards Lake Hayes. Prior to any development the Ladies Mile flats north of the state highway discharged to Lake Hayes through a gully located in Strains property.

Slope Hill adjoins the development area to the north. The southern flanks of Slope Hill have a number of gullies that break the catchment into smaller areas. There are two main hillside catchments above the development with a combined area of approx. 45ha.



The run off from the hillside catchment above the subject site needs to be managed to ensure flows from the hillside do not create downstream nuisance to the development area. These hill side catchments have already had open cut off drains constructed by the land

owners to manage the run off flows. This management method is not expected to change post development.

6.3 Existing Reticulation

There is no existing storm water reticulation to service the property. There is some storm water infrastructure in the way of cut off drains/swales that deal with the hill side run-off.

6.4 Hydrological analysis

Runoff has been considered based on the Baxter Design Group draft concept plan dated 24 June 016, and calculated using the Rational Method. The development area is 20 ha and presently consists mainly of pasture and some trees. The soil drainage is moderate and the development area is quite flat, so a slope correction of -0.05 has been applied to the runoff coefficient for each surface type. Runoff coefficients have been obtained from Approved Document for New Zealand Building Code, Surface Water, Clause E1. Rainfall intensity has been determined from NIWA HIRDS V3 (<http://hirds.niwa.co.nz/>).

It is specified in the development code that pre-development runoff discharging to an existing network shall not exceed that which would have occurred for the undeveloped catchment during a 60 minute 5 year storm.

In this instance however as there is no existing network, we have considered the full discharge of the developed catchment for a 1% AEP or 100 year return period event. i.e. worst case scenario which is conservative. The following calculations and concept design show how the stormwater could be managed on site.

Refer to the following calculations:

Post development runoff

Post-development	High	Medium	Low	Reserve	Hillside	
Development area	Density	Density	Density			
Medium soakage pasture and scrub	5.75	4.36	3.5	6.84	2.12	
C	0.65	0.60	0.55	0.30	0.30	
Slope correction	-0.05	-0.05	-0.05	-0.05	0.10	
Adjusted C	0.60	0.55	0.50	0.25	0.40	
CA	3.45	2.40	1.75	1.71	0.85	10.16

Infiltration pond routing computations

All ponds	100 year ARI storm									
Development area CA	9.310									
Hillside area CA	0.85									
ΣCA (ha)	10.160									
Infiltration area (m ²)	1700.000									
Infiltration rate (m/hr)	0.3									
				Infiltration to dispose of runoff from development area						
				Duration (hr)						
				0.33	1	2	6	12	24	48
Pond top area	13700	Rainfall (mm)	15.8	31.8	43.8	73.0	100.6	138.6	166.9	
Pond base area	6400	Runoff (m ³)	1605.3	3230.9	4450.1	7416.8	10221.0	14081.8	16957.0	
Pond depth	0.7	Infiltration (m ³)	168.3	510.0	1020.0	3060.0	6120.0	12240.0	24480.0	
Storage (m ³)	7035	Required storage (m ³)	1437.0	2720.9	3430.1	4356.8	4101.0	1841.8	-7523.0	
Infiltration (m ³ /hr)	510.0	Total storage (m ³)	7035.0	7035.0	7035.0	7035.0	7035.0	7035.0	7035.0	
		Surplus storage (m ³)	5598.0	4314.1	3604.9	2678.2	2934.0	5193.2	14558.0	

The runoff coefficient for the residential area of 0.65 has been used in the post development calculations. This is specified in the Approved Document for New Zealand Building Code, Surface Water, Clause E1, as being appropriate for shopping areas and townhouse developments.

Storage capacity has been provided for the 100 year ARI storm. The critical storm duration, as it relates to the storage required in the detention ponds, was determined by analysing storms of varying length: from 20 minutes through to 48 hours.

It is noted that it would be permitted to discharge the pre-development flows downstream.

