

BEFORE THE ENVIRONMENT COURT

ENV

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of an application for a declaration
pursuant to Section 311 of the Act
and an enforcement order
pursuant to Section 314(1)(f)(ii)
of the Act

BETWEEN **WLLIAM JOHN GRANT AND
MATILDA MARGARET
GRANT**

Applicants

AND **QUEENSTOWN LAKES
DISTRICT COUNCIL**

Respondent

**AFFIDAVIT OF BRUCE DEARSLEY GRANT DATED 15 JUNE 2018 IN
SUPPORT OF APPLICATION FOR DECLARATION PURSUANT TO
SECTION 311 AND AN ENFORCEMENT ORDER UNDER SECTION
314(1)(f)(ii)**

MACALISTER TODD PHILLIPS
Barristers, Solicitors, Notaries
Queenstown • Wanaka • Cromwell

Ph: (03) 441 0125 - Fax: (03) 442 8116
Email: queenstown@mactodd.co.nz
P O Box 653
QUEENSTOWN 9348

I, BRUCE DEARSLEY GRANT, of Queenstown, Surveyor, swear:

- [1] I am authorised to make this affidavit on behalf of the Applicants.
- [2] The Applicants are trustees of the trusts that own the land located (amongst other places) at the top of Middleton Road, Queenstown and contained in Computer Freehold Register 227983. The full extent of the Applicants' land is shown edged red on the plan annexed hereto and marked "A". The relevant part of the land for the purposes of this Application is legally described as Section 30 Block XXI Shotover Survey District and shown highlighted orange on the plan annexed hereto and marked "A" ("Land").
- [3] Under the Queenstown Lakes Proposed District Plan as notified ("notified Plan") the zoning of the Land was split between Rural and Low Density Residential ("LDRZ") (annexed hereto and marked "B" is a copy of notified Planning Map 33).
- [4] No submissions or further submissions were lodged in respect of the Land and/or its zoning under the notified Plan.
- [5] The owner of the land to the South-West of the Land, Remarkables Heights Limited, lodged a submission (#347) to the notified Plan, requesting that all of its land be rezoned to LDRZ. Annexed hereto and marked "C" is a copy of Submission 347.
- [6] Queenstown Airport Corporation lodged a further submission (#1340) in opposition to submission #347. Annexed hereto and marked "D" is a copy of further submission #1340.



[7] In granting the relief requested in Submission 347 the Respondent made the decision to re-zone the Land in its entirety Rural as a “consequential alteration.” Annexed hereto and marked “E” is a copy of the relevant part of the Respondent’s decision.

SWORN at Queenstown by)
the said)
BRUCE DEARSLEY GRANT)
this 15th day of June 2018)
before me:)



A Solicitor of the High Court of New Zealand

Timothy James Sinclair
Solicitor
Queenstown

"A"



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



R. W. Muir
Registrar-General
of Land

Search Copy

Identifier 227983
Land Registration District Otago
Date Issued 12 May 2006

Prior References

73372

Estate Fee Simple
Area 222.2856 hectares more or less
Legal Description Lot 1 Deposited Plan 355881 and Section
22, 27-28, 30 Block XXI and Section 125
Block I Shotover Survey District

Proprietors

The New Zealand Guardian Trust Company Limited and William John Grant as to a 1/2 share
The New Zealand Guardian Trust Company Limited and Matilda Margaret Grant as to a 1/2 share

Interests

4771 Order in Council imposing Building Line Restriction, affecting the road frontage of Section 22 Block XXI Shotover Survey District - 19.9.1938 at 10.00 am
416858 Gazette Notice declaring State Highway No. 6 (Blenheim to Invercargill) fronting Section 125 Block I Shotover Survey District herein to be a limited access road - 21.1.1974 at 9.14 am
481507 Gazette Notice declaring a portion of State Highway No. 6 (Frankton to Queenstown) fronting Lot 1 on DP 355881 herein to be a limited access road - 18.7.1977 at 10.24 am
822287.4 Mortgage of the 1/2 share of The New Zealand Guardian Trust Company Limited and William John Grant to William John Grant - 27.1.1993 at 9.17 am
822287.5 Mortgage of the 1/2 share of The New Zealand Guardian Trust Company Limited and Matilda Margaret Grant to Matilda Margaret Grant - 27.1.1993 at 9.17 am
Subject to a right (in gross) to convey water over Lot 1 DP 355881 herein marked D, F on DP 355881 in favour of Arrow Irrigation Company Limited created by Transfer 856954 - 1.6.1994 at 9:44 am
Land Covenant in Deed 5080337.1 - 7.9.2001 at 9:09 am
Subject to Section 241(2) Resource Management Act 1991 (affects DP 355881)

TJ EG

Identifier

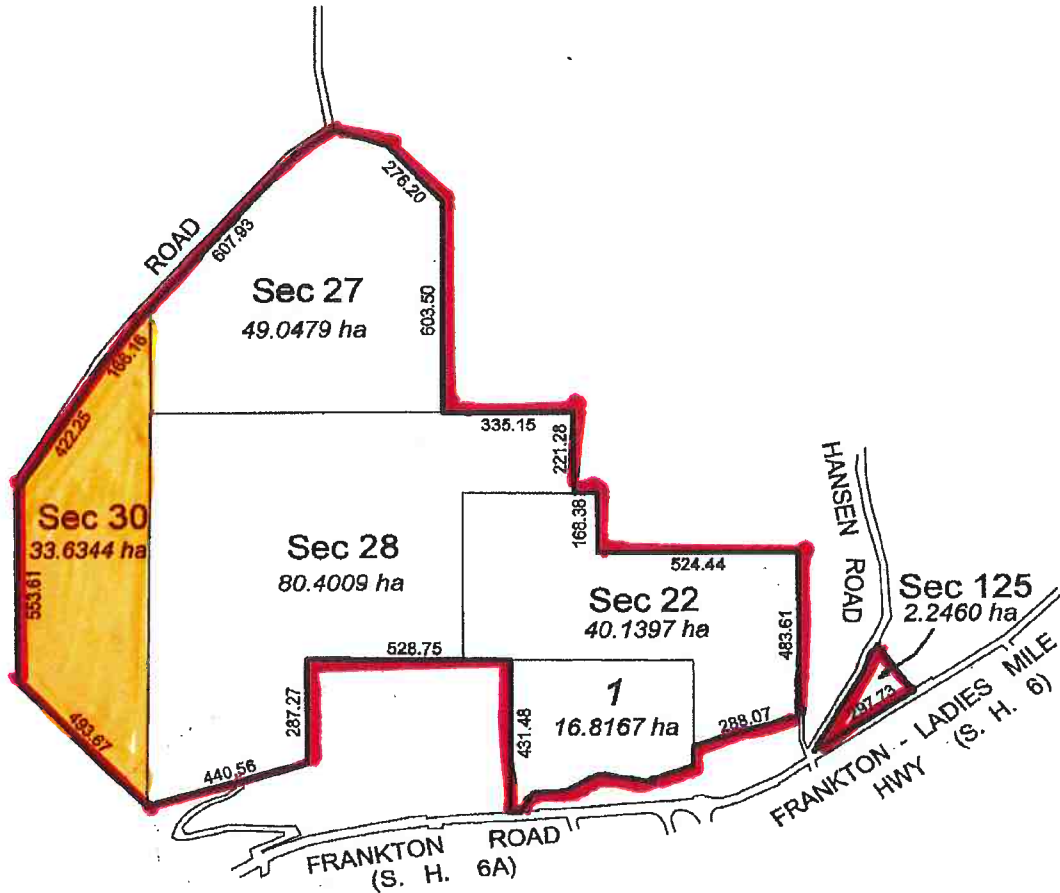
227983

Title Diagram CT 227983

Copy - 01/01, Pgs - 001, 13/06/06, 12:18



DocID 110767634



Total Area: 222.2856 ha

For remaining dimensions see DP 355881 & SO's 1492, 6531, 6547

This is the Exhibit marked with the letter "A" referred to in the Affidavit of BAUCE DEARSLY GRANT

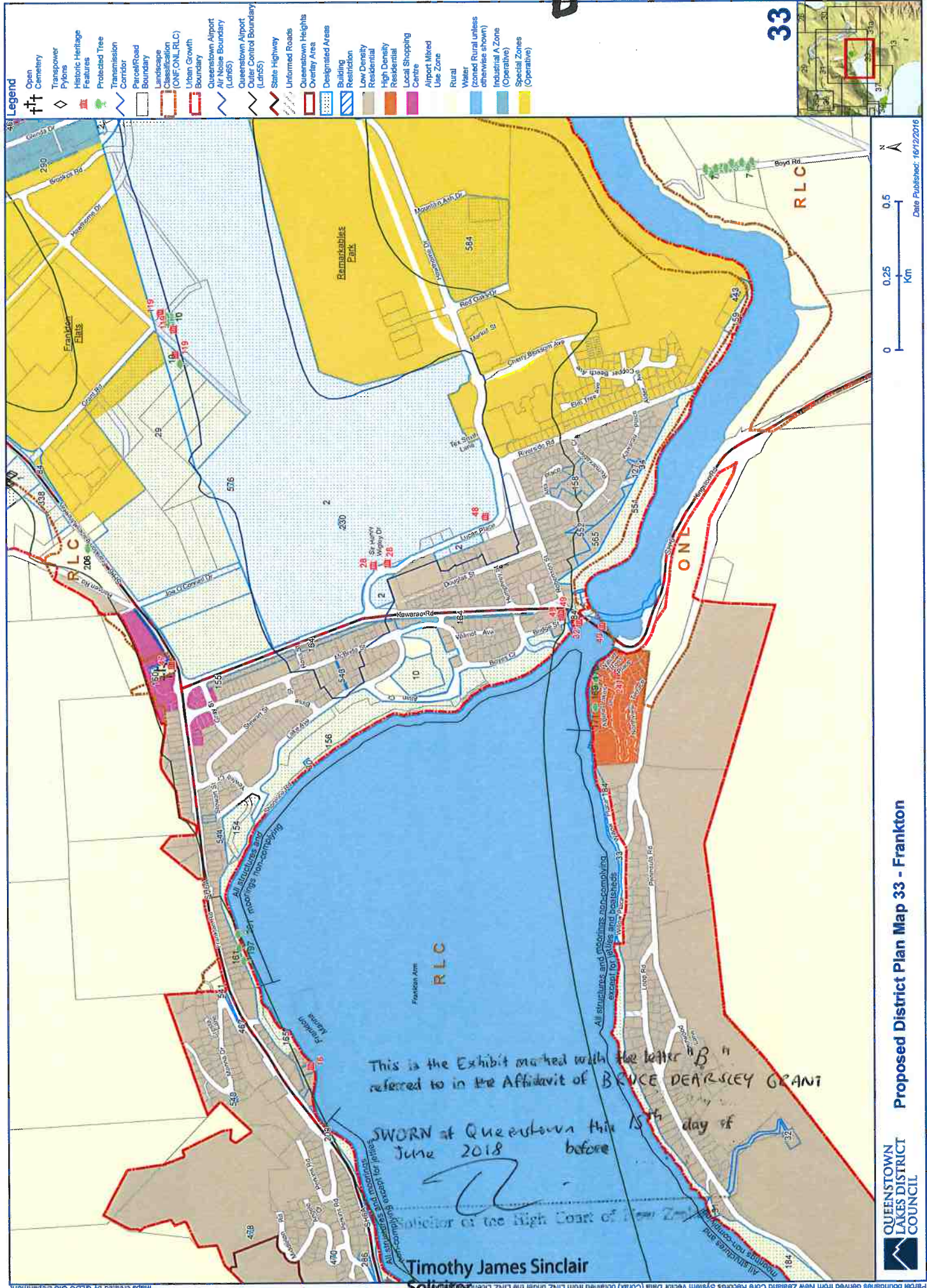
SWORN at QUEENSTOWN this 15th day of JUNE 2018 before

A Solicitor of the High Court of New Zealand

Timothy James Sinclair
Solicitor
Queenstown

"B"

33



Made created by QLDC GIS Department

Solicitor Queenstown

Timothy James Sinclair

QUEENSTOWN LAKES DISTRICT COUNCIL Proposed District Plan Map 33 - Frankton

Date Published: 16/12/2016

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RESOURCE MANAGEMENT ACT 1991: FORM 5
SUBMISSIONS ON THE PROPOSED QUEENSTOWN LAKES DISTRICT COUNCIL
PLAN

Clause 6 of the First Schedule, Resource Management Act 1991 – amended 30th
August 2010.

