

Appendix 1

Proposed changes to Rule 40.6.1.3(d) are underlined and in **red**.

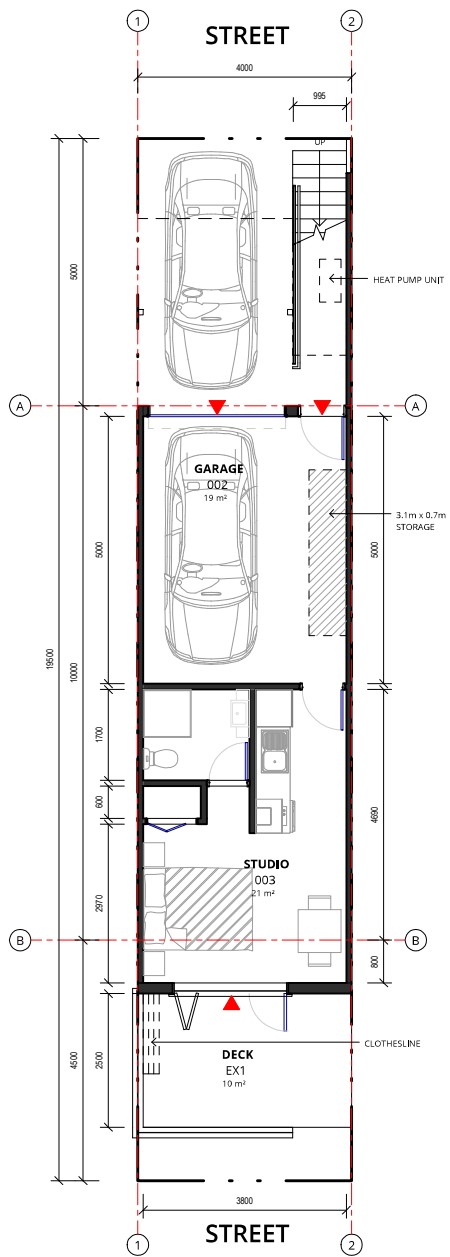
40.6.1.3 Exemptions

For the purposes of this standard, the following types of residential activities shall not be counted as contributing to the total number of residential units in a development, nor be counted towards fulfilling the requirement of 40.8.1:

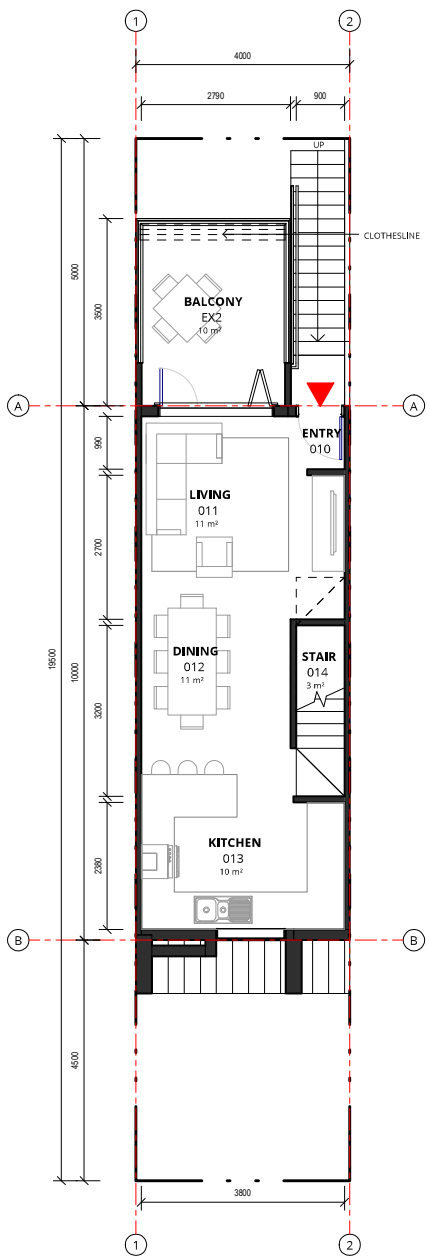
...