6.5 Runoff quality

Stormwater can contain a number of contaminants which may adversely affect the receiving environment. Studies in New Zealand and abroad have identified urban development as a major contributor to the declining quality of aquatic environments. It is estimated that upwards of 40% of the contaminant content of this runoff can be attributed to run-off from roads.

At this site stormwater will be generated by run-off from the following:

- Roofs of residential buildings;
- Urban roadways;
- Footpaths; and
- Other hard-standing areas.

Based on available information it is expected that stormwater from the above named developed surfaces could contain the following contaminants:

- Suspended solids;
- Oxygen demanding substances;
- Pathogens; and
- Dissolved contaminants.

The dissolved stormwater contaminants of concern at this site can cause an aquatic risk to the ecology of the receiving environment. The parameters of concern are as follows:

(1) Hydrocarbons and Oils

These are associated with vehicle use, although there is potential for spillages of hydrocarbon products to occur. They may be in solution or absorbed into sediments. Routine

stormwater discharges are likely to have low concentrations ranging between 1 and 5g/m³ total hydrocarbons over each storm event.

(2) Toxic Metals

A variety of persistent trace-metal compounds are carried in stormwater in both solid and dissolved forms. The most commonly measured metals of concern are zinc, copper, and chromium (mostly associated with vehicles and roads).

(3) Nutrients

Fertiliser application and animal waste associated with the current agricultural use of the site have the potential to generate high levels of nutrients such as phosphorus and nitrogen within stormwater runoff. High nutrient levels are not anticipated within the post-development stormwater runoff as, agricultural activities, such as grazing in particular, will cease.

6.5.1 Expected Contaminant Levels

Ranges of contaminant levels are provided by both the Auckland Regional Council (TP 10 and 53) and NIWA (Williamson 1993). This data can be used to predict the likely contaminant loading levels associated with changes in land use.

Contaminant levels anticipated for this development have been estimated from TP10 and are included in Table 1 below.



Table 1 – Estimated Contaminant Loading Ranges for Land Use Types (kg/ha/year)

Land Use	Total Susp. Solids	Total Phosph.	Total Nitrogen	BOD	Lead (median)	Zinc	Copper
Road	281-723	0.59-1.5	1.3-1.5	20-33	0.49-1.10	0.18-0.45	0.03-0.09
Residential	60-340	0.46-0.64	3.4-4.7	12-20	0.03-0.09	0.07-0.20	0.09-0.27
Pasture	103-583	0.01-0.25	1.2-7.1	NA	0.004-0.015	0.02-0.17	0.02-0.04
Grass	80-588	0.01-0.25	1.2-7.1	NA	0.03-0.10	0.02-0.17	0.02-0.04

6.5.2 Construction-Stage Stormwater

Construction stage stormwater has the greatest potential to cause discharge of sediment laden runoff to the receiving environment. We would suggest that the applicant provide details of the proposed stormwater management plan as part of the engineering design phase of the project.

The detention ponds will be designed generally in accordance with Auckland Regional Council TP10. Each pond will have a fore-bay and will be suitably vegetated. The detention ponds will provide stormwater treatment before it is discharged to ground. The primary contaminant removal mechanism of all pond systems is settling or sedimentation.

6.6 Stormwater Management Objectives

The following draft overall objectives should be recognised while assessing stormwater management options for the development area:

- Primary protection for 25 year ARI storms;
- Secondary protection (overland flowpaths) for 100 year ARI storms;
- Regulatory Compliance;
- Avoidance of increases in downstream peak flows resulting from the increase in developed surface areas;
- Sustainable management of the effects of the proposed development;
- Minimisation of pollution of receiving waterways through the reduction of stormwater contaminants from roadways;
- Erosion protection in the stormwater discharge zone;
- Construction and maintenance costs.

6.7 Stormwater Management Approaches

This Section of the report introduces options available for Glenpanel stormwater management, in particular traditional design (big pipe), Low Impact Design (LID) or Sustainable Urban Drainage (SUD) approaches.