TO: Mr Mathew Paetz
Planning Policy Manager
Queenstown Lakes District Council
Private Bag 50077
QUEENSTOWN

SUBMITTER:

Remarkable Heights Ltd

We cannot gain an advantage in trade competition through this submission. We are, or could be, directly affected by the subject matter of the submission that:

- (a) adversely affect the environment; and
- (b) do not relate to trade competition or the effects of trade competition.

1.0 Introduction to the submitter

The submitter is the owner of the following:

- Lot 102 DP 411971

The location of the submitter's property is highlighted on the Proposed Planning Map contained in Attachment [A] of this submission.

2.0 OVERALL ISSUES THAT HAVE DETERMINED THE APPROACH IN PREPARING THIS SUBMISSION IN RESPECT TO THE PROPOSED DISTRICT PLAN

2.2 Notwithstanding the above, the submitter opposes the Proposed District Plan for the following reasons;

It does not accord with, or assist the territorial authority to carry out its functions to achieve, the purpose of the Resource Management Act 1991 (the Act);

- i. It does not promote the sustainable management of resources;
- ii. It does not meet section 32 of the Act;
- iii. It does not consistent with Part II of Act;
- iv. It does not represent integrated management or sound resource management practice;
- v. It does not meet the reasonably foreseeable needs of future generations;
- vi. It does not implement the most appropriate standards, rules or methods for achieving the objectives set out in the Proposed District Plan.

3.0 SPECIFIC SUBMISSIONS

Without derogating from the generality of the above, the specific parts of the Proposed District Plan that this submission relates to are:

Submission 1: Rural General Zone

We OPPOSE the Rural General zoning of a land described in section 1.

- 3.1 In reviewing the Rural General Zone the Council has failed to take into account the extent of the residential zone within the land described in section 1.
- 3.2 The Council has failed to consult with landowners as to appropriate zoning for their land.
- 3.3 The Council's exercise in terms of land to be rezoned as part of the District Plan Review is not considered to be comprehensive and has failed to undertake a detailed analysis of zoning requirements and needs.
- 3.4 The land described in section 1 is currently zoned low density residential but limited by the extent of this zone not aligning accurately with existing property boundaries. The existing rural zoning is not currently farmed. By not considering the rezoning of land as part of the District Plan review the Council have missed an opportunity to provide additional low density residential zoned land.
- 3.5 The Council have also failed to assess if the current zoning can meet the objectives of the Rural Zone.
- 3.6 Given the above, the submitter requests that the Rural General Zoning within the land described in section 1 is removed and re-zoned to Low Density Residential.

Submission 2: Urban Growth Boundary

We OPPOSE the Urban Growth Boundary.

- 3.7 The Urban Growth Boundary of the Proposed District Plan does not accurately align with the property boundaries of the land described in section 1. The

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submitter requests that the boundary is amended to existing property boundaries of the land described in section 1.

Relief Sought

Submission 1: Rural General Zone

The Rural General Zoning within the land described in section 1 is removed and re-zoned to Low Density Residential

Submission 2: Urban Growth Boundary

The Urban Growth Boundary is amended to existing property boundaries of the land described in section 1.

The submitter wishes to be heard in support of this submission.

If others make a similar submission, the submitter would be prepared to consider presenting a joint case with them at any hearing,

Signature: _____

Date: 22.10.15

Address for service of person making submission:

Clark Fortune McDonald & Associates

PO Box 553

QUEENSTOWN 9348

Attn: Nick Geddes

Telephone: 4416071

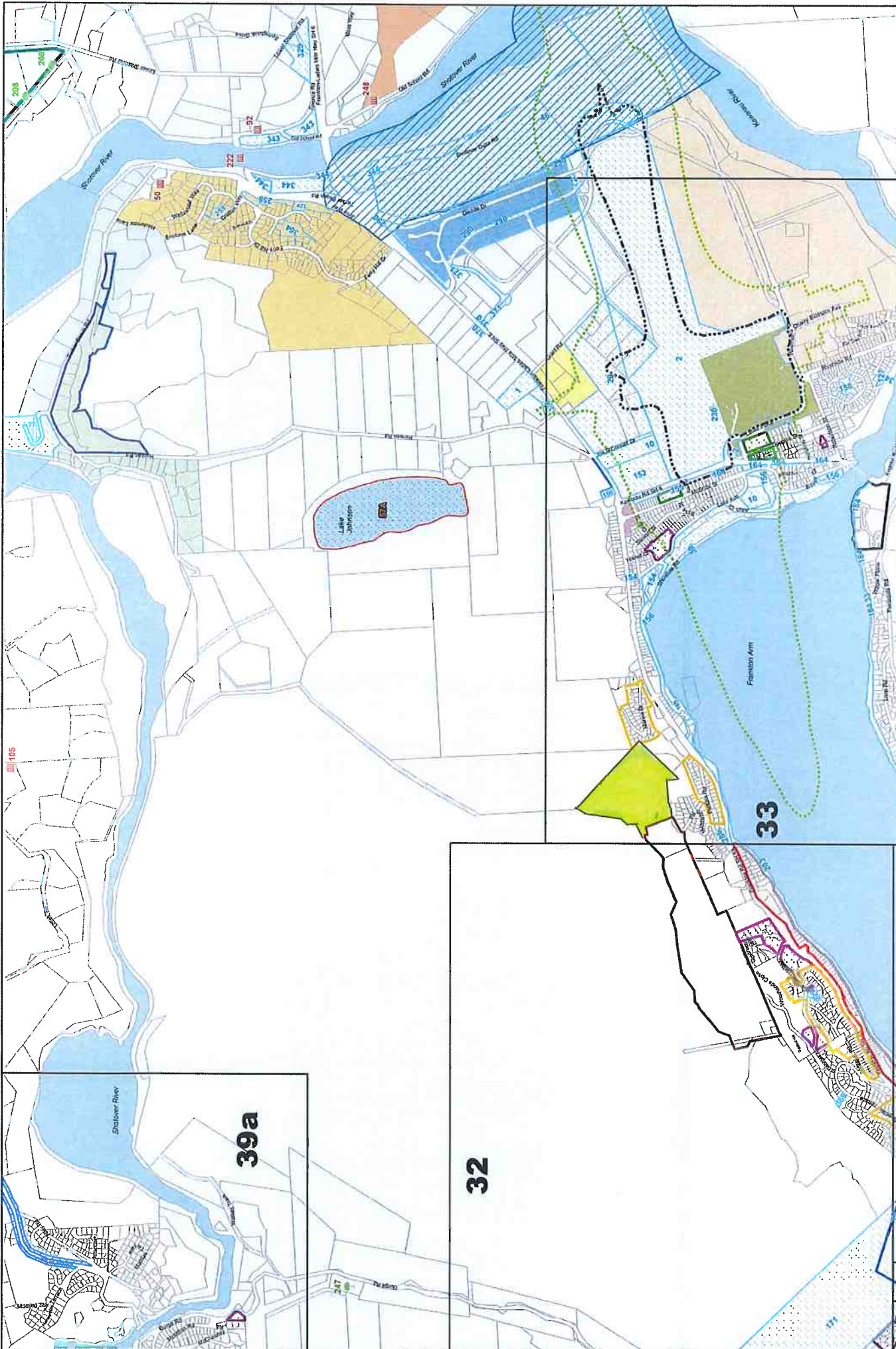
E-mail: ngeddes@cfma.co.nz

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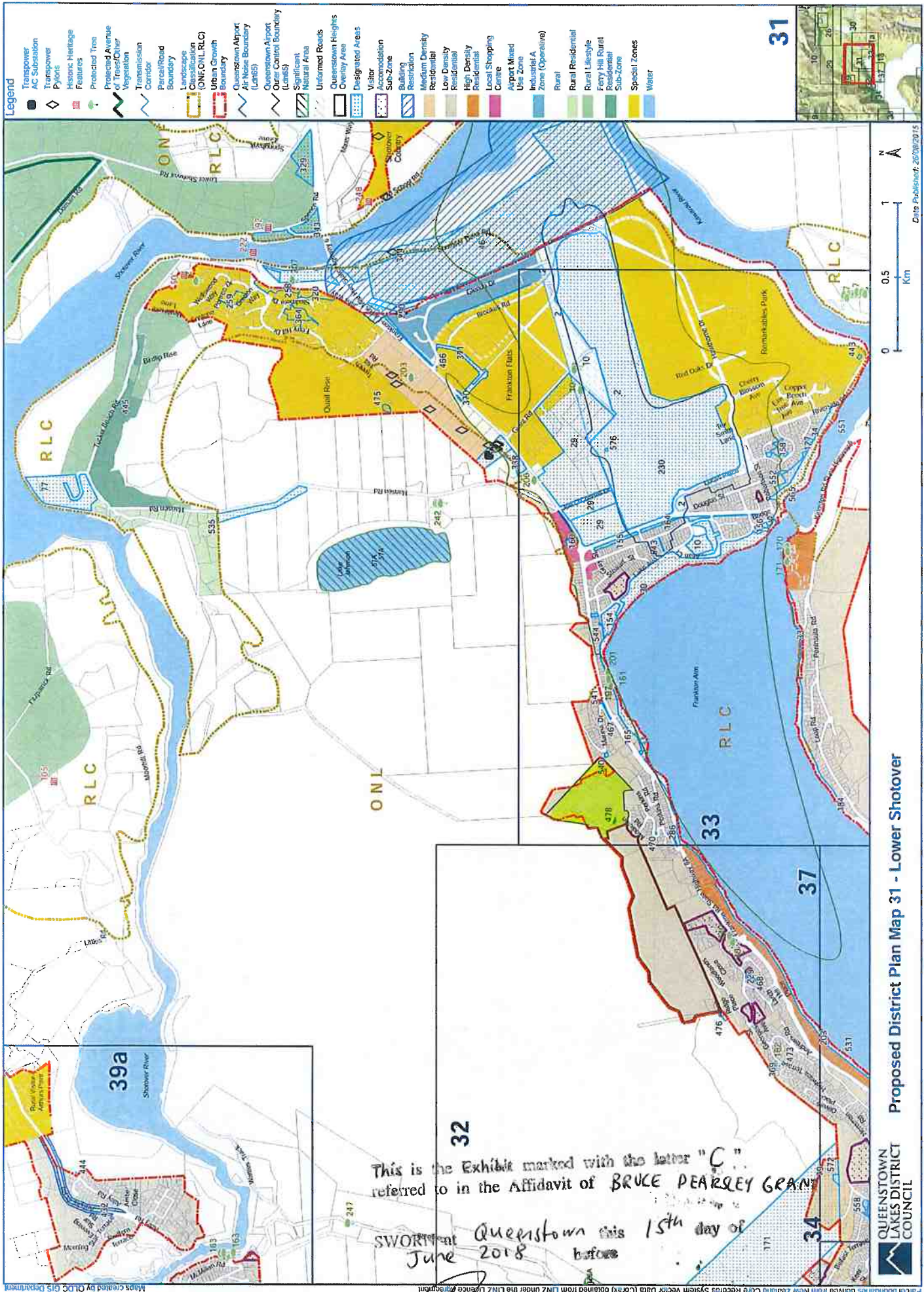
ATTACHMENT [A]

Location of Subject Property:

Operative and Proposed District Planning Maps



Parcel boundaries derived from New Zealand Core Records System Vector Data (Corex) obtained from LINZ under the LINZ Licence Agreement



Timothy James Sinclair
 Solicitor of the High Court of New Zealand
 Queenstown

Handwritten signature

"D"

mitchell[®]
partnerships

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Environmental Consultants
PO Box 489, Dunedin 9054
New Zealand
Tel: +64 3 477 7884
Fax: +64 3 477 7691

By Email

18 December 2015

Queenstown Lakes District Council
Private Bag 50072
QUEENSTOWN 9348

Our Ref: 9010

Attention: Planning Department

Dear Sir/Madam

**RE: QUEENSTOWN AIRPORT CORPORATION, FURTHER SUBMISSION ON
THE PROPOSED QUEENSTOWN LAKES DISTRICT PLAN**

Please find enclosed Further Submissions on the Proposed Queenstown Lakes District Plan (Stage 1) on behalf of the Queenstown Airport Corporation.