(d) A residential lot or residential unit located in a Zone that already contains affordable housing provisions in the district plan, or where previous agreements and affordable housing delivery with Council have satisfied objective 3.2.1.10 and 40.2.1 and their associated policies. For the avoidance of doubt, residential development in the Frankton Flats B Special Zone is excluded from fulfilling the requirement of Rule 40.8.1.

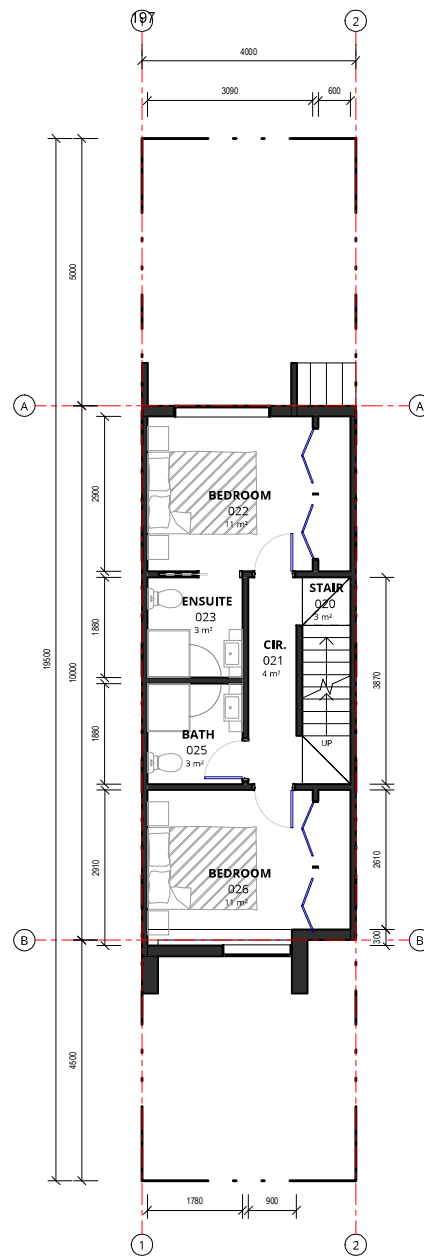
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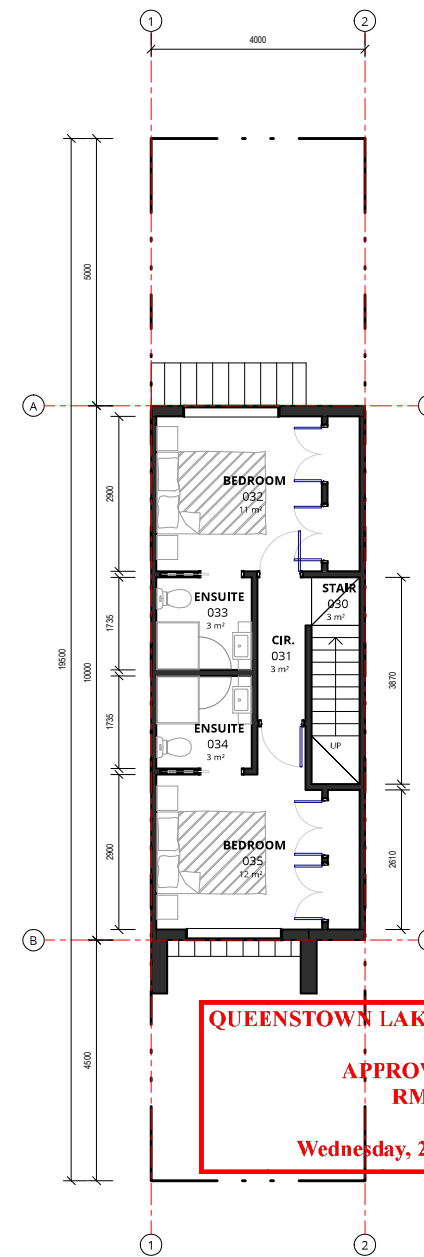
1 T7 TYPE - GROUND FLOOR
A3 SCALE 1 : 100