6.7.1 Traditional Approaches (Big Pipe)

The traditional approach to stormwater management has been to direct all runoff from residential allotments and roadways to a pipe network which discharges to the nearest receiving water body, with minimal effort made to replicate the pre-development hydrological regime.

Arguably the big pipe approach has one advantage over LID and SUD approaches: lower construction and maintenance costs.

6.7.2 LID / SUD Approaches

Some LID options are presented below. These have been sourced from the *Low Impact Design Manual* for the Auckland Region TP124 (Shaver et al. 2000), the *On-Site Stormwater Management Guideline* (NZWERF, 2004) and *Waterways, Wetlands and Drainage Guide* (CCC, 2003).

- Clustering and alternative allotment configuration. Fewer, smaller allotments, with more open space. This approach is less economic for the Developer and is also at odds with some of the principals of modern urban design.
- Reduction in setbacks. Reduction in the front setback reduces the length of driveway required. Correspondingly, the total amount of impervious area within the development is reduced. This approach presents some compliance issues with QLDC District Plan rules.
- Reduction in developed surfaces. This approach applies mainly to transport related aspects of residential developments such as reduced carriageway widths, use of grassed swales as opposed to kerb & channel, and alternative turning head design.
- Vegetated filter strips and swales. Stormwater from roadways is directed through a densely vegetated strip, and then into a road-side swale. Swales are generally used for conveyance of stormwater however they do have contaminant removal properties such as sediment removal efficiency of 20 – 40% (Waterways, Wetlands and Drainage Guide, CCC 2003). Stormwater velocity is reduced so this approach is beneficial in reducing peak flows.
- Infiltration Trench. Infiltration trenches can be constructed in place of swales if natural soils are sufficiently free draining. This is applicable to sites with limited available open space. Infiltration trenches also have the ability to store stormwater. Infiltration trenches can reduce peak flows however they present maintenance issues.
- Infiltration Basin. The suitability of this option is reliant upon free draining natural soils, adequate depth to groundwater, and sufficient open space to construct.
- Soakage chambers. These allow direct discharge of stormwater to groundwater or free drainage soils. Soakage chambers require clean, pre-treated stormwater.
- Permeable paving. This option allows stormwater to permeate directly into pavement layers, and is applicable for low traffic areas with low ground water levels and free draining non-cohesive soils. Construction and maintenance costs for this option are high.
- Detention Ponds. These are used to reduce peak discharges to pre-development levels. They allow for settlement of suspended solids by vegetation. They require sufficient open space to construct.

6.8 Management Options

Many options are available to avoid, remedy or mitigate the adverse effects associated with residential development on receiving environments.

For the Glenpanel project the recommended stormwater management strategy is to provide an integrated treatment train approach to water management, which is premised on providing control at the catchment wide level, the allotment level, and the extent feasible in conveyance followed by end of pipe controls. This combination of controls provides a satisfactory means of meeting the criteria for water quality, volume of discharge, erosion and flood control (if required).

Table 2 – Recommendations

	Recommendations	Remarks
Collection	Combinations of LID/SUD measures, kerb & channel, swales, open channels and pipes.	<ul style="list-style-type: none"> (1) Where allotment density allows direct roadway runoff to grass swales (primary treatment) – also for secondary overland flow during flood events. (2) Where natural soils allow incorporate infiltration measures. (3) Kerb & channel & pipework to provide primary protection.
Treatment	Combinations of swales, detention ponds and end of pipe structures (gross pollution traps and filters).	<ul style="list-style-type: none"> (1) Pipework to discharge to detention / infiltration ponds. (2) End of pipe structures and fore bay bunds to provide pre-treatment of stormwater before infiltration to ground water.
Disposal	Use attenuation prior to discharging to watercourses.	<ul style="list-style-type: none"> (1) Sufficient space is available to construct detention ponds. (2) Where natural soils allow incorporate infiltration ponds. (3) Post development discharge not to exceed pre-development levels.