We look forward to being kept informed of the process.

Yours sincerely,
MITCHELL PARTNERSHIPS LIMITED



K O'SULLIVAN

Email: kirsty.osullivan@mitchellpartnerships.co.nz

Enc

cc: R Tregidga
R Wolt

Queenstown Airport Corporation
Lane Neave

Also in Auckland and Tauranga
Ground Floor, 25 Anzac Street, Takapuna
PO Box 33 1642, Takapuna
Auckland 0740, New Zealand
Tel: +64 9 486 5773
Fax: +64 9 486 6711

PO Box 4653, Mt Maunganui South
Mt Maunganui 3149
New Zealand
Tel +64 7 577 1261



SUBMISSION FORM 6**CLAUSE 8 OF FIRST SCHEDULE, RESOURCE MANAGEMENT ACT 1991
FURTHER SUBMISSION IN SUPPORT OF OR IN OPPOSITION TO SUBMISSIONS ON
PUBLICLY NOTIFIED PROPOSED QUEENSTOWN LAKES DISTRICT PLAN (STAGE 1)**

To: Queenstown Lakes District Council
Private Bag 50072
QUEENSTOWN 9348

Submission on: Proposed Queenstown Lakes District Plan 2015

Name: **Queenstown Airport Corporation ("QAC")**

Address: Queenstown Airport Corporation
c/- Mitchell Partnerships Limited
PO Box 489
Dunedin 9054

1. **This further submission is in opposition to or in support of submissions on Stage 1 of the Proposed Queenstown Lakes District Plan ("Proposed Plan")**
2. **QAC has an interest in the Proposed Plan that is greater than the interest the general public has within the District.**
 - 2.1. As set out in QAC's original submission on the Proposed Plan, QAC owns and operates the regionally and nationally significant Queenstown Airport, and operates the regionally significant Wanaka Airport.
 - 2.2. Queenstown Airport is one of the busiest airports in the country, accommodating in excess of 1.4 million passengers for the year ending June 2015. This represents a 12% increase in passengers from the previous year. Queenstown Airport has experienced a sustained period of growth, with passenger numbers expected to increase over the coming years as the District receives an increasing number of domestic and international visitors.
 - 2.3. Wanaka Airport accommodates aircraft movements associated with general aviation and helicopter operations, and is a major facilitator of commercial helicopter operations within the District. Wanaka Airport is also a key lifeline asset.

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2.4. Queenstown and Wanaka Airports comprise significant infrastructure and assets, and play a critical role in providing for the economic and social wellbeing of the Queenstown Lakes District.

2.5. In light of the above, QAC considers it has an interest in the Proposed Plan that is greater than the interest the greater public has, by virtue of existing operations within the District.

3. **QAC therefore makes the following further submissions pursuant to clause 8 of the First Schedule to the RMA. Further submissions from QAC on the Proposed Queenstown Lakes District Plan 2015 are attached to this document in Attachment 1.**

4. **QAC will not gain an advantage in trade competition through this further submission.**

5. **QAC's further submission is:**

5.1. In its original submission QAC emphasised the importance of ensuring that the Proposed Plan adequately addresses the following matters:

- Affording recognition to the role of regionally significant infrastructure (such as airports) in supporting the economic and social wellbeing of the community, including their role as lifeline utility operators.
- Providing for the operational and locational constraints associated with the management and operation of airports.
- Protecting Queenstown and Wanaka Airports, as far as reasonably practicable, from adverse reverse sensitivity effects through the adoption of the land use regime established under Plan Change 35 (PC35) and Plan Change 26 (PC26).
- Establishing an appropriate land use management regime at Queenstown and Wanaka Airports that recognises and provides for the ongoing use and development of these Airports.
- A number of other ancillary amendments to ensure the ongoing effective and efficient operation of the Airports.

5.2. QAC seeks to ensure that the key principles identified in its original submission and summarised above are appropriately recognised and provided for in the Proposed Plan.

5.3. A significant number of submissions have also sought to rezone existing landholdings that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport. Rezoning of land immediately adjacent

to the OCB may have long term, adverse planning implications for QAC and should be discouraged.

5.4. QAC's specific further submission is located at **Attachment 1**.

6. **QAC does wish to be heard in relation to this further submission.**

7. **If others make a similar submission QAC will consider presenting a joint case with them at any hearing.**

8. **QAC seeks the following decision from the Queenstown Lakes District Council:**

- a) That the relief sought and/or amendments (or those with similar or like effect) described above and outlined in **Attachment 1** be accepted; or that the Proposed Plan be amended in a similar or such other way as may be appropriate to address QAC's submission points; and,
- b) Any consequential changes, amendments or decisions that may be required to give effect to the matters raised in QAC's further submission.

Signature:



Rachel Tregidga

General Manager Property, Queenstown Airport Corporation

Date: 18 December 2015

Address for service: Queenstown Airport Corporation

C/- Mitchell Partnerships

PO Box 489

DUNEDIN 9054

Attn: Kirsty O'Sullivan

Telephone: (03) 477 7884

Email: kirsty.osullivan@mitchellpartnerships.co.nz

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ANNEXURE A

Text highlighted with underlining (example) represents proposed insertions.

Text with strikethrough (~~example~~) represents proposed deletions.

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SUBMITTER	SUB. ID	PROVISION	RELIEF SOUGHT BY SUBMITTER	QAC POSITION	QAC REASONING
2. DEFINITIONS					
Christine Byrch	243.40	Noise	Rewrite the definition to remove reference to Ldn: delete the day/night level, I thought that this measure was not accepted by QLDC when last advertised? Any level of noise can be made to meet a standard by averaging it over a long enough time period. This level has been introduced simply to allow helicopter noise. Why are helicopters a special case? They should meet the noise standards as every other activity is required to do.	Oppose	QAC submits that the noise definition should be consistent with NZS6802:2008 Acoustics – Environmental Noise, as per the notified provision.
Otago Foundation Trust Board	408.2	Activity Sensitive to Aircraft Noise	Amend the definition of Activity Sensitive to Aircraft Noise (ASAN) to strikeout 'community activity' in relation to activities proposed on their site.	Oppose	It would be inappropriate to remove the term 'Community Activity' (in so far as it relates to the submitters site) from the definition as it would undermine the intent and purpose of the definition and how it is applied throughout the Proposed Plan.
Queenstown Lakes District Council	383.3	Aircraft	Amend the definition of Aircraft as follows (underlined shows new text): <i>Means any machine that can derive support in the atmosphere from the reactions of the air otherWISE than by reactions of the air against the surface of the earth.</i> <i>Excludes remotely piloted aircraft that weigh less than 15 kilograms.</i> Add a new definition as follows: <i>Remotely Piloted Aircraft: Means an unmanned aircraft that is piloted from a remote station.</i>	Support in part	QAC submits that it is appropriate to exclude remotely piloted aircraft from the definition of aircraft, however considers that all definitions should be consistent with Civil Aviation Authority definitions.
Airways Corporation of New Zealand	566.1	Definition of Airport Activity	Amend the definition of 'Airport Activities' to specifically provide for air traffic control facilities, flight information services, navigation and safety aids.	Support in part	QAC supports the inclusion of 'flight information services' in this definition, however notes that "control towers" and "navigation and safety aids" are already provided for in the definition of Airport Activity.
	566.2	New definitions	Add the following new definitions: <i>'Radio Communication Facility: Means any transmitting/receiving devices such as aertals, dishes, antennas, cables, lines, wires and associated equipment/apparatus, as well as support structures such as towers, masts and poles, and ancillary buildings, and as defined in the Radio Communications Act 1989 and its amendments.'</i> <i>'Navigational Facility: Means any permanent or temporary device or structure constructed and operated for the purpose of facilitating navigation by aircraft or shipping.'</i>	Support	It is appropriate to include definitions for radio communication facilities and navigational facilities in the Proposed Plan. The proposed definition of "navigation facility" should be amended to reflect the terminology and definition set out in the Civil Aviation Act 1990. The term "navigational facility" should also be included in the definition of "Airport Activity" for consistency.

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Z Energy Limited BP Oil NZ Limited Mobil Oil NZ Limited	768	New definition: Reverse sensitivity	Insert a new definition for reverse sensitivity as follows (or with similar effect): <u>The potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment or intensification of other activities which are sensitive to the established activity.</u>	Support in part	QAC supports, in principle, the inclusion of a definition that clarifies the meaning and interpretation of the term "reverse sensitivity". Minor further amendments may be required to the definition however to ensure it does not inadvertently impact the intent or interpretation of later provisions.
Transpower New Zealand Limited	805.16	Definitions	Add a new definition: "Regionally significant infrastructure: includes the following: a) Renewable electricity generation facilities, where they supply the national electricity grid and local distribution network; and b) The National Grid; and c) The Electricity distribution network; and d) Telecommunication and radio communication facilities; and e) Road classified as being of national or regional importance; and f) Marinas and Airports; and g) Structures for transport by rail."	Support	QAC supports the inclusion of a new definition for "Regionally Significant Infrastructure". Further, QAC seeks that reference to this new definition be included throughout the relevant chapters of the Proposed Plan.
3. STRATEGIC DIRECTIONS					
BARNZ	271.3	New Policy	Support the objective and add a new policy supporting objective 3.2.1.5 as follows: <u>Avoid reverse sensitivity effects on significant infrastructure by requiring other urban subdivision, use and development to not occur in a location or form that constrains the use, operation, maintenance and upgrading of existing and planned significant infrastructure.</u>	Support in part	QAC supports the policy and considers that it is appropriate to recognise the effects of reverse sensitivity on infrastructure. QAC suggests the following alternative wording however: <u>Avoid, remedy or mitigate reverse sensitivity effects on significant infrastructure by requiring other urban subdivision, use and development to not occur in a location or form that constrains the use, operation, maintenance and upgrading of significant infrastructure.</u>
	271.4	Objective 3.2.2.1	Add an additional bullet to Objective 3.2.2.1 as follows: • <u>in locations which avoid reverse sensitivity effects on significant infrastructure.</u>	Support in part	QAC supports the policy and considers that it is appropriate to recognise the effects of reverse sensitivity on infrastructure. QAC suggests the following alternative wording however: <u>in locations which avoid, remedy or mitigate reverse sensitivity effects on significant infrastructure.</u>
	271.5	Policy 3.2.2.1.3	Add an additional bullet to Policy 3.2.2.1.3 as follows: • <u>that development occurs in locations and forms which avoid reverse sensitivity effects on significant infrastructure.</u>	Support in part	QAC supports the policy and considers that it is appropriate to recognise the effects of reverse sensitivity on infrastructure. QAC suggests the following alternative wording however: <u>that development occurs in locations and forms which avoid, remedy or mitigate reverse sensitivity effects on significant infrastructure.</u>

