

ANNEXURE C – Relevant Section of Ms Devlin’s Right of Reply

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

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of Hearing Stream 13
– Queenstown Mapping
Annotations and
Rezoning Requests

**REPLY OF ROSALIND DEVLIN
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

GROUP 1C: QUEENSTOWN URBAN – CENTRAL, WEST AND ARTHURS POINT

6 October 2017

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7. GROUP 9 – FERNHILL / SUNSHINE BAY

**HURTELL PROPRIETARY LIMITED, LANDEENA HOLDINGS LIMITED,
SHELLMINT PROPRIETARY LIMITED (97)**

- 7.1** I have considered questions from the Panel in regard to rezoning the Hurtell Proprietary Limited, Landeena Holdings Limited, Shellmint Proprietary Limited (97) site at 102 – 108 Wynyard Crescent, Fernhill, to MDR. The submitter sought rezoning from LDR to MDR or HDR. I considered either rezoning to be inappropriate for the reasons set out in my evidence in chief, although I generally considered MDR would be more acceptable.
- 7.2** Mr Glasner was opposed to the HDR rezoning request based on fire fighting FW3 being insufficient. Mr Glasner has assessed the potential rezoning of the site to MDR, and considers that modelling shows that fire fighting FW2 can be provided in the future. Wastewater will be addressed through LTP.
- 7.3** The PDP enabled yield for this site is 23 LDR lots. The estimated yield if the site was rezoned MDR, based on 250m² per lot, would yield approximately additional 18 MDR lots, giving a total of 41 MDR lots.
- 7.4** For completeness, I note that Ms W Banks was not opposed to either MDR or HDR rezoning from a transport perspective.
- 7.5** Having reconsidered my initial recommendation, and taking into account Mr Glasner's evidence, I now consider that MDR would be suitable for this site. As such I recommend that the submission seeking MDR zoning over the site should be accepted.

REDDY GROUP LIMITED / COHERENT HOTELS LIMITED (699)

- 7.6** I maintain my recommendation that the submission from Reddy Group Limited / Coherent Hotels Limited (699) should be accepted in regard to rezoning parts of their land from LDR to MDR. In regard to questions during the hearing, it appears that the only natural hazards