6.9 Stormwater Concept Design

Runoff from undeveloped areas shall be directed around the developed areas via grass swales, and then discharged to ground. This will replicate the pre development runoff scenario for the undeveloped areas. The developed areas will be serviced using a hybrid LID/SUD/Big Pipe design. This will incorporate a combination of grass swales, kerbs, pipework and detention areas.

The development area can be broken into smaller sub-catchments: Separate pipe networks are then proposed - one for each catchment. Each network will discharge to its own disposal area adjacent the southern boundary of the site. Secondary overflow paths will be provided for in swales or road ways. Overflows will discharge to the same locations as the pre-development scenario.

The stormwater concept plan is shown in appendix A.

7 WATER RETICULATION

7.1 Water supply design

To assess the demand and supply requirements for the proposed Glenpanel SHA the following aspects have been considered:

- Water demands
- Water availability
- Existing infrastructure
- Storage requirements
- Irrigation requirements

7.2 Design flows – Glenpanel SHA – QLDC

Demand based on the anticipated activities for the Glenpanel SHA have been determined in accordance with the development standards:

Refer QLDC code of practice 6.3.5.6.

No of residential units:	208.
Average daily demand:	700 l / person / day.
Occupancy:	3.0 person / du.
Peak Day factor:	6.6.

Average Daily demand:	437 m³ / day.
Peak day demand: (16 hour pumping)	50.1 l / sec.

QLDC Code of practice also allows for a lower demand when supported by metering data approved by QLDC. Shotover Country has just completed a 12 month metering trial on 50 randomly selected houses. The trial results are still being analysed however early analysis of the results indicate that demands far closer to 4404:2010 have been found.

7.3 Design flows – Glenpanel SHA – 4404:2010

Demand based on medium density residential activities has been determined in accordance with the development standards:

Refer NZS4404:2010.

No of residential units:	208.
Average daily demand:	250 l / person / day.
Occupancy:	3.0 person / du.
Peak day factor:	5.0.

Average Daily demand:	156 m³ / day.
Peak hour demand: (16 hour pumping)	13.5 l / sec.

It can be seen above that applying the 4404 figures has approximately one quarter of the demand.

It is the opinion of the author that the demands from 4404 should be adopted for this project.

One significant consideration for the Average Daily Demand for the QLDC code of practice is irrigation demand. Irrigation for private use varies greatly and is generally uncontrolled.

The irrigation demand for reserves, streetscapes and open spaces is anticipated to be managed by QLDC once these assets vest.

7.4 Required Fire fighting demand

The design of the new water infrastructure will need to meet the requirements of SNZ PAS 4509 – NZ Fire Service Firefighting Water Supplies Code of Practice.

7.4.1 Residential fire fighting demand – reticulated supply - non sprinklered

Water supply classification:	FW2.
Required water flow within 135m:	12.5 l / sec
Additional water flow within 270m:	12.5 l / sec.
Max No. of hydrants to provide flow:	2.
Minimum pressure	100kPa.

7.5 Existing Infrastructure

Shotover Country has developed a new 300mm water bore adjoining the Shotover River. Upgrades to the existing Water Treatment Plant at Lake Hayes Estate have also been undertaken.

Shotover Country and QLDC have jointly constructed a new 1,000m³ water storage reservoir on Jones' Hill. The reservoir and associated rising/falling mains were commissioned in August 2014.

This water supply system is now capable of delivering 70l/s for 16 hours per day. This equates to 4,032m³ of potable water per day.

The System is connected to the existing Lake Hayes water supply scheme which provides a level of redundancy and security of supply.

The rising and falling mains as well as the domestic reticulation constructed for the subdivision have been modelled and sized by Tonkin and Taylor Ltd. Pipe work has been sized for the fully built zone to meet QLDC's levels of service.

A 150mm water main was extended to the Stalker Road roundabout and across the highway in early 2016. This main adjoins the subject site. The static water pressure in the pipe is approx. 150kPa given its relative elevation to the Shotover Country water reservoir.