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Transpower New Zealand Limited	805.23	Objective 3.2.2.1	<p>Amend to:</p> <p><i>Ensure urban <u>growth and</u> development occurs in a logical manner:</i></p> <ul style="list-style-type: none"> • <i>to promote a compact, well designed and integrated urban form;</i> • <i>to manage the cost of Council Infrastructure;</i> • <i>to avoid adversely affecting the effective and efficient operation, maintenance, upgrading and development of regionally significant infrastructure;</i> and • <i>to protect the District's rural landscapes from sporadic and sprawling development.</i> 	Support in part	<p>QAC supports the proposed amendments. It is appropriate to take into consideration the potential adverse effects of urban growth and development on regionally significant infrastructure. QAC suggests the following alternative wording however:</p> <ul style="list-style-type: none"> • <i>to avoid, remedy or mitigate adversely affecting the effective and efficient operation, maintenance, upgrading and development of regionally significant infrastructure; and</i>
Remarkables Park Limited	807.48	Policy 3.2.2.1.4	<p>RPL supports the provision of higher density residential development provided it is not infill development and does not result on further pressure that cannot be accommodated within existing infrastructure.</p> <p>Amend the policy to read:</p> <p><i>Encourage a higher density of residential development in locations close to <u>commercial and mixed use zones and within greenfield areas where new infrastructure has the capacity to service such development, town-centres, local-shopping-zones, activity-centres, public-transport-routes and non-vehicular-trails.</u></i></p>	Oppose in part	<p>QAC opposes the amendments to the policy. Encouragement of higher density residential development is not appropriate around all mixed use zones.</p> <p>Retain the policy as notified.</p>
4. URBAN DEVELOPMENT					
Hansen Family Partnership	751.7	Policy 4.2.3.8	<p>Amend Policy 4.2.3.8 to separate out the policy direction for land use within the Air Noise Boundary and the Outer Control Boundary. For the land use activities within the Outer Control Boundary, amend as follows:</p> <p><u>Land within the Air Noise Boundary ...</u></p> <p><i>Land use within the Air Noise Boundary or Outer Control Boundary of the Queenstown Airport is managed to prohibit or limit <u>minimise the adverse effects of the establishment of Activities Sensitive to Aircraft Noise on the operations of Queenstown Airport.</u></i></p>	Oppose	<p>QAC opposes the amendments sought by the submitter. The changes proposed by the submitter have the potential to establish a more permissive land use management regime for ASAN within the OCB than was established by PC35.</p> <p>The policy is intended to provide higher order guidance around the management approach for ASAN within the ANB and OCB.</p> <p>Later policies relating to the urban growth boundaries around Queenstown provide more specific detail around how this is to be achieved, as sought by the submitter.</p>
Transpower New Zealand Limited	805.34	Policy 4.2.1.2	<p>Amend to:</p> <p><i>Urban development <u>and growth</u> is integrated with existing public <u>regionally significant</u> infrastructure, and <u>achieves a pattern, form and design that does not adversely affect existing regionally significant infrastructure and does not restrict the upgrade and development of that infrastructure is designed and located in a manner consistent with the capacity of existing networks.</u></i></p>	Support in part	<p>QAC supports the proposed amendments as they afford regionally significant infrastructure with further recognition and protection, however QAC considers the following wording is more appropriate:</p> <p><i>Urban development <u>and growth</u> is integrated with <u>existing public regionally significant</u> infrastructure, and <u>achieves a pattern, form and design that avoids, remedies or mitigates any adverse effects on existing regionally significant infrastructure.</u></i></p>

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7. LOW DENSITY RESIDENTIAL					
Hayden Tapper	24.5	Rule 7.4.11	Requests deletion of rule. Provide exemption which provides for two dwellings on sites greater than 900m ² in the Air Noise Boundary as a permitted activity (subject to compliance with other rules) to achieve the same residential density allowance that applies under the operative district plan for properties in the Air Noise Boundaries.	Support in part / Oppose in part	QAC supports the retention of existing development rights and outcomes established under PC35 insofar as it relates to residential activity within the Low Density Residential Zone. QAC opposes the outright deletion of this rule until such a time that Rule 7.5.6 is amended to reflect that residential development within the ANB shall only be permitted at a rate of one dwelling per 450m ² . Deleting Rule 7.4.11 without a subsequent amendment to Rule 7.5.6 would increase the density of residential activity within the ANB which is counter to the management approach adopted by PC35.
Keith Hubber Family Trust No 2	35.1	Rule 7.4.11	Delete Rule 7.4.11 and provide an exemption that provides for two residential dwellings on sites greater than 900m ² in the air noise boundary as a permitted activity (subject to compliance with other rules) as provided for by the operative district plan.		
Malcolm, Anna McKellar, Stevenson	36.1	Rule 7.4.11	Requests deletion of Rule 7.4.11 and provision of an exemption that provides for two residential dwellings on sites greater than 900m ² in the air noise boundary as a permitted activity (subject to compliance with other applicable rules) resulting in the same allowance that applies under the operative district plan for properties located in the air noise boundaries.		
KE & HM, RD Hamlin, Liddel	43.1	Rule 7.4.11	Requests deletion of Rule 7.4.11 and provision of an exemption that provides for two residential dwellings on sites greater than 900m ² in the air noise boundary as a permitted activity (subject to compliance with other applicable rules) resulting in the same allowance that applies under the operative district plan for properties located in the air noise boundaries.		
Barbara Williams	141.4	Rule 7.4.11	Opposes Rule 7.4.11 and requests this rule be deleted. Requests exemption that provides for two residential dwellings on sites greater than 900m ² in the Air Noise Boundary as a permitted activity (subject to compliance with other applicable rules) as provided for by the residential density allowance of the operative district plan.		
Queenstown Lakes District Council	383.14	Rule 7.4.11	Delete this rule as it is inconsistent with the outcomes of PC35 which retained development rights for properties located within the Air Noise Boundary and Outer Control Boundary for the Queenstown Airport, subject to requirements for sound insulation and mechanical ventilation. Namely, the Operative District Plan provides for development of 1 unit per 450m ² net site area (ODP Rule 7.5.5.3(iii)) as a permitted activity, provided other site and zone standards are met. The format of Proposed District Plan Rule 7.4.11 conflicts with the Operative District Plan and PC35, and should be deleted (subject to the amendment of proposed Rule 7.5.6 outlined below) to maintain existing development rights and the outcomes of PC35.		
Joanne Phelan and Brent Herdson	485.1	Rule 7.4.11	Opposes Rule 7.4.11 and seek this rule is deleted. Delete Rule 7.4.11 in its entirety.		
Scott Freeman & Bravo Trustee Company Limited	555.3 555.4	Rule 7.4.11	Delete Rule 7.4.11 in its entirety.		

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Ministry of Education	524.19	Rule 7.4.8	Change the activity status of community activities and facilities to permitted.	Support in part / Oppose in part	QAC supports the currently operative District Plan status for community activities.
Southern District Health Board	678.3	New provisions	The SDHB seeks the reinstatement of the Community Facility zone (or similar) within the Proposed Plan and over the Lakes District Hospital Site where subject to performance standards the development of the hospital site is a permitted activity, and / or Community Activities activity status is changed from discretionary to permitted in the Low Density Residential Zone.	Support in part / Oppose in part	QAC supports the currently operative District Plan status for community activities.
Transpower New Zealand Limited	805.46	Objective 7.2.7	Amend to: <i>Ensure development efficiently utilises existing infrastructure and does not adversely affect the safe, effective and efficient operation, maintenance, development and upgrade of minimises impacts on regionally significant infrastructure, including the National Grid and roading networks.</i>	Support in part	QAC supports the proposed amendments. It is appropriate to take into consideration the potential adverse effects of urban growth and development on regionally significant infrastructure. QAC proposed the following alternative wording: <i>Ensure development efficiently utilises existing infrastructure and avoids, remedies or mitigates the adverse effects on the safe, effective and efficient operation, maintenance, development and upgrade of minimises impacts on regionally significant infrastructure, including the National Grid and roading networks.</i>
15. LOCAL SHOPPING ZONE					
Spence Farms Limited	698.7	15.5.5	Delete the rule as follows: <i>Residential and Visitor Accommodation Activities</i> <i>All residential and visitor accommodation activities shall be restricted to first floor level or above.</i>	Oppose	QAC opposes the amendments sought. Restricting visitor accommodation and residential activities to the first floor of buildings and above (combined with a few other performance standards) is one of the few controls governing the density of residential or visitor accommodation development on Local Shopping Centre zoned land within the OCB. To remove this rule would therefore enable the intensification of ASAN within the Local Shopping Zone with no density constraints. The further intensification of ASAN within the OCB is opposed by QAC.
	6.98.8	15.5.3	Amend as follows: <i>Acoustic insulation</i> a) — A mechanical ventilation system shall be installed for all critical listening environments in accordance with Table 6 in Chapter 36. b) — All elements of the façade of any critical listening environment shall have an airborne sound insulation of at least 40 dB R _w +C _f determined in accordance with ISO 40140 and ISO 717-1. *Discretion is restricted to consideration of all of the following:	Oppose in part	QAC submits that the proposed amendments incorrectly apply the acoustic insulation requirements for activities within the ANB. None of the Local Shopping Centre Zone area is located within the ANB. This rule should therefore be amended to refer to the OCB as follows: <i>New buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve an Indoor Design</i>

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			<ul style="list-style-type: none"> the noise levels that will be received within the critical listening environments, with consideration including the nature and scale of the residential or visitor accommodation activity; the extent of insulation proposed; and whether covenants exist or are being volunteered which limit noise emissions on adjacent sites and/or impose no complaints covenants on the site. <p><i>Airport Noise – Queenstown Airport (excluding any noncritical listening environments) within the Air Noise Boundary (ANB) New buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise (ASAN) shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either adhering to the sound insulation requirements in Table 4 of Chapter 36 and installation of mechanical ventilation to achieve the requirements in Table 5 of Chapter 36, or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open. Note – Refer to the Definitions for a list of activities sensitive to aircraft noise (ASAN).</i></p>		<p><i>Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Table 4 of Chapter 36 or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.</i></p>
16. BUSINESS MIXED USE ZONE					
Schist Holdings Limited and BNZL Properties Limited	488.3	Rule 16.5.7.1	Amend Rule 16.5.7.1 by adding a new standard "16.5.7.2 Queenstown (Glenda Drive) a. Up to 8m - Permitted b. Up to 10m – Restricted Discretionary."	Oppose	QAC opposes the changes to this rule. The proposed height restrictions would be redundant in light of QAC's Airport Approach and Protection Measures designation which lies at between 8 to 11m over this site.
17. AIRPORT MIXED USE					
Queenstown Lakes District Council	383.38	17.5.5 17.5.5.1 17.5.5.2	An additional rule is sought to limit airport lighting when it is not operationally required, so as to mitigate impacts through the landscape and on the night sky. Add a new Rule 17.5.5.3: Lighting shall be in use only when necessary in an operational sense, so as to minimise adverse impacts on the night sky.	Oppose	QAC submits that this rule is vague, unenforceable and should not be included.
	383.39	17.5.9	Provisions relating to parking, loading and access refer to the Operative District Plan. The Transport Chapter of the Operative District Plan continues to apply for all parts of the Proposed District Plan, until reviewed as part of Stage 2. Therefore this rule provides no added clarity or value and can be removed. Delete provisions relating to parking, loading and access which refer to the Operative District Plan.	Oppose in part	QAC opposes this submission as the rule provides an exemption that car parking in association with the airport terminal facility does not have to meet the minimum car parking requirements of the Operative Plan. QAC submits that the rule should therefore be retained insofar as it relates to car parking at the terminal building.