2 T7 TYPE - FIRST FLOOR
A3 SCALE 1 : 100



3 T7 TYPE - SECOND FLOOR
A3 SCALE 1 : 100



4 T7 TYPE - THIRD FLOOR
A3 SCALE 1 : 100

TYPE T7

GROSS FLOOR AREA : 165 m²
PRIVATE OPEN SPACE : 20 m²

NO. OF LEVELS : 4
NO. OF BEDS : 4 + 1 studio
NO. OF BATHS : 5
NO. OF CARPARKS : 2
(1x internal, 1x external)

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM160963

Wednesday, 21 December 2016

Client

**DEVELOPMENT ADVISORY
SERVICES LTD**

Consultants

Rev	Description	By	Date
A	FOR RESOURCE CONSENT		03.10.2016

RESOURCE CONSENT

Drawing Title
T7 TYPICAL TERRACE HOUSE

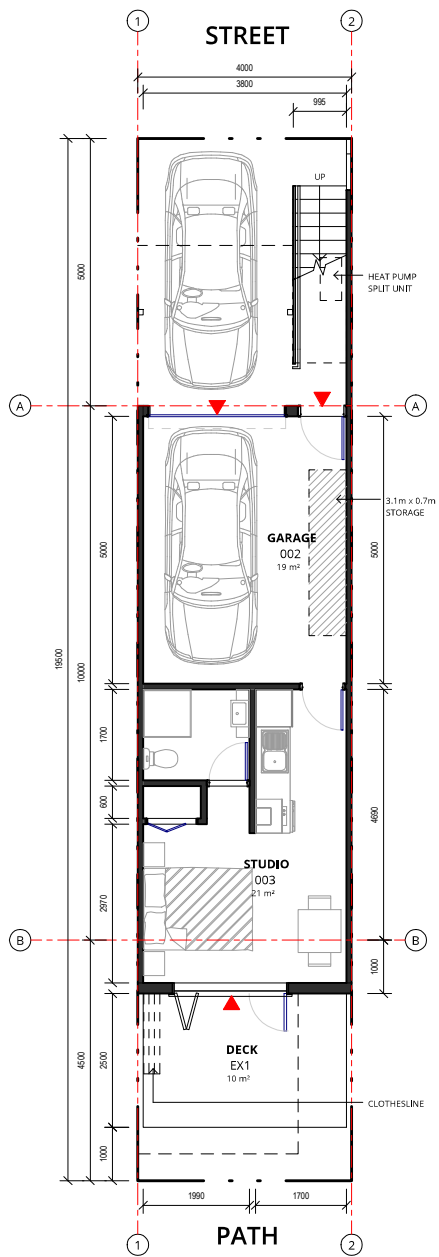
PROJECT NAME
THE REMARKABLES RESIDENCES
GRANT ROAD, QUEENSTOWN

Drawing Number
RC1407 As indicated
Project Number
1437-001
Designed
Author
QA Checked
Checker