QLDC are currently designing an upgrade to this water supply scheme which involves the construction of a bore field with several new bores capable of taking 395 l/s (subject to consent). This new "on-demand" system will also include a new water treatment plant that will treat the water at the source and be pumped to areas of future development including the Frankton Flats. Works on the first stage of the water upgrade a proposed to commence from July this year.

The Arrow Irrigation Company (AIC) network currently services the subject site. The main race is piped from the inlet of the Shotover syphon around the side of Slopehill. There is pressure reticulation with mains of 150mm in diameter that currently runs spray irrigators

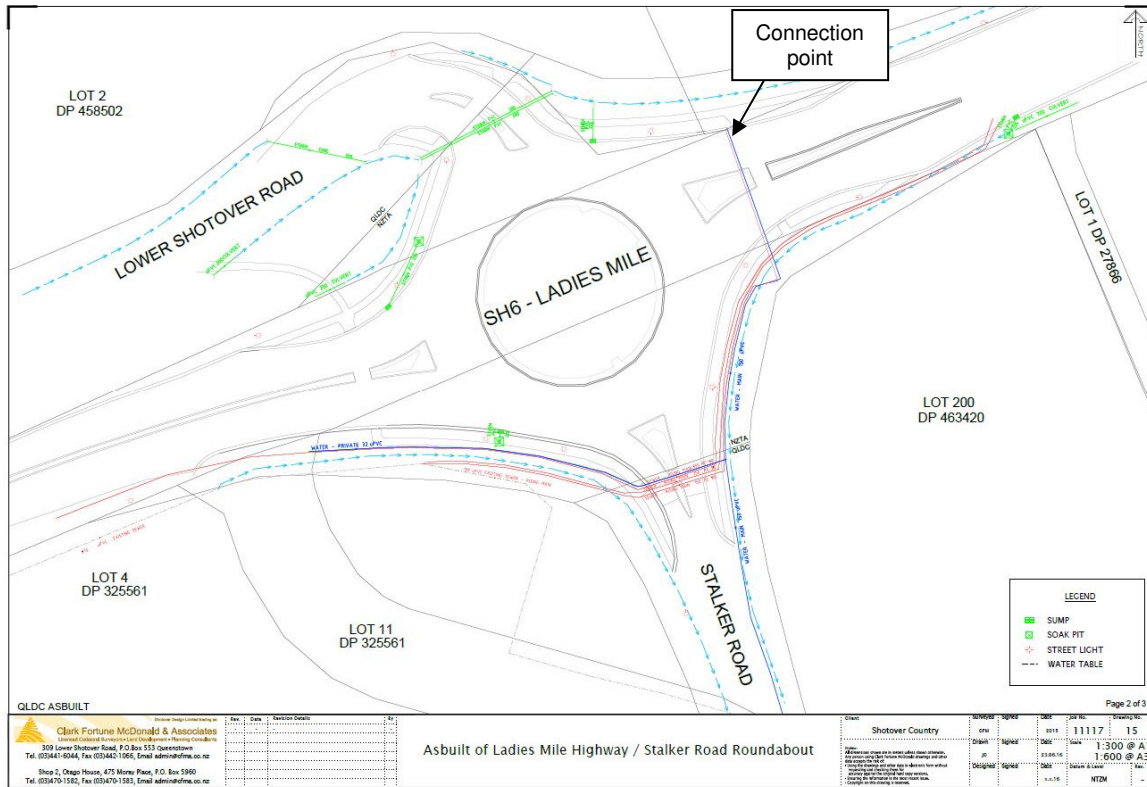
running through the property. The pressure reticulation crosses the State Highway adjacent the Stalker Road roundabout and continues along to Howards Drive and Lake Hayes Estate.



7.6 Concept Design

To service the proposed development, treated water from the QLDC/Shotover Country scheme would be utilised. It is anticipated that up to 15l/s would be required.

The connection point would be the existing 150mmØ water main on the north side of the State highway.