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Issue Reference	Map no	Sub-group
150.4		Mount Crystal Limited	9.5.2	Support	Amend Rule 9.5.2 by deleting "10 metres and inserting "12 metres"	Reject	also map 37 Residential addressed in Stream 6 - Residential	32	Urban - Queenstown Hill
182.1		Milkenium & Cophthorne Hotels New Zealand Limited		Support	Retention of the proposed High Density Residential Zoning, or Some other zoning which provides for hotels at the height of the current development i.e., a visitor accommodation zone, and A definition of visitor accommodation / hotels which provide for all the activities likely to be associated with a hotel visitor accommodation i.e. conference facilities, restaurants, bars, gyms, guest retail, etc.	Accept in part	Related to rezoning submission in CTN addressed under sub point 079	35	Urban - Queenstown
182.1	FS1063.1	Peter Fleming and Others		Oppose	All Disallowed	Reject		35	Urban - Queenstown
182.1	FS1244.1	Three Beaches Limited		Support	Considers that with the imposition of a visitor accommodation sub-zone that specifically caters for large scale hotels, combined with greater building height as proposed under the PDP the Council will enable the establishment of hotels in close proximity to central Queenstown. The submitter also agrees with the submission in relation to the definition of visitor accommodation.	Reject		35	Urban - Queenstown
391.7		Sean & Jane McLeod		Other	That the medium density zone is extended to include most Fernhill and Sunshine bay on the lower slopes within 4-500m of Fernhill road and that it is also extended all the way along Frankton Road from the existing High Density areas to include Panorama Tee, Larchwood Heights, Andrews park, Goldfields, Battery Hill Marina Heights and every thing in between. Questions Medium Density Zone location opposite Glenda Drive Suggests the Queenstown Heights Subzone be zoned as Low Density Residential.	Reject	also maps 32, 35, 36, 37 applies to Fernhill. Frankton road part calculated in 391.22 for maps 32-37	34	Urban - Fernhill
391.7	FS1271.2	Hurtell Proprietary Limited and others		Support	Supports. Seeks approval of the areas identified as MDR zone.	Reject	also maps 32, 35, 36, 37	34	Urban - General
391.7	FS1331.2	Mount Crystal Limited		Support	Rezoned the land owned by Mt Crystal a combination of MDR and HDR, as sought in submission # 150	Accept in part	also maps 32, 35, 36, 37	34	Urban - General
391.7	FS1340.91	Queenstown Airport Corporation		Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport. The proposed rezoning is a significant departure from the nature, scale and intensity of ASAN development currently anticipated at this site and may potentially result in adverse effects on QAC over the longer term. The proposed rezoning request should not be accepted.	Reject	also maps 32, 35, 36, 37	34	Urban - General
678.1		Milkenium & Cophthorne Hotels New Zealand Limited		Oppose	We seek either a High Density Residential zoning on the land with a 12 metre height limit, or, some other zoning which provides for hotels at the height of the current development.	Accept		35	Urban - Queenstown
679.1	FS1063.2	Peter Fleming and Others		Oppose	All Disallowed	Reject		35	Urban - Queenstown
679.1	FS1315.27	Greenwood Group Ltd		Support	Greenwood supports the submission for Cophthorne which seeks either a high density residential rezoning with a 12 metre height limit or some other rezoning that provides for hotels at a height of the existing development on the submitter's site.	Accept in part		35	Urban - Queenstown
347.1		Remarkable Heights Ltd	Map 33 - Frankton	Oppose	Oppose the Rural General zoning of Lot 1 DP 411971 (Middleton Rd) and request rezoning to Low Density Residential. Copied from submission point 347.4.	Accept		33	Urban - Frankton Road
347.1	FS1340.82	Queenstown Airport Corporation	Map 33 - Frankton	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport.	Reject		33	Urban - Frankton Road
347.2		Remarkable Heights Ltd	Map 33 - Frankton	Oppose	The Urban Growth Boundary as it relates to Lot 102 DP411971 should be amended to match the property boundaries of Lot 102 DP411971.	Accept	UGB	33	Urban - Frankton Road
347.3		Remarkable Heights Ltd		Oppose	Oppose the Rural General zoning of Lot 1 DP 411971 and request rezoning to Low Density Residential.	Accept	Also on map 33. Duplicate with 347.1 for map 33	31	Urban - Frankton Road
389.1		Body Corporate 22362		Support	That Body Corporate 22362 be removed from the low density zone and be included in the medium density zone	Reject		32	Urban - Frankton Road
389.1	FS1331.1	Mount Crystal Limited		Support	Rezoned the Goldfields Heights area MDR	Reject		32	Urban - Frankton Road
389.1	FS1340.86	Queenstown Airport Corporation		Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport. The proposed rezoning is a significant departure from the nature, scale and intensity of ASAN development currently anticipated at this site and may potentially result in adverse effects on QAC over the longer term. The proposed rezoning request should not be accepted.	Reject		32	Urban - Frankton Road
238.46		NZIA Southern and Architecture + Women Southern		Other	Requests deletion of rules 8.6.2.1 and 8.6.2.2 relating to certification to a minimum 6-star level using the New Zealand Green Building Council Homestar™ Tool. The applicant seeks approval of the areas identified as MDR zone. Requests all medium density projects should be assessed on high quality design including sustainable design principles.	addressed in chapter 8 Urban - Business deferred to mapping	MDR Provisions	35	Urban - Ladies Mile
238.46	1242.74	Antony & Ruth Stokes	8.5.6.2	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.	Accept	MDR Provisions NOT ADDRESSED IN RES HEARING AND THE ORIGINAL MUST BE THERE TO SHOW THE CONTEXT OF THE FURTHER	35	Urban - Ladies Mile
97.2		Hurtell Proprietary Limited, Landeena Holdings Limited, Shellmint Proprietary Limited	Map 34 - Fernhill and Sunshine Bay	Other	Rezoned Lot 1 DP 21182 (OT12D/7648) to high density residential.	Accept in part		34	Urban - Fernhill
391.21	FS1271.3	Sean & Jane McLeod	Map 34 - Fernhill and Sunshine Bay	Support	That the medium density zone is extended to include most Fernhill and Sunshine bay on the lower slopes within 4-500m of Fernhill road	Reject	Duplicate with 391.7 for map 34	34	Urban - Fernhill
475.2		Hurtell Proprietary Limited and others	Map 34 - Fernhill and Sunshine Bay	Support	Supports. Seeks approval of the areas identified as MDR zone.	Reject		34	Urban - Fernhill
475.2		Mr Trevor William Oliver	Map 34 - Fernhill and Sunshine Bay	Oppose	Opposes the Medium Density Zoning between Wynyard Crescent and Fernhill Road.	Reject	downtown	34	Urban - Fernhill
479.2	FS1271.6	Hurtell Proprietary Limited and others	Map 34 - Fernhill and Sunshine Bay	Oppose	Requests the following: -Retain the Low density residential zoning of the residential block between Wynyard Crescent and Fernhill Road. -Amend Plan 34 to show the land between Wynyard Crescent and Fernhill Road as Low Density Residential.	Accept		34	Urban - Fernhill
699.1		Reddy Group Limited	Map 34 - Fernhill and Sunshine Bay	Not Stated	Opposes. Seeks that local authority approve the areas identified as MDR zone.	Accept		34	Urban - Fernhill
699.2		Reddy Group Limited	Map 34 - Fernhill and Sunshine Bay	Not Stated	That 139 Fernhill Road be zoned MDR in its entirety, as shown on the amended zone map included as Appendix 3.	Accept		34	Urban - Fernhill
699.3		Reddy Group Limited	Map 34 - Fernhill and Sunshine Bay	Not Stated	That 10, 12, 14 and 16 Richards Park Lane be rezoned from LDR to MDR, as shown on the amended zone map included as Appendix 3.	Accept		34	Urban - Fernhill
699.4		Reddy Group Limited	Map 34 - Fernhill and Sunshine Bay	Not Stated	That 20 Aspen Grove retain its MDR zoning, as shown on the amended zone map included as Appendix 3.	Accept		34	Urban - Fernhill
699.5		Reddy Group Limited	Map 34 - Fernhill and Sunshine Bay	Not Stated	That 139 Fernhill Road be retained within the Visitor Accommodation Sub-Zone, as shown on the amended zone map included as Appendix 3.	Reject		34	Urban - Fernhill
699.5		Reddy Group Limited	Map 34 - Fernhill and Sunshine Bay	Not Stated	That 10, 12, 14 and 16 Richards Park Lane and 20 Aspen Grove be included within the Visitor Accommodation Sub-Zone, as shown on the amended zone map included as Appendix 3.	Reject		34	Urban - Fernhill
699.53		Reddy Group Limited	Map 34 - Fernhill and Sunshine Bay	Not Stated	The applicant would like to modify Map 34 of the Proposed District Plan. This can be found on the last page of this applicants submission	Accept		34	Urban - Fernhill