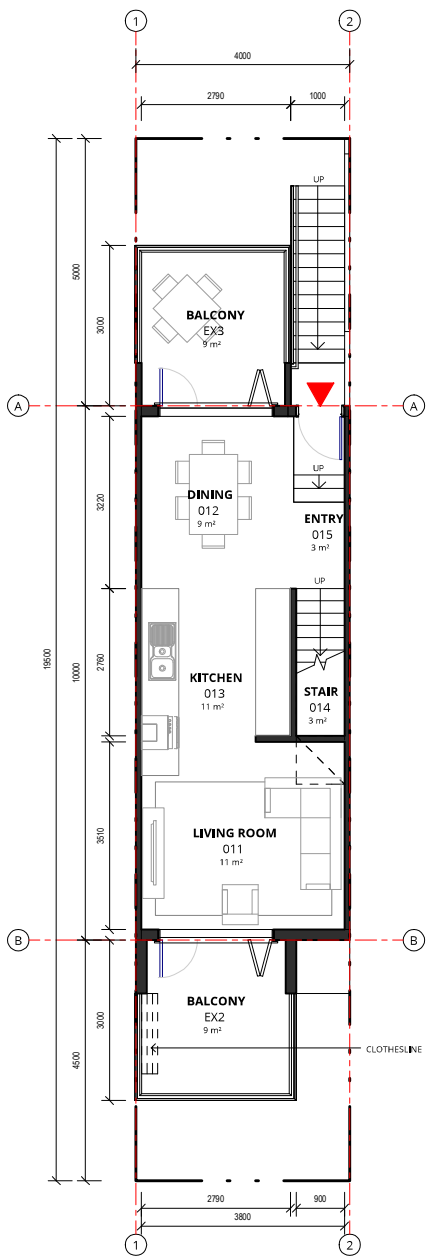
Scale
A3
Size
A3
Rev
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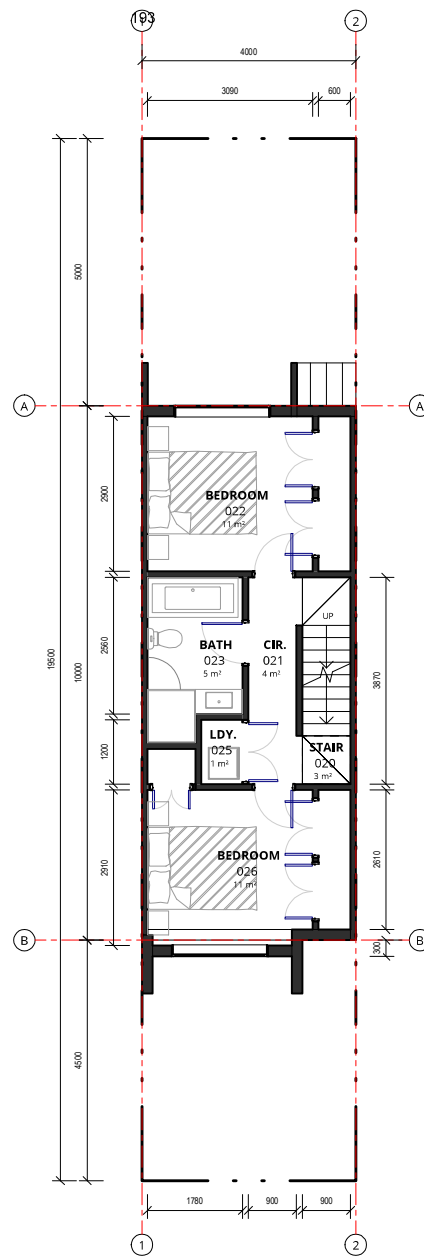




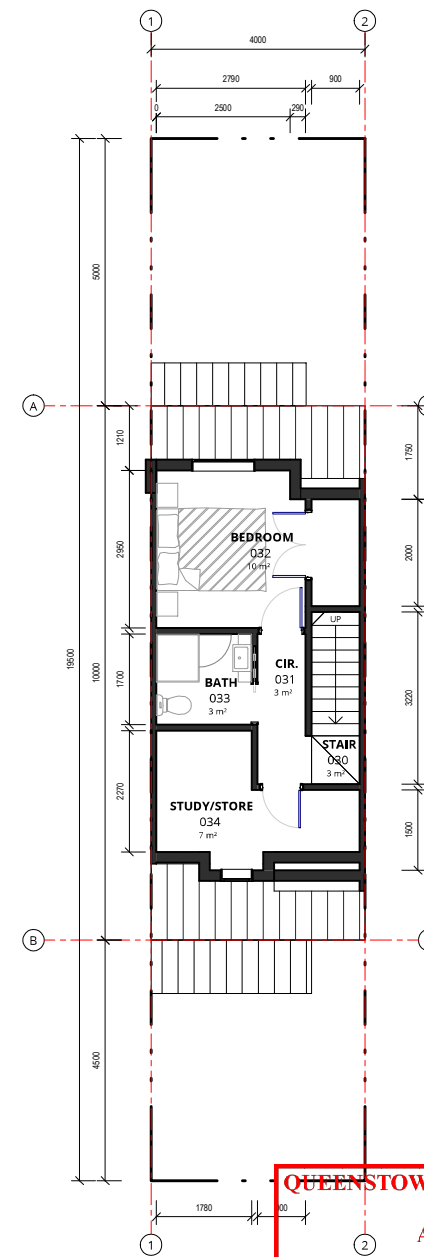
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A3 SCALE 1 : 100