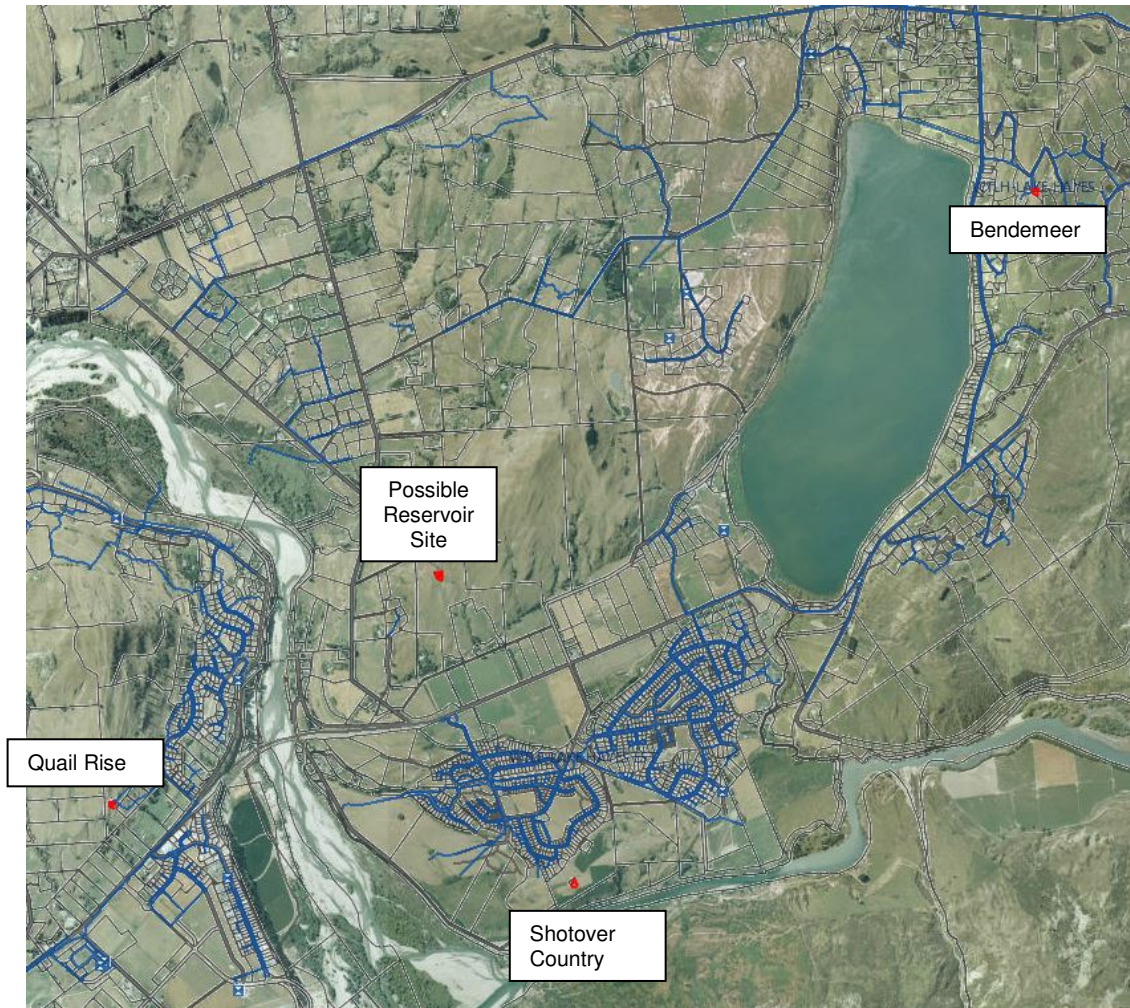


This water would then need to be pumped via booster pump to a higher level water reservoir. A reservoir would be sited at a suitable elevation to provide the suitable domestic pressures of between 300kPa & 900kPa to the development. From the reservoir, gravity reticulation would be installed to service the properties for domestic and fire fighting supply. Internal reticulation would be sized accordingly but is anticipated that mains of 150mmØ would be required.