APPENDIX 2

Queenstown Mapping – Hearing Stream 13 (Group 1C)

Submissions recommended to be accepted or accepted in part that require changes to the PDP notified Planning Maps.

Submitter	Summary of Relief Sought	S42a and Rebuttal recommendation	Reply recommendation	Reference to the Council supporting evidence and mapping annotations
1C Queenstown Urban – Central, West and Arthurs Point				
Queenstown Hill above Marina				
Remarkables Heights Limited (347)	Rezone from Rural to Low Density Zone (LDR) within Urban Growth Boundary (UGB) and outside Outstanding Natural Landscape (ONL)	Accept	Accept	s42a
Mount Crystal Limited (150)	Rezone 634 Frankton Road mix of Medium Density Residential Zone (MDR) and High Density Residential Zone (HDR) or all MDR with 12m building height and provision for visitor accommodation	Reject; Accept in part	Accept in part	Reply
Queenstown Hill				
P J & G H Hensman & Southern Lakes Holdings Limited (543)	Rezone area outside the Visitor Accommodation sub zone from Low Density Residential Zone (LDR) to HDR	Reject	Accept in part	Reply
Queenstown Lakes District Council (790 – Commonage)	Rezone part of site that is Rural to MDR	Accept	Accept	s42a
Queenstown Lakes District Council (790 – Kerry Drive)	Rezone part of site that is Rural to LDR	Accept	Accept	s42a
Allium Trustees Limited	Rezone the land located between	Reject; Accept in part	Accept in part	Rebuttal

Submitter	Summary of Relief Sought	S42a and Rebuttal recommendation	Reply recommendation	Reference to the Council supporting evidence and mapping annotations
(718)	Manchester Place and Vancouver Drive from LDR to HDR			
<u>Park Street, Central Queenstown</u>				
Millennium & Copthorne Hotels New Zealand Limited (679)	Rezone 31 Frankton Rd (Copthorne Lakefront Hotel) and land bounded by Adelaide, Hobart and Parks Streets from MDR to HDR with a 12 metre height limit or some other zoning which provides for hotels at the height of the current development	Accept in part	Accept in part	s42a
Dato Tan Chin Nam (61)	Rezone land bounded by Frankton Road, Adelaide and Suburb Streets from MDR to HDR	Accept	Accept	S42a
<u>Fernhill/Sunshine Bay</u>				
Reddy Group Limited / Coherent Hotels Limited (699)	Rezone all of 139 Fernhill Road (Tanoa Aspen Hotel), 10,12, 14, 16 Richards Park Lane, 20 Aspen Grove to MDR with Visitor Accommodation Sub-Zone	Accept in part	Accept in part	s42a
Hurtell Proprietary Limited, Landeena Holdings Limited, Shellmint Proprietary Limited (97)	Rezone 102 – 108 Wynyard Crescent from LDR to MDR or HDR	Reject	Accept in part	Reply
<u>Arthurs Point</u>				
Michael Swan / Gertrude's Saddlery Limited (494) and	Rezone part of land at 111 Atley Road from Rural to LDR within UDG	Reject; Accept in part	Accept in part	Rebuttal