2 T3 TYPE - FIRST FLOOR
A3 SCALE 1 : 100



3 T3 TYPE - SECOND FLOOR
A3 SCALE 1 : 100



4 T3 TYPE - THIRD FLOOR
A3 SCALE 1 : 100

TYPE T3

GROSS FLOOR AREA : 155 m²
PRIVATE OPEN SPACE : 28 m²

NO. OF LEVELS : 3 + attic
NO. OF BEDS : 3 + 1 studio
NO. OF BATHS : 3
NO. OF CARPARKS : 2
(1x internal, 1x external)

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Rev	Description	By	Date
A	FOR RESOURCE CONSENT		03.10.2016

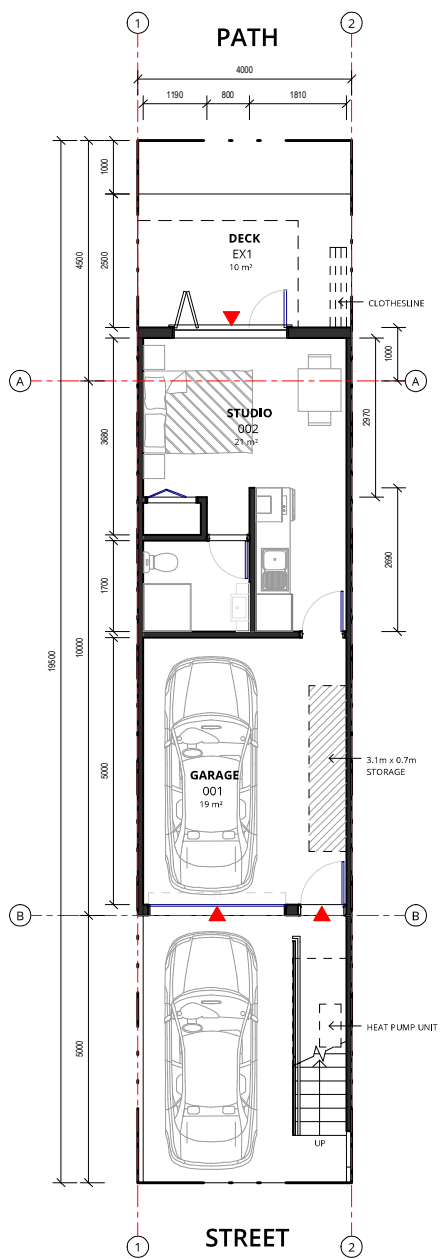
RESOURCE CONSENT

Drawing Title
T3 TYPICAL TERRACE HOUSE

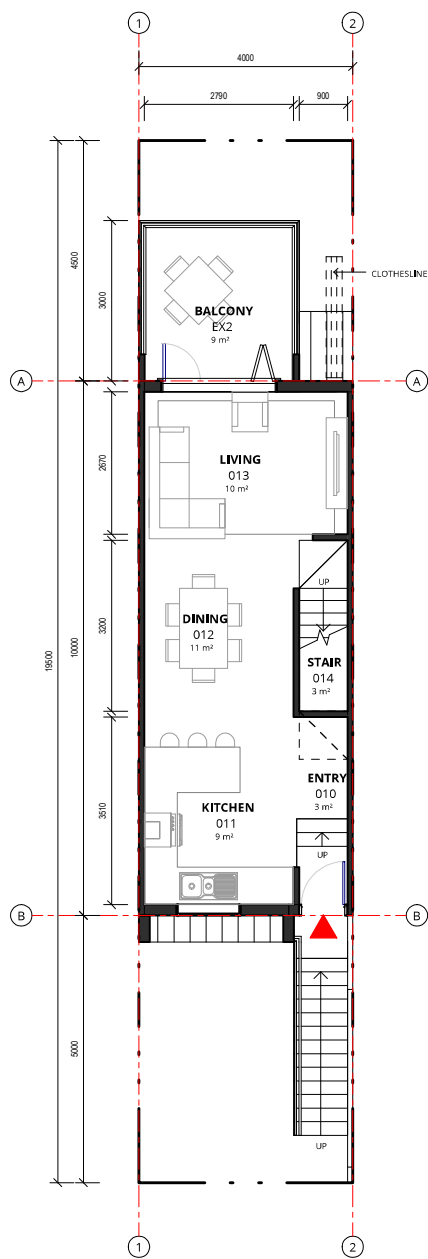