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Otago Regional Council	798.34	Objective 17.2.1	ORC requests that provisions for roading, access and parking should recognise the needs of active transport modes, public transport services and infrastructure. Provisions are requested for residential developments, particularly those large in scale, to provide for public transport services and infrastructure in the future. Main road corridors in these areas should be retained to accommodate public transport services and infrastructure, both now and in the future.	Support in part / Oppose in part	QAC supports the inclusion of a new provision that encourages active transport modes, public transport services and infrastructures. QAC opposes the inclusion of provisions relating to residential development and associated transportation requirements however, as such activities are not provided for in the Airport Mixed Use Zone.
Remarkables Park Limited	807.94	Policy 17.2.1.3	Delete Policy 17.2.1.3	Oppose	QAC submits that it is appropriate to retain the proposed Airport Mixed Use Zone at Queenstown Airport. The current Rural General zoning is inconsistent with the current use that occurs on site and is enabled by QAC's designation.
21. RURAL					
Willowridge Developments Limited	249.12	Assessment Matter 21.7.1.1	Delete assessment matter 21.7.1.1.	Support	QAC supports the deletion of assessment matter 21.7.1.1 as every resource consent application should be assessed on its merits. Assessment matter 21.7.1.1 suggests that the outcome of resource consents within ONF and ONLs is predetermined (i.e. "...successful applications will be exceptional cases").
Frank Wright	385	Policy 21.2.7.1	Change 21.2.7.1 to read: Prohibit any new [non-existing] activity sensitive to aircraft noise on any rural zoned land within the outer Control Boundaries of Queenstown Airport and Wanaka airport, Glenorchy, Makarora area and all other existing informal airports including private airstrips within the QLDC, used for fixed wing aircraft.	Oppose in part	QAC submits that the amendments sought by the submitter should be contained in a new and separate policy.
Te Anau Developments Limited	607.36	Rule 21.4.29	Amend rule as follows: <i>21.4.29 Activities, excluding tourism activities, within the Outer Control Boundary - Queenstown Airport</i> <i>On any site located within the Outer Control Boundary, which includes the Air Noise Boundary, as indicated on the District Plan Maps, any new Activity Sensitive to Aircraft Noise.</i>	Oppose	Tourism activities that fall within the definition of an "activity sensitive aircraft noise" should continue to be captured by this rule. The rule, as notified, should be retained.
Ross & Judith Young Family Trust	704.5	Rural Zone - general	Make changes to the objectives, policies and rules of the Rural zone as it applies to the land on the western corner of Mt Barker Rd and State Highway 6 legally described as Lots 1 and 10 DP3506038 and Part Section 9 Block VIII Lower Hawea Survey District, held in Computer Freehold Register 112402 to provide for airport related infrastructure and visitor accommodation to occur as permitted activities.	Support in part / Oppose in part	QAC remains neutral with respect to this zoning. Notwithstanding, insufficient detail has been provided in the submission in terms of section 32 of the Act and whether the proposed rezoning is the most appropriate way to achieve the purpose of the Act, including the benefits and cost of the environmental, economic, social and cultural effects that could accrue from the implementation of the zone and the subsequent provisions. QAC therefore reserves it right to revise its position in light of such reporting.

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Jeremy Bell Investments Ltd	782.1	Rural Zone - general	Submitter requests that the 14.54 hectare area shown on in the attached map (Wanaka Airport) dated May 2011 is rezoned as Wanaka Airport Mixed Use Zone (WAMUZ) as set out in this submission.	Support in part / Oppose in part	QAC remains neutral with respect to this zoning. Notwithstanding, insufficient detail has been provided in the submission in terms of section 32 of the Act and whether the proposed rezoning is the most appropriate way to achieve the purpose of the Act, including the benefits and cost of the environmental, economic, social and cultural effects that could accrue from the implementation of the zone and the subsequent provisions. QAC therefore reserves it right to revise its position in light of such reporting.
Queenstown Park Limited	806.112	New Policy	Insert specific objective and policies to the Remarkables Ski Area as follows: <u>Objective 21.2.7 - Encourage the future growth and development of the Remarkables alpine recreation area and recognise the importance of providing sustainable gondola access to the alpine area while avoiding, remedying or mitigating adverse effects on the environment.</u> <u>Policy 21.2.7.1 Recognise the importance of the Remarkables alpine recreation area to the economic wellbeing of the District, and support its growth and development.</u> <u>Policy 21.2.7.2 Recognise the importance of providing efficient and sustainable gondola access to the Remarkables alpine recreation area, while managing potential adverse effects on the landscape quality</u> <u>Policy 21.2.7.3 Support the construction and operation of a gondola that provides access between the Remarkables Park zone and the Remarkables alpine recreation area, recognising the benefits to the local, regional and national community.</u>	Oppose	The provisions intend to enable the development of a gondola to the Remarkables Ski Field. While QAC remains neutral with respect to this matter, as currently drafted, the provisions are weighted towards enabling the development with limited consideration of avoiding, remedying or mitigating adverse effects. QAC submits that further amendments are required to ensure that effects are appropriately avoided, remedied or mitigated.
	806.150	Rule 21.4.26	Remove the building restriction from the Kawarau River, and from the rivers edge on Queenstown Park. Clarify the purpose of the building restriction area located east of the airport, and shown on planning map 31a. 21.4.26 Any building within a Building Restriction Area identified on the Planning Maps - NC	Oppose	QAC supports the retention of the building line restriction.

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27. SUBDIVISION					
Aurum Survey Consultants	166.8	Rule 27.4.1	Delete 27.4.1 and revise the rules to provide controlled subdivision activities where the subdivision is in keeping with the objectives of the zone.	Oppose	QAC considers that in addition to the objectives of the zone/s it is necessary for subdivision proposals to respond positively to the Plan provisions relating to ASAN. This will require the inclusion of a rule specifying a non-complying activity status for subdivisions that create lots at higher densities than the Operative Plan.
CHAPTER 33					
Evan Alty	339.103	Policy 33.2.4.1	<i>Recognise that alpine environments contribute to the distinct indigenous biodiversity and landscape qualities of the District and are vulnerable to <u>should be protected from</u> change through vegetation clearance or establishment of exotic plants.</i>	Oppose	The proposed amendment contains ambiguous drafting ("should be protected from") and may unnecessarily constrain the ability of regionally significant infrastructure to upgrade and develop in alpine areas.
	339.112	Rule 33.4.3	<i>Make non-compliance with 'alpine environments' rule a non-complying activity.</i>	Oppose	The proposed amendment may result in minor indigenous vegetation clearance required for the safe and effective operation of regionally significant infrastructure being deemed a non-complying activity. This is considered to be inappropriate as it is unduly onerous.
	339.119	Rule 33.5.8	<i>Reject, there should not be any permitted clearance within SNAs</i>	Oppose	It is practical and efficient to provide for small-scale vegetation clearance in Significant Natural Areas. This provision as notified will reduce onerous resource consent requirements (for example minor vegetation clearance associate with the upgrade of existing significant infrastructure located within a SNA) and enable efficient allocation of Council resources.
Forest and Bird NZ	706.104	33.3.4.3	<i>Make non-compliance with 'alpine environments' rule a non-complying activity.</i> <i>Rule as notified:</i> <i>Activities located within alpine environments (any land at an altitude higher than 1070m above sea level) that comply with Table 4 shall be a permitted activity...</i> <i>Does not involve the clearance of indigenous vegetation, the planting of shelterbelts, or any exotic tree or shrub planting... Discretionary</i>	Oppose	The proposal would see the installation of aircraft navigational infrastructure in alpine environments become a non-complying activity, which is unduly onerous.
35. TEMPORARY ACTIVITIES AND RELOCATED BUILDINGS					
House Movers Section of New Zealand Heavy Haulage Association Inc	496.1	New provisions	<ul style="list-style-type: none"> Delete all provisions (including objectives, policies, rules, assessment criteria and other methods and reasons) on removal, re-siting, and relocation of buildings in the Proposed Plan, the definitions section, and elsewhere. Replace the policy provisions relating to relocated dwellings and buildings (either by rewriting the plan, or alternatively, by deleting the relevant sections and replacing the provisions in each section 	Oppose	All relocatable dwellings should be subject to the performance standards of the zone to which they will be located, including the necessary requirement to provide acoustic treatment within the OCB. QAC submits that this relief should not be allowed.

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		<p>or zone of the plan, as is appropriate) with objectives, policies, rules, assessment criteria, methods, reasons and other provisions which expressly provide for relocation of buildings as "permitted activities" in all zones/areas, so as to achieve performance standards no more restrictive than provided for in the paragraph below.</p> <ul style="list-style-type: none">• Provide for the relocation of dwellings and buildings subject to the following performance standards/conditions (or to same or similar effect): <p><u>Relocation of buildings</u> <u>Relocated buildings are permitted where the following matters can be satisfied:</u></p> <ul style="list-style-type: none">a) <u>Any relocated building can comply with the relevant standards for Permitted Activities in the District Plan;</u>b) <u>Any relocated dwelling must have been previously designed built and used as a dwelling.</u>c) <u>A building inspection report shall accompany the building consent for the building/dwelling. The report is to identify all reinstatement work required to the exterior of the building/dwelling; and</u>d) <u>The building shall be located on permanent foundations approved by building consent, no later than 12 months of the building being moved to the site.</u>e) <u>All work required to reinstate the exterior of any relocated building/dwelling, including the siting of the building/dwelling on permanent foundations, shall be completed within 12 months of the building being delivered to the site.</u> <ul style="list-style-type: none">- As a default rule, in the event that relocation of a buildings/dwelling is not a permitted activity (as provided for in the two paragraphs above) due to non-compliance with performance standards, provide for relocation of dwellings and buildings no more restrictively than a restricted discretionary activity (provided that such application be expressly provided for on a non-notified, non-service basis) subject to the following assessment criteria (or to the same or similar effect): <p><u>Restricted Discretionary Activity</u> <u>(on a non-notified, non-service basis) Where an activity is not permitted by this Rule, Council will have regard to the following matters when considering an application for resource consent:</u></p> <ul style="list-style-type: none">i) <u>Proposed landscaping;</u>ii) <u>the proposed timetable for completion of the work required to reinstate the exterior of the building and connections to services;</u>iii) <u>the appearance of the building following reinstatement</u>	
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			<ul style="list-style-type: none"> Delete any provision for a performance bond or any restrictive covenants for the removal, siting, and relocation of dwellings and buildings. Restrict (as a discretionary activity rule) the use of restrictive covenants for the removal, siting, and relocation of dwellings and buildings. 		
	496.2	New provisions	<p>Suggested drafting to give effect to this submission (or the same or similar effect but without limiting the relief sought):</p> <p><u>Permitted Activity Standards for Relocated Buildings</u></p> <p><u>i. Any relocated building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have previously been designed, built and used as a dwelling.</u></p> <p><u>ii. A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building.</u></p> <p><u>iii. The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site.</u></p> <p><u>iv. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the building being delivered to the site. Without limiting (iii) (above) reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.</u></p> <p><u>v. The proposed owner of the relocated building must certify to the Council that the reinstatement work will be completed within the 12 month period.</u></p>	Oppose	<p>All relocatable dwellings should be subject to the performance standards of the zone to which they will be located, including the necessary requirement to provide acoustic treatment within the OCB.</p> <p>QAC submits that this relief should not be allowed.</p>
	496.3	New provisions	In the event that demolition and or removal and re-siting of buildings is not a permitted activity due to non-compliance with performance standards, then as a default rule, provide for relocation of dwellings and buildings no more restrictively than a restricted controlled activity, provided that such application be expressly provided for on a non-notified, non-service basis.	Oppose	All relocatable dwellings should be subject to the performance standards of the zone to which they will be located.
36. NOISE					
Queenstown Lakes District Council	383	Rule 36.6.2 including Table 4	Implementation and assessment of the construction materials identified in Table 4 is problematic due to these no longer being consistent with modern building materials which may differ in technical properties from the criteria listed, but yet still provide the same benefits for sound insulation. Potential to instead require an acoustic assessment for new or altered buildings within the Air Noise Boundary.	Oppose	The acceptable construction materials set out in Table 4 were subject to intensive investigations during the promulgation of PC35 and are an appropriate means of achieving acoustic insulation within the OCB. Furthermore, the rules relating to this table and the acoustic insulation of ASAN provide the opportunity for an applicant to either undertake their construction works in accordance with Table 4 OR submit a certificate from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design

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			Amend to ensure format addresses modern building solutions and is not unnecessarily restrictive to building and resource consent processing – or requires outdated building materials to be used which are less appropriate. Further investigation needed to determine an appropriate response to improve the application of this rule in consent processing.		Sound Level specified. It is therefore not necessary to update Table 4.
PLANNING MAPS					
DS EE Properties Limited	16.1 16.2	Rezoning request – Low Density to Commercial	Rezone Sugar Lane from Low Density Residential as shown on planning map 33 to commercial.	Oppose in part	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.
Kerr Ritchie Architects	48.1 48.2 48.3 48.4	Rezoning request – Rural to Low Density Residential	Rezoning the land at 48 and 50 Peninsula Road, Kelvin Heights from Rural as shown on planning map 33 to Low Density Residential.	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.
Don Lawrence	125.1 125.2 125.3	Rezoning request – Low Density Residential to Business Mixed Use Zone	Change the Sugar Lane area from Low Density Residential to Business Mixed Use Zoning.	Oppose in part	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.
Russell March	128.1 128.2 128.3	Rezoning request - Low Density Residential to Medium Density Residential	Please: (a) amend the plan to reinstate the original Frankton - Proposed Medium Density Zoning – as per the MACTODD report; or, (b) amend the plan to include Stewart Street Lake Avenue Burse Street McBride Street into MDR zoning as opposed to LDR; or, (c) amend the plan to include Frankton district streets into MDR that are currently outside the Air noise Boundary (ANB) - per the Queenstown Airport website.	Oppose	QAC opposes the proposed rezoning of this land and submits that it is counter to the land use management regime established under PC35. Rezoning the land would have potentially significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.