2. Rezone Lot 1 DP 21182 at 102-108 Wynyard Crescent, Fernhill to Medium Density Residential (Hurtell Proprietary Limited, Landeena Holdings Limited, Shellmint Proprietary Limited - 97)

Recommended amendments to zoning (Fernhill)

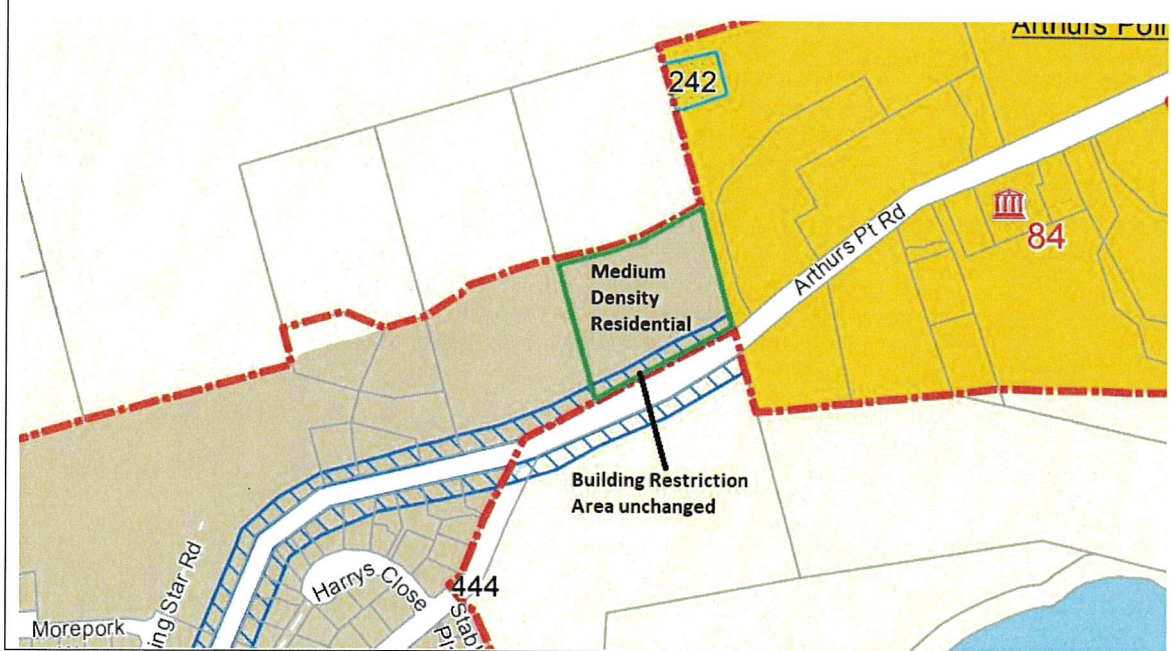
Planning Map 34: Rezone Lot 1 DP 21182 at 102-108 Wynyard Crescent to MDRZ

Costs	Benefits	Effectiveness & Efficiency
Will result in a large area of MDR separated from other MDR zonings.	<p>The site can be fully serviced.</p> <p>The site can be accommodated by transport infrastructure.</p> <p>The rezoning will enable 50 additional lots.</p>	<p>The rezoning will enable efficient and effective use of the land for MDR purposes.</p> <p>Will efficiently utilise existing infrastructure.</p>

3. Rezone the lower part of Lot 1 DP 12913 at 153 Arthurs Point Road to MDR and retain the existing Building Restriction Area (Alpine Estate Limited - 450)

Recommended amendments to zoning (Arthurs Point)

Planning Maps 39a: Rezone the lower part of Lot 1 DP 12913 at 153 Arthurs Point Road from Low Density Residential (LDR) to MDR and retain the Building Restriction Area:



Costs	Benefits	Effectiveness & Efficiency
<p>Will result in a large area of MDR separated from other MDR zonings.</p> <p>May not avoid all future non-compliances.</p>	<p>Reflect the development enabled by the Special Housing Area and avoid future technical consenting non-compliances.</p> <p>The site can be fully serviced.</p>	<p>The rezoning will enable efficient and effective use of the land.</p> <p>Will efficiently utilise existing infrastructure.</p>