PROJECT NAME
THE REMARKABLES RESIDENCES
GRANT ROAD, QUEENSTOWN

Drawing Number	Scale	IGNITE Architects Limited
RC1403	As indicated	1 Pakenham Street East, Auckland 1010
Project Number	Size	PO BOX 91
1437-001	A3	Victoria Street West,
Designed		Auckland 1142
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QA Checked	A	e office@ignitearchitects.com
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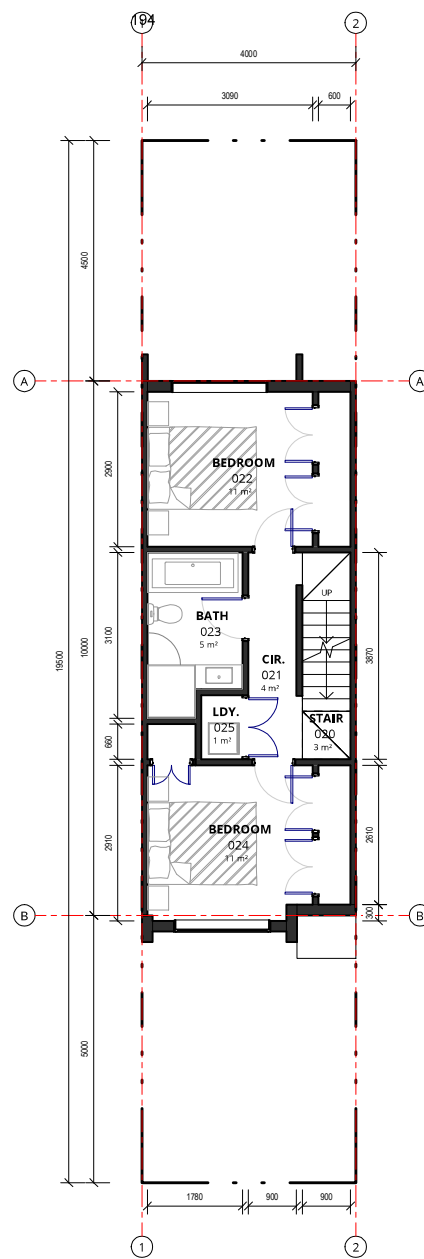




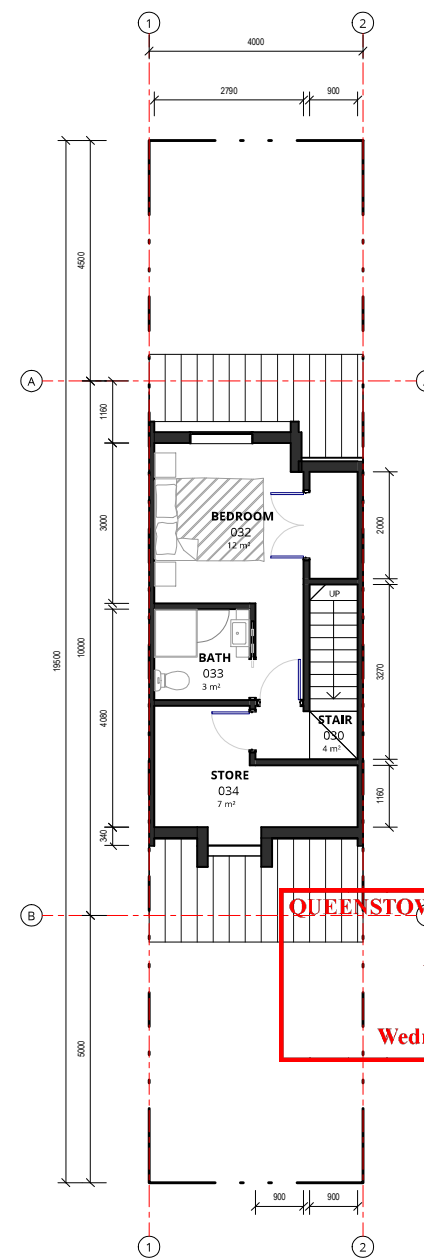
1 T4 TYPE - GROUND FLOOR
A3 SCALE 1 : 100