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Barbara Williams	141.3 141.6	Rezoning request – Low Density Residential to Commercial type zone.	Requests that as an alternative to Low Density Residential Zone, properties located at 58-106 McBride St are rezoned to a form of commercial zoning.	Support in part / oppose in part	QAC supports in part/opposes in part the rezoning of this site to a commercial type zoning provided it does not result in the intensification of ASAN in this area. Subsequent amendments to the relevant zone chapter may be required to ensure that the occurrence of ASAN does not intensify at this site above the currently permitted levels set out in the Operative Plan (i.e. the levels prescribed in the Low Density Residential Zone).
Mount Crystal Limited	150.1 150.2	Rezoning request – Low Density Residential to Medium and High Density Residential	Change the zoning of the submitters land located at the southern end of Lake Hayes (Part Sections 115 and 210R Blk III Shotover SD) from rural to rural residential at the southern end of Lake Hayes located on planning map 30.	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.
Felzar Properties Limited	229.1 229.2	Rezoning request – Rural to Rural Residential	Change the zoning of the submitters land located at the southern end of Lake Hayes (Part Sections 115 and 210R Blk III Shotover SD) from rural to rural residential at the southern end of Lake Hayes located on planning map 30.	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.
NZIA and Architecture + Women Southern	238.42	Rezoning request – Low Density Residential to Medium Density Residential	Requests consideration of other areas that are currently zoned LDR around Frankton (as demonstrated on the map provided) should also be considered for medium density development.	Oppose	QAC opposes the proposed rezoning of this land and submits that it is counter to the land use management regime established under PC35. Rezoning the land would have potentially significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.
Don Moffat	239.2 239.3 239.4	Rezoning request – Rural to Rural Lifestyle	Planning Map 30 be amended to show a portion of the submitters site at 420 Frankton Road-Ladies Mile (Adjoining Shotover Country, legally described as Lot 500 DP470412 and comprising 23.6578 ha), re-zoned from Rural General to Rural Lifestyle as per the area shown boarded yellow on the Plan included as Attachment [B] of the submission.	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.

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Bruce Grant	318.1 318.2	Rezoning request – Rural to Low Density Residential	Rezone from rural to low density residential and include the land within the urban growth boundary.	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.
Noel Gutzewitz	328.1 328.2	Rezoning request – Rural to Rural Lifestyle	Rezone part of the land located between Boyd Road and the Kawarau River as described in section 1 (Secs 42 and 43, Blk XII Closeburn SD and Lots 4 and 5 DP 24790) and Attachment B from rural to rural lifestyle.	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.
Middleton Family Trust	336.1 336.2 336.3	Rezoning request – Remove overlay	Remove any references to the Queenstown Heights Overlay Area.	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.
Middleton Family Trust	338.2 338.3 338.4	Rezoning request – Rural to Low Density Residential and part Rural Residential	Rezone the land on planning map 31 generally located between Lake Johnson and the Shotover River (as shown in Attachment B to the submission and legally described as secs 21, 24, 40, 41, 44, 61 Blk XXI Shotover SD, Sec 93 Blk II Shotover SD, Secs 43- 45, 52-55, 60 Blk II Shotover SD, Pt Sec 47 Blk II Shotover SD, Pt sec 123 & 124 Blk I Shotover SD, and Secs 130-132 Blk I Shotover SD) from Rural to part Low Density Residential and part Rural Residential with provision made to protect escarpment areas. NB Attachment B shall take precedence over the legal descriptions cited above as it is unclear whether all these sites are affected by the rezoning.	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.
Remarkables Heights Limited	347.1 347.3	Rezoning request – Rural General to Low Density Residential	Oppose the Rural General zoning of Lot 1 DP 411971 (Middleton Rd) and request rezoning to Low Density Residential.	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport.

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					<p>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.</p> <p>The proposed rezoning request should not be accepted.</p>
Sam Strain	351.1 351.4	Rezoning request – Rural to Rural Lifestyle	Oppose the Rural zoning of Lot 1 & 2 DP 388976 and request it be rezoned from Rural to Rural Lifestyle.	Oppose	<p>QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport.</p> <p>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.</p> <p>The proposed rezoning request should not be accepted.</p>
Body Corporate 22362	389.1 389.5 389.12 389.13 389.16	Rezoning request – Low Density Residential to Medium Density Residential	That Body Corporate 22362 be removed from the low density zone and be included in the medium density zone.	Oppose	<p>QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport.</p> <p>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.</p> <p>The proposed rezoning request should not be accepted.</p>
Sam and Jane McLeod	391.7 391.22	Rezoning request – Low Density to Medium Density Residential	That the medium density zone is extended all the way along Frankton Road from the existing High Density areas to include Panorama Tce, Larchwood Heights, Andrews park, Goldfields, Battery Hill Marina Heights and everything in between.	Oppose	<p>QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport.</p> <p>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.</p> <p>The proposed rezoning request should not be accepted.</p>
Middleton Family Trust	393.1 393.2	Rezoning request – Rural to Airport Mixed Use	Oppose the rural zoning and request that 114 hectares of Lot 2 DP 351844 be rezoned to Airport Mixed Use zone.	Oppose	<p>QAC opposes the proposed rezoning until such a time that an aeronautical study has been completed for the site that confirms the site is suitable for aviation activities.</p> <p>Rezoning the land may also potentially result in significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.</p>
Peter and Margaret Arnott	399.1 399.2 399.3 399.4 399.11	Rezoning request – Rural to Local Shopping Centre and/or Business Zone	That the part of the submitters' land (legally described as Lot 1 DP 19932 and Section 129 Block 1 Shotover Survey District) shown on Planning Map 31a currently proposed to be zoned Rural General be rezoned Local Shopping Centre and/or Business Zone.	Oppose	<p>QAC opposes the proposed rezoning of this land and submits that it is counter to the land use management regime established under PC35.</p>

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					Rezoning the land would have potentially significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.
Sanderson Group Limited	404.1 404.4	Rezoning request – Rural to an Urban Zone or similar	Rezone Lot 500 DP 470412 from Rural to an Urban Zone that enables the construction of a Retirement Village as a Controlled or Restricted Discretionary Activity, with control/discretion limited to positive effects; demand for housing supply; site layout; effects on local infrastructure; onsite serviceability; effects on landscape and visual amenity values; landscape treatment; site access arrangements; traffic and parking effects; and construction effects. And/ or any other relief to give effect to the intent of the submission.	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.
Aviemore Corporation Ltd	418.1 418.2 418.3	Rezoning request – Rural to Industrial A	Amend Planning Map 31 to extend the existing Industrial A Zone south so that it includes Lot 1 DP 472825.	Support	QAC supports the rezoning of this land from Rural General to Industrial.
Otago Foundation Trust	408.1 408.4	Rezoning request – Rural to Medium Density Residential	Rezone the entire area of the subject site (legally described as Section 130, Blk I Shotover SD, Section 31, Blk Shotover SD, and Part of Section 132, Blk I Shotover SD) as Medium Density Residential. This is the area north of Frankton Junction Roundabout found on Maps 31 and 31a.	Oppose	QAC opposes the proposed rezoning of this land and submits that it is counter to the land use management regime established under PC35. Rezoning the land would have potentially significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.
Bonisch Consultants	425.1 425.2	Rezoning request – Low Density to Medium Density, Local Shopping Centre	That those areas identified on the attached Structure Plans be rezoned as Medium Density Residential, Local Shopping Centre or Low Density as specified.	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.
F.S Mee Developments Co Limited	429.1	Rezoning request – Low Density Residential to High Density	That the area identified on the attached Structure Plan be rezoned from Low Density Residential to High Density Residential.	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.
Bruce Grant	434.2 434.3	Rezoning request – Rural	Seeks modify the PDP to rezone the subject land from Rural Zone to Low Density Residential Zone.	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport.

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		to Low Density Residential			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.
W&M Grant	455.1 455.2	Rezoning request – Rural to Medium Density Residential	Requests that land on Hansen Road / Frankton-Ladies Mile Highway, Frankton, legally described as Lot 1 DP 355881 Secs 22 27-28 30 BLK XXI & sec 125 BLK I Shotover SD, valuation 2907148703 be rezoned from Rural to either a Medium Density Zone with a Visitor Accommodation Overlay, or a zone to allow for commercial activities.	Oppose	QAC opposes the proposed rezoning of this land and submits that it is counter to the land use management regime established under PC35. Rezoning the land would have significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.
Lake McKay Station	484.1	Rezoning request – Rural to Rural Residential	Rezoning the submitters property from Rural to Rural Residential and Rural Lifestyle zones	Oppose in part	Area 1 of the Plan Change is partially located within an area where the ground surface penetrates the Conical and Inner Horizontal Surface at Wanaka Airport. In accordance with Designation 64, Airport Approach and Protection Measures, no object, including any building, structure, mast, pole, or tree shall penetrate the horizontal and conical surfaces except with prior approval of the requiring authority, or where the object is determined to be shielded by an existing immovable object in accordance with recognised aeronautical practice. It is therefore necessary to determine whether the site is "shielded by an existing immovable object in accordance with recognised aeronautical practice" in order to determine if it is appropriate to rezone this site for any intended purpose other than rural activities.
Schist Holdings Limited and BNZL Properties Limited	488.1 488.2	Rezoning request – Industrial to Business Mixed Use Zone	Opposes Industrial zoning of two properties located on the eastern side of Glenda Drive, towards the southern end of Glenda Drive. They have the valuation numbers 2910225704 and 2910225708. Submits that the southern end of Glenda Drive (if not most of Glenda Drive) is more appropriately zoned Business Mixed Use Zone. Rezoning properties with valuation numbers 2910225704 and 2910225708 on Glenda Drive as Business Mixed Use Zone. Consider extending such zonings to other properties along Glenda Drive.	Oppose	The site is located on the edge of the ANB and OCB. The Business Mixed Use Zone currently contains no provisions relating to the management of ASAN. Rezoning this site would therefore allow a level of ASAN development that is not currently provided for the Operative District Plan. This is inappropriate and inconsistent with the land use management regime established under PC35. Rezoning the land would have potentially significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.
Woodlot Properties Limited	501	Rezoning request – Rural to Rural Lifestyle	Requests that Proposed District Plan Map 29 - Dalefield, Coronet Peak Road is amended to replace the zone boundary line between	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport.