It is proposed that a new reservoir could be established on Slope Hill at a suitable elevation to service the development. The applicant owns the land necessary for the establishment of a reservoir and is able to provide the land and access required for a new tank.

Given the current proposed re-zoning of land surrounding Slope Hill under the District Plan Review a new tank could also service additional demand generated from any re-zoning.

Equally Slope Hill is a centrally located position that could be connected to the Lake Hayes Scheme. This connectivity would augment the existing network and provide further security.



Sizing of the reservoir should also be carefully considered as this could help eliminate peaks in the demand. This would then allow for a lower peak flow of water to be taken from the existing QLDC system.

All new infrastructure constructed for this development would then be vested in Council ownership.

It is also proposed to utilise the existing Arrow Irrigation network to irrigate streetscapes, reserves and open spaces. By utilising the Arrow water would see a reduction to the overall demand on QLDC potable water supply.

The further design and modelling of the infrastructure would need to be undertaken closely with the QLDC to confirm availability of supply. It is anticipated that water modelling consultants Tonkin and Taylor will be need to carry out this modelling at the next phase of design.

7.7 Required upgrades

Any effects on the QLDC's wider infrastructure being the Shotover Country Bore Field and Water Treatment Plant will be mitigated by the imposition of headworks fees at the time of connection to Council's service. It is assumed that the Glenpanel SHA would be levied the same as Shotover Country under the proposed 2016/2017 Development Contribution policy.

The current figure being levied is \$2,628 per residential unit. The additional 208 residential units under the current levy would net Council $208 \times \$2,628 = \$546,624.00$ ex GST.



8 POWER, TELECOMMUNICATIONS AND GAS

Both local electrical networks, Aurora Energy and Powernet have high voltage network adjoining the subject site. Either network could supply suitable underground electrical supply to the proposed development. Below is a screen shot from Aurora's GIS showing the existing electrical infrastructure.



Chorus fibre optic telecommunications cables exist in the north side of the road corridor of State Highway 6. It is anticipated that connection to the network can be made and that the new development would be serviced with fibre to the door.

Contact/Rockgas have a 50t buried gas tank located off Jones Ave. There is an existing 200mm main that runs in Howards Drive to the State highway that is not currently being utilised. To connect the subject site to the existing underground reticulation would require a short length of new main being thrust under the highway carriageway to the site. Gas reticulation would then be available at the discretion of the developer.

All infrastructure is underground. All necessary mains will be extended to service the development area as development proceeds. Confirmation from the network owners will be obtained at each stage of development prior to proceeding.

It is not anticipated that there will be any supply or capacity issues for these services and connection will be made available from existing infrastructure at the time of development in accordance with the relevant service provider's specifications.

9 CONCLUSION

The inclusion of the Glenpanel Special Housing Area will not have any significant impacts on the infrastructure network. New infrastructure already exists that can be augmented as required to cater for additional demand.

The infrastructure will be constructed and paid for by the applicant as the development proceeds. It is anticipated that new infrastructure required would be constructed at no cost to QLDC. It is possible that the construction of new infrastructure required for this development could also have a wider network or community benefit by augmenting or providing additional security to existing infrastructure.

The two components of QLDC infrastructure that the development would rely upon will be the Shotover Waste Water Treatment Plant and the Shotover Country water bore field and treatment plant. Appropriate headworks fees can be levied to mitigate the effects of the additional demand.

Upgrades to the Shotover Waste Water Treatment Plant are under construction and upgrades to the Shotover Country water bore and treatment plant are planned and programmed in Council's Long Term Plan. Work is expected to start in the second half of 2016.

Stormwater would be managed for the development on site and is not expected to have any effects on existing infrastructure.

Other non-Council infrastructure and network utilities exist and have capacity to supply this development. Should additional capacity to accommodate the cumulative demand of the SHA on the Council infrastructure be required, it can readily be provided.

10 APPENDICES