2 T4 TYPE - FIRST FLOOR
A3 SCALE 1 : 100



3 T4 TYPE - SECOND FLOOR
A3 SCALE 1 : 100



4 T4 TYPE - THIRD FLOOR
A3 SCALE 1 : 100

TYPE T4

GROSS FLOOR AREA : 155 m²
PRIVATE OPEN SPACE : 20 m²

NO. OF LEVELS : 3 + attic
NO. OF BEDS : 3 + 1 studio
NO. OF BATHS : 3
NO. OF CARPARKS : 2
(1x internal, 1x external)

QUEENSTOWN LAKES DISTRICT COUNCIL
APPROVED PLAN:
RM160963
Wednesday, 21 December 2016

Client

**DEVELOPMENT ADVISORY
SERVICES LTD**

Consultants

Rev	Description	By	Date
A	FOR RESOURCE CONSENT		03.10.2016

RESOURCE CONSENT

Drawing Title
T4 TYPICAL TERRACE HOUSE

PROJECT NAME
THE REMARKABLES RESIDENCES
GRANT ROAD, QUEENSTOWN

Drawing Number	Scale	As indicated
RC1404	A3	
Project Number	Size	A3
1437-001	Designed	
Author	Rev	A
QA Checked	Checker	

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Appendix 3

BEFORE THE ENVIRONMENT COURT

Decision No. [2014] NZEnvC 197

IN THE MATTER of the Resource Management Act 1991 (the Act) and of appeals under Clause 14 of the First Schedule of the Act

BETWEEN

QUEENSTOWN AIRPORT
CORPORATION LIMITED

(ENV-2009-CHC-210)

TROJAN HOLDINGS LIMITED

(ENV-2009-CHC-211)

GARDEN CENTRES LIMITED

(ENV-2009-CHC-212)

QUEENSTOWN CENTRAL LIMITED

(ENV-2009-CHC-215)

THE STATION AT WAITIRI LIMITED

(ENV-2009-CHC-216)

AIR NEW ZEALAND LIMITED

(ENV-2009-CHC-221)

REMARKABLES PARK LIMITED
AND SHOTOVER PARK LIMITED

(ENV-2009-CHC-222)

QUEENSTOWN LAKES COMMUNITY
HOUSING TRUST

(ENV-2009-CHC-223)

Appellants



ANDQUEENSTOWN LAKES DISTRICT
COUNCIL

Respondent

Hearing: at Christchurch on 18, 19, 20 and 21 August 2014 and
25, 27 and 28 August 2014

Court: Environment Judge J E Borthwick
Environment Commissioner R M Dunlop
Environment Commissioner D J Bunting

Appearances: R M Wolt for Trojan Holdings Ltd
T L Edney for Garden Centres Ltd and The Station at Waitiri Ltd
I M Gordon for Queenstown Central Ltd
J D Young for Remarkables Park Ltd and Shotover Park Ltd
A J Schulte for Queenstown Lakes Community Housing Trust
J E Macdonald for the Queenstown Lakes District Council

Date of Decision: 18 September 2014

Date of Issue: 18 September 2014

FINAL DECISION OF THE ENVIRONMENT COURT

- A: Pursuant to s 293 policies 1.5, 3.1, 3.2 and 9.13 are confirmed and pursuant to s 290 policy 7.6 is approved. The provisions are contained in Annexure A attached to and forming part of this decision. For convenience the higher order provisions approved in earlier decisions have been reproduced in Annexure A.
- B: Pursuant to s 290 the amendments to the Structure Plan are approved. The Structure Plan is marked Annexure B and forms part of this decision.
- C: Pursuant to s 290 and s 293 the rules and methods are either approved or confirmed (as the case may be). These provisions are contained in Annexure C attached to and forming part of this decision.
- D: Subject to directions costs are reserved.



REASONS

Introduction

[1] This is the final decision of the Environment Court in respect of eight appeals against Plan Change 19 to the Queenstown Lakes District Plan.

[2] This decision principally concerns the lower order rules and methods to give effect to the policies and objectives approved earlier by the Environment Court, and follows a hearing conducted during the weeks of 18 and 25 August 2014.¹

Structure of the Decision

[3] The decision is written in four parts and henceforward we refer collectively to the rules and methods as the “draft Plan Change”.