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		or Rural Residential	the Rural Zone and the Rural Lifestyle Zone with that of the area outlined within the attached map.		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.
Larchmont Developments Limited	527.1 527.7	Rezoning request – Rural to Low Density Residential	Rezoning the area of land hatched on the Map attached to this submission from Rural zone to Low Density Residential.	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.
Shotover Country Limited	528.9 528.10	Rezoning request – Rural to Shotover Country Special Zone or Low Density Residential Zone	Within this newly defined boundary, rezone the land subject to this submission (the "Site") from 'Rural Zone' to 'Shotover Country Special Zone', or in the alternative, to 'Low Density Residential Zone'	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.
Bill and Jan Walker Family Trust	532.37 532.38	Rezoning request – Rural to Rural Lifestyle	Amend Map 30 to rezone the identified land on the attached map (hatched) at Appendix 1 as Rural Lifestyle. The land is generally bounded by Frankton-Ladies Mile to the North and Lake Hayes Estate to the south.	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.
Winton Partners Funds Management No.2 Limited	533.2 533.3 533.4 533.5 533.6	Rezoning request – Rural to High, Medium or Low Density Residential Zone, Business Mixed Use Zone or any other zone.	Amend Map 33 to re-zone the area of land hatched on the map attached to this submission from rural to High Density Residential. The land is generally located between Kingston Road SH6 and Peninsula Road.	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.
Bridesdale Farm Developments Limited	655.1 655.4 655.4	Rezoning request - Rural to Medium	Requests that Lot 3 Deposited Plan 392823, Lot 4 Deposited Plan 447906, Lot 1 Deposited Plan 26719, Lot 1 Deposited Plan 21087 and Lot 3 Deposited Plan 337268 be zoned Medium Density Residential.	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport.

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		Density Residential			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.
Land Information New Zealand	661.5 661.6 661.7	Rezoning request – Rural to Low Density Residential	That the land at Section 2 Survey Office Plan 448337 as shown on Proposed Planning Maps 31a and 33, described by the submitters as the Peninsula Road site, is zoned Low Density Residential rather than Rural and that Planning Maps 31a and 33 are amended accordingly.	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.
Lynette Hamilton	670.3 670.4	Rezoning request – Rural to Rural Lifestyle or Rural Visitor Zone	The area defined in the map contained in Attachment [D] is re-zoned from Rural General to a mix of Rural Lifestyle and Rural Visitor Zone.	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.
Justin Crane and Kirsty McTaggart	688.9	Rezoning request – Rural to Rural Residential	Amend the planning maps to show lower Threepwood area as part of the Rural Residential Zone, in general accordance with the map in Attachment 1 to this submission.	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.
Susan May Todd	690.2 690.3	Rezoning request – Rural to Rural Lifestyle or Rural Visitor Accomodation	Re-zone Doonholme farm Lots 4,5,10 & 11 DP300661, Sections 21,22,23,24 & 25 Blk IX Shotover SD, Sections 1 SO 420327, Sections 17,18,19,23,64, & 71 Blk VII Shotover SD from Rural General to a mix of Rural Lifestyle and Rural Visitor Zone as shown in attachment D of this submission 690.	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.

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Ross & Judith Young Family Trust	704.4	Rezoning request - Rural to Airport Mixed Use Zone	Amend Map 18a to provide for the following activities to occur as permitted or controlled activities on the land on the western corner of Mt Barker Road and Slate Highway 6, legally described as Lots 1 and 10 DP 3505038 and Part Section 9 Block VIII Lower Hawea Survey District, held in Computer Freehold Register 112402: 1. Airport related infrastructure; 2. Visitor accommodation	Oppose in part/ Support in part	QAC remains neutral with respect to this zoning. Notwithstanding, insufficient detail has been provided in the submission in terms of section 32 of the Act and whether the proposed rezoning is the most appropriate way to achieve the purpose of the act, including the benefits and cost of the environmental, economic, social and cultural effects that could accrue from the implementation of the zone and the subsequent provisions. QAC therefore reserves it right to revise its position in light of such reporting.
The Jandel Trust	717.1	Rezoning request - Rural to Medium Density Residential	The submitter considers that the most appropriate zone for the site and surrounds would be a mixed use zone that provides for residential and lighter industrial/commercial uses. Such a zone would best reflect the existing land uses and the proximity to Frankton Industrial, State Highway 6 and the nearby commercial land at 5 Mile. If the Medium Density Residential Zone is adopted by the Council, the submitter requests that changes are made to the provisions to provide for more mixed use activity than is currently provided for. In addition, amendments would also be required to protect the submitter's lawfully established business from reverse sensitivity effects, primarily noise and nuisance effects. Rather than apply the proposed Medium Density Residential Zone to the land at 179 Frankton-Ladies Miles Highway, rezone the site and wider area to Business Mixed Use Zone or Industrial Zone; or Amend the Medium Density Residential Zone provisions (and related provisions) as set out in Annexure B.	Oppose	QAC opposes the proposed rezoning of this land and submits that it is counter to the land use management regime established under PC35. Rezoning the land would have significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.
The Hansen Family Partnership	751.4 751.5 751.6	Rezoning request - Rural to a mix of Low, Medium or High Density Residential, Industrial, Business Mixed Use or Local Shopping Centre Zone.	Remove the area of rural zone shown on Planning Maps 31, 31a and 33, along the northern side of State Highway 6 between Hansen Road and the Eastern Access Road and below the Queenstown Airport Outer Control Boundary and within the Queenstown Urban Growth Boundary; and Rezone the former rural land and part of the Medium Density Residential Zone on the northern side of State Highway 6 located between Hansen Road and the Eastern Access Road, below the Urban Growth Boundary as Industrial; or alternatively Rezone the area of Rural Zone and part Medium Density Residential Zone on the northern side of State Highway 6 located between Hansen Road and the Eastern Access Road, and within the Queenstown Urban Growth Boundary as any mix of Low, Medium or	Oppose	QAC opposes the proposed rezoning of this land and submits that it is counter to the land use management regime established under PC35. Rezoning the land would have significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.

JB JB

			High Density Residential, Industrial, Business Mixed Use or Local Shopping Centre Zones.		
Queenstown Lakes District Council	790	Rezoning request – Reserve to Low Density Residential	Requests the inclusion of Section 36 BLK XXXI TN of Frankton (Boyes Crescent) into the Low Density Residential Zone and any consequential amendments.	Oppose	QAC opposes the proposed rezoning of this land and submits that it is counter to the land use management regime established under PC35. Rezoning the land would have significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.
Queenstown Park Limited	806	Rezoning request – Rural to new Queenstown Park Zone	Submitter seeks rezoning of land to create new Queenstown Park Zone, with Structure Plan and associated policy suite.	Oppose	QAC opposes the proposed rezoning of this land and associated policy suite. Rezoning the land would have significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.
Remarkables Park Limited	807.13 807.14	Map amendment – Maps 31a and 33	Include the High School designation on maps 31a and 33.	Support	QAC supports the inclusion of the currently operative designated high school on Map 31a and 33.
	807.15 807.16	Map amendment – Maps 31a and 33	Update planning maps 31a and 33 to remove the unformed legal roads that have been stopped. Specifically, the EAR alignment north of the former EAR, the unformed section of Cherry Blossom Avenue, the superseded alignment of the EAR and the associated roads within the Frankton Flats B Zone.	Support	QAC supports updating maps 31a and 33 to reflect the changes to the roading layout around the EAR and Frankton Flats.
	807.19 and 807.20	Map amendment – Maps 31a and 33	Update the planning maps to correctly identify the extent of the Airport Designation 2 and remove the airport designation from Lot 1 DP472825.	Support in part	QAC supports this submission point insofar as it relates to the removal of Lot 1 DP 472825 from the designation.
	807.93	Rezoning request – Airport Mixed Use Zone	Delete the extension of the Airport Mixed Use Zone from land not currently zoned for Airport Mixed Use Zone	Oppose	QAC submits that it is appropriate to retain the notified Airport Mixed Use Zone extent at Queenstown Airport. The current Rural General zoning is inconsistent with the current use that occurs on site and is enabled by QAC's designation.
Brett Giddens	828	Rezoning request – Low Density Residential to Local Shopping Centre, High Density Residential or Medium Density Residential	The land bound by McBride Street, Burse Street, Grey Street and State Highway 6 are altered from Low Density Residential zone to Local Shopping Centre zone; or as secondary options that are more appropriate than the Low Density Residential Zone: i. High Density Residential zone; or ii. Medium Density Residential; or iii. Another zone or amended zone that will achieve the outcomes sought in this submission.	Oppose in part / Support in part	QAC remains neutral with respect to the rezoning of this area to Local Shopping Centre zone provided it does not result in the intensification of ASAN in this area. Subsequent amendments to the relevant zone chapter may be required to ensure that the occurrence of ASAN does not intensify at this site above the currently permitted levels set out in the Operative Plan (i.e. the levels prescribed in the Low Density Residential Zone).

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					QAC opposes the proposed rezoning of this land to medium or high density residential and submits that it is counter to the land use management regime established under PC35. Rezoning the land would have significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.
	828.1	Rezoning request – Low Density Residential to Local Shopping Centre, High Density Residential or Medium Density Residential	Rezone the land bound by McBride Street, Birse Street, Grey Street and State Highway 6 from Low Density Residential to Local Shopping Centre Zone or as a secondary option, a more appropriate higher density zone such as: - . High Density Residential; - . Medium Density Residential; or - Another zone or amended zone that will achieve the outcomes sought in the submission. Any additional or consequential relief of the proposed plan as a result of this submission.	Oppose in part / Support in part	QAC remains neutral with respect to the rezoning of this area to Local Shopping Centre zone provided it does not result in the intensification of ASAN in this area. Subsequent amendments to the relevant zone chapter may be required to ensure that the occurrence of ASAN does not intensify at this site above the currently permitted levels set out in the Operative Plan (i.e. the levels prescribed in the Low Density Residential Zone). QAC opposes the proposed rezoning of this land to medium or high density residential and submits that it is counter to the land use management regime established under PC35. Rezoning the land would have significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.
D Boyd	838.1 838.2 838.5	Rezoning request – Rural to Large Lot Residential	Rezoning the properties located in Annexure A of submission located at 53 Max's Way from Rural to Large Lot Residential.	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.
C and S Hansen	840.1 840.2 840.3	Rezoning request – Low Density Residential to Local Shopping Centre	The submitter opposes the Low Density Residential zoning of land described as Lot 1 DP 43449, Section 4 Blk XX TN OF Frankton and Sections 2- 11, 13 & 14 Blk XX TN OF Frankton, which comprises land generally bounded by McBride Street, Gray Street and adjacent to SH6 near Frankton Junction, and as shown on Planning Map 33. The submitter requests that the land is zoned Local Shopping Centre zone.	Oppose in part / Support in part	QAC remains neutral with respect to the rezoning of this area to Local Shopping Centre zone provided it does not result in the intensification of ASAN in this area. Subsequent amendments to the relevant zone chapter may be required to ensure that the occurrence of ASAN does not intensify at this site above the currently permitted levels set out in the Operative Plan (i.e. the levels prescribed in the Low Density Residential Zone).
Scott Crawford	842.1 842.6	Rezoning request – Rural to Medium Density Residential	Amend the zoning of the submitter's site located at Onslow Road, Lake Hayes Estate (Lot 403 DP379403) shown on Planning Map 30 from Rural to Medium Density Residential.	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport.

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					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.
R and R Jones	850.1 850.5	Rezoning request – Rural to Low Density Residential	The Operative Rural General Zone be removed from the land bounded by Lake Hayes Estate to the north and Shotover Country to the west, referred to below and shown in the map attached to this submission in favour of Low Density Residential under the Proposed District Plan. <ul style="list-style-type: none">• Sections 109, 110, 66 & 129 Blk III Shotover SD.• Lot 2 DP 20797• Lot 2 DP 475594	Oppose	QAC opposes the proposed rezoning of this land and submits that it is counter to the land use management regime established under PC35. Rezoning the land would have significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.

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This is the Exhibit marked with the letter "D" referred to in the Affidavit of BRUCE DEARSLY GRANT

SWORN at Queenstown this 15th day of
June 2018 before

Timothy James Sinclair
Solicitor
Queenstown


Solicitor of the High Court of New Zealand



"E"

QUEENSTOWN LAKES DISTRICT COUNCIL

Hearing of Submissions on Proposed District Plan

Report 17-5

**Report and Recommendations of Independent Commissioners
Regarding Mapping of Queenstown Hill**

Commissioners
Denis Nugent (Chair)
Jan Crawford
David Mountfort

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PART A: REMARKABLE HEIGHTS LIMITED

Submitter Remarkable Heights Limited (Submission 347)

Further Submissions

FS1340 – Queenstown Airport Corporation - oppose

1. PRELIMINARY MATTERS

1.1. Subject of Submission

1. This submission related to a 17 hectare block of land at the top of Middleton Road (Lot 102 DP 411971¹).

1.2. Outline of Relief Sought

2. The submission sought that all of Lot 102 be rezoned as LDRZ and that the UGB be aligned with the property boundaries. In other words, the submitter requested that the area within the subject site that is currently zoned Rural be rezoned to LDRZ. The submission did not seek alignment of the ONL line with the UGB and property boundary however such realignment would be a logical result of accepting this submission.

1.3. Description of the Site and Environs

3. The subject site is part of the steep, glaciated southern face of Queenstown Hill. It is currently being developed for 158 residential lots in accordance with a subdivision consent². Some of the consented development is within the Rural Zone. The site is shown in Figure 5-1 below.

¹ While the submission listed this as the legal description, we note that the consents granted cite the legal description as Lots 102 and 104 DP 411971

² RM081212, varied by RM150520, RM160924, RM161211 and RM170002

36-D

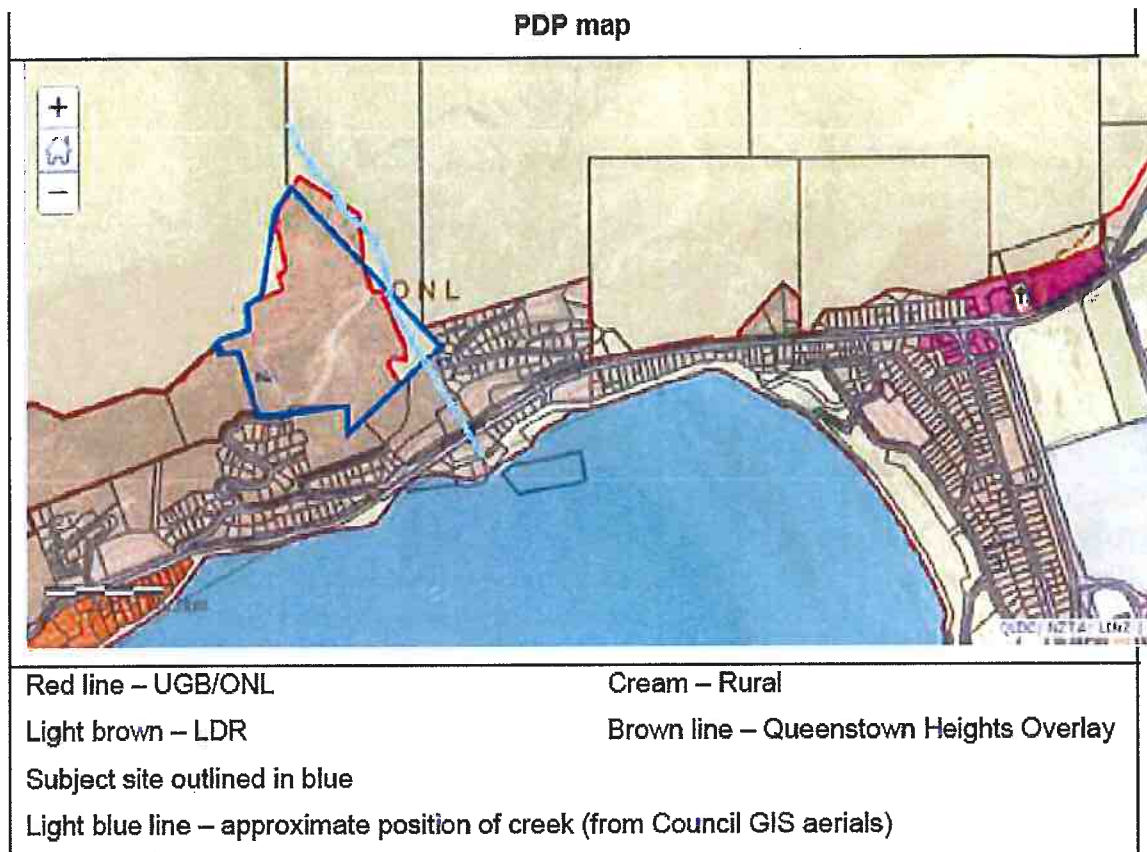


Figure 5-1 – Zoning map of Lot 102 DP411791 which is located at the top of Middleton Road, Queenstown Hill, outlined in blue

1.4. The Case for Rezoning

4. In light of the favourable recommendation in the Section 42A Report, the submitters' representative, Mr Nick Geddes, attended the hearing to answer questions about the zoning but did not give evidence. He provided plans of the approved subdivision showing the roading and lot layout.³

5. For the Council, Dr Read observed that the zone boundaries did not appear to relate to the underlying topography or any other landscape feature. She said that the LDRZ boundary in the eastern area appears to have been located so as to provide some protection to the creek, its margins and the gully in which it is located. Further upslope, however, the zone boundary follows the creek, rather diminishing any positive effect, and downslope the creek and its margins are within LDR zoning. Dr Read noted that subdivision in proximity to the unnamed creek to the east would trigger a requirement for the identification of marginal strips which would protect the character and quality of the stream and its corridor. For these reasons, Dr Read considered that both Rural-zoned areas within Lot 102 could be rezoned to LDRZ from a landscape perspective. Accordingly, the UGB and ONL could be moved to incorporate these two areas.⁴

6. Ms Rosalind Devlin, the Council's planning witness, recommended that the submission be accepted. In her opinion, the requested rezoning would achieve the relevant objectives and

³ Exhibit 13.12 - plan of approved subdivision consent (RM081212)

⁴ Dr M. Read, EIC, 24 May 2017, paragraphs 7.6 – 7.9

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policies for the LDRZ (Chapter 7) and would be logical and appropriate. Realigning the UGB/ONL boundaries would better reflect the underlying topography by incorporating land within the same contour to the west (500masl) and by connecting land to the east with Marina Heights at the same elevation (at and below 400masl).⁵ There were no traffic or infrastructure issues arising from the rezoning.

7. QAC lodged a further submission opposing the rezoning of currently vacant land and/or enabling intensification of existing or residentially zoned land because this will bring more people to the aircraft noise effect now and into the future. Mr Kyle's evidence was that the best form of protection available to avoid potential reverse sensitivity effects is to avoid development 'coming to the effect' in the first place.⁶ However the submission site is not located within the OCB and QAC has not initiated a plan change seeking to extend the OCB.

1.5. Discussion of Planning Framework

8. Part of the land is zoned Rural and is within an Outstanding Natural Landscape. Strategic Objectives and policies in Chapters 3 and 6 of the PDP require the identification of ONL's and avoidance of adverse effects on them that would be more than minor and or not temporary. Subdivision and development are discouraged in ONL's unless the landscape can absorb the change and where the buildings and structures and associated roading and boundary changes will be reasonably difficult to see from beyond the boundary of the site.⁷
9. The Zone Purpose for the Rural Zone states that the purpose of the zone is to enable farming activities and provide for appropriate other activities that rely on rural resources while protecting, maintaining and enhancing landscape values, ecosystem services, nature conservation values, the soil and water resource and rural amenity. The Zone Purpose also recognises that a substantial proportion of the Outstanding Natural Landscapes of the district comprises private land managed in traditional pastoral farming systems. Rural land values tend to be driven by the high landscape and amenity values in the district. The long-term sustainability of pastoral farming will depend upon farmers being able to achieve economic returns from utilising the natural and physical resources of their properties. For this reason, it is important to acknowledge the potential for a range of alternative uses of farm rural properties that utilise the qualities that make them so valuable.⁸
10. Objectives and policies of Chapter 21 provide for a range of land uses, including farming, to be enabled while protecting landscape and other natural and amenity values, recognising the need for economic diversification and providing for sustainable commercial recreation activities.⁹ Rules in the plan provide for residential and larger scale commercial recreation as discretionary activities.
11. The LDRZ is the largest residential zone in the District. In Chapter 7, as recommended, it is renamed the Lower Density Suburban Residential zone to more accurately capture the range of traditional and modern suburban densities and housing types enabled. Objective 7.2.1 provides for '*a mix of compatible suburban densities and a high amenity low density residential environment for residents...*'. Policy 7.2.1.2 encourages development that '*maintains suburban residential amenity values including predominantly detached building forms, and predominantly one or two storey building heights.*' Policy 7.2.1.3 seeks to maintain amenity

⁵ R. Devlin, Section 42A Report, 24 May 2017, paragraphs 4.11 – 4.15

⁶ J. Kyle, EIC, 9 June 2017, paragraphs 6.4 – 6.8

⁷ Objective 3.2.4.3, Policies 3.3.29 and 3.3.30, and Policy 6.3.11

⁸ Chapter 21, Clause 21.1

⁹ See Objectives 21.2.1, 22.1.8, 21.1.9, 21.1.10 and their related policies.

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values between sites, in particular privacy and access to sunlight. A clear theme is the maintenance of suburban character and high amenity values. Commercial activities are generally discouraged.

12. The submission site is not located within the OCB of Queenstown Airport.

2. ISSUES

13. The most appropriate zone for the subject site
14. Landscape

3. DISCUSSION OF ISSUES AND CONCLUSIONS

15. We agree with Dr Read that there is no logical landscape basis for the current alignment of the ONL line and consequently for the Rural/LDR zone boundary. On Queenstown Hill, we consider that the notified position of the ONL line has been influenced by past decisions and indeed, may not have been well-defined in the first instance. It is arbitrary, perhaps necessarily so given land ownership, the physical geography and historic pattern of settlement.
16. A modest number of additional residential lots would be enabled by rezoning about 2 hectares from Rural to LDRZ which assists with increasing capacity. We find that the additional traffic generated at the Frankton Road intersection with Middleton Road is acceptable and the land can be serviced therefore there are few, if any, adverse effects arising from changing the zoning of these two small areas from Rural to LDRZ. The consented subdivision enables housing that is typical of suburban locations with high amenity values therefore LDR zoning is appropriate.
17. Rural zoning is not appropriate for these two small areas within Lot 102 because they are not suitable for farming. If left as Rural zoning, they would inevitably be developed for housing in accordance with a consent, as evidenced by RM170002, therefore it is inefficient to leave them within the Rural Zone.
18. With respect to QAC's further submission, we consider it is not sound resource management practice to limit development potential in the face of uncertainty about the future of the airport particularly in a location like Queenstown which has topographical constraints that limit the land available for urban development. For a full discussion of this matter, see Report 17-1.¹⁰
19. In the circumstances, we have taken a pragmatic approach to this submission and have concluded that aligning the title, LDRZ, UGB and ONL boundaries is logical and appropriate.¹¹
20. As a consequential amendment, we recommend that the area of land to the north of Lot 102 on the adjacent property is rezoned from LDR to Rural as part of this rationalisation. This rezoning slightly increases the area of land within the adjoining property that is both zoned Rural and within the ONL, a conjunction giving effect to the Plan's strategic direction.

¹⁰ Refer Report 17-1, Section 5.3

¹¹ Refer Report 17-1, Section 4.1

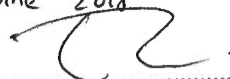
4. RECOMMENDATION

21. For the reasons set out above, we recommend that:
- a. Submission 347 be accepted; and
 - b. Two areas of land within Lot 102 DP411971 be rezoned from Rural to LDRZ; and
 - c. The UGB align with the legal boundary of Lot 102 DP411971; and
 - d. The land zoned LDRZ in the notified PDP that is not within Lot 102 be rezoned Rural as a consequential amendment; and
 - e. The ONL align with the title, LDRZ and UGB boundaries as shown on Maps 33 and 31a.

Timothy James Sinclair
Solicitor
Queenstown

This is the Exhibit marked with the letter "E"
referred to in the Affidavit of BRUCE DEARSLEY GRANT

SWORN at Queenstown this 15th day of
June 2018 before



.....
A Solicitor of the High Court of New Zealand