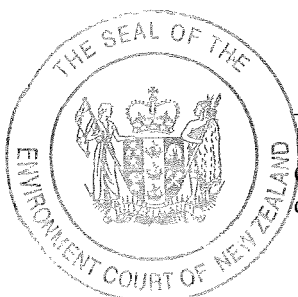
[4] In Part A we briefly describe the processes both before and during the hearing that culminated in the court being in a position to indicate that – with few exceptions – it would approve the rules and methods proposed for Plan Change 19 (**PC19**).

[5] In Part B we decide the appeals by The Station of Waitiri Ltd and the Garden Centres Ltd and, secondly, the provisions for retailing within AA-D and E1.

[6] In Part C we comment on the amendments made to the Structure Plan (previously approved); the rules and methods replacing outline development plans and the enablement of affordable housing.

[7] Finally, in Part D we address a range of matters that were either brought to our attention by counsel in their closing submissions or matters upon which the court indicated it needed further time to reflect on the evidence before making a decision.

We record that Air New Zealand Ltd, New Zealand Transport Agency and Queenstown Airport Corporation Ltd were granted leave to be excused from this hearing, the parties agreeing to abide the decision of the court.



Outcome

[70] Policies 1.5, 3.1 and 3.2 and the rules and methods relating to Spatial Layout Plans, Travel Plans and also the Site Context and Design Statement are confirmed.

Affordable Homes

[71] The Queenstown Lakes Community Housing Trust appeal seeks the following relief:

- (a) to include the term “affordable and community housing” in the plan change;
- (b) to require an Affordable Housing Plan be prepared in accordance with Appendix 11 of PC24; and
- (c) any other amendment to ensure appropriate amounts of community housing and affordable housing is delivered.

[72] By way of background after the Trust’s appeal was filed, PC24 became operative with few of its notified provisions, Appendix 11 included, being made operative.

[73] The Trust advised that its relief would be satisfied if there was:

- (a) a statement in the Environmental Results Anticipated section acknowledging residential living included community housing; and
- (b) a new assessment matter requiring consideration of any impact on housing affordability if the site standard for dwelling density was not met.

[74] Evidence was led from QLDC and QCL planners in support of these amendments, with the witnesses proposing additional wording to restate the assessment method as a positive outcome.

[75] These methods are to be considered against PC19’s policy context that is enabling of affordable housing and discouraging low density living (policy 1.2) and in relation to AA-C2 prevents low density residential living (policy 8.1). The policies are to be achieved through a range of methods including a standard imposing a minimum density of one dwelling per 200m² of net site area (12.20.6.1(vii)(a)). The evidence was



that terrace housing is a typical format at this density and can be an affordable product. The second way to achieve affordable housing is the absence of standards controlling the minimum unit size and minimum lot size. That said, density would practically be constrained by the standard controlling residential mix and controlling the outlook from habitable rooms and building separation. We note the zone standard that controls building height up to 18.5m from 150m at the edge of AA-A would enable apartment blocks. However the evidence was that land and construction costs may mean this type of development could be unaffordable for low to moderate income households.

[76] The Trust observes there is no guarantee that affordable or community housing will be provided within this Zone.²⁷ In the Trust's view the above methods will be effective in achieving relevant policy – which is simply to provide conditions that would enable the opportunity to develop affordable housing. We are satisfied that the two methods do give effect to the policies. Whether an affordable housing product is offered to the market is a different matter.

Outcome

[77] The court approves the amendment to 12.19.3.2 Environmental Results Anticipated by the inclusion of a new matter (vii) as follows:

The enablement of affordable (including community) housing.

[78] The court approves the amendment to the assessment matter 12.20.7.4(vii) Minimum Dwelling Density (b):

The extent to which lower density development provides opportunities for affordable housing for low to moderate income households.

Part D: Other matters

[79] We approve policy 7.6 which was omitted in error from an earlier decision.

[80] In relation to 12.20.7.3(p) (an assessment matter for vehicle access and parking) we make no further comment on the appropriateness of including an assessment matter

²⁷ Queenstown Lakes Community Housing Trust opening submissions at [18].

