

Ben Farrell – Hearing Stream 15 - Visitor Accommodation Variation

1. My name is Ben Farrell. I am an Independent Planning Consultant based in Queenstown. I submitted a brief of evidence on this topic dated 6 August 2018¹.

Residential Amenity Values and Cohesion

2. I agree it is appropriate that the potential adverse effects of RVA are managed but not discouraged. From my review, there are no submitters seeking discouragement of RVA based on effects on amenity values and residential cohesion. Rather submitters, including the Luxury Accommodation Providers seek to ensure the effects of RVA on amenity values, parking and traffic safety are issues that need to be managed. These issues can be managed via the permitted or controlled activity status. The issue of residential cohesion is a perceived issue. There is a total lack of evidence pointing to this matter being a problem. The evidence relied on by QLDC is an outdated and irrelevant position paper prepared by Hill Young Cooper (irrelevant because it deals with VA (*hotels and motels*), not RVA). RVA provides benefits to amenity values and social cohesion / sense of place that should be taken. Namely the introduction of people (strangers) into a neighbourhood on a short term basis can result in benefits (it is better for social cohesion for houses to be occupied rather than left unattended (some people enjoy interacting with new faces – e.g. children playing/visitors talking and sharing experiences). Arguably an increase in RVA throughout the district is better for the districts overall social cohesion compared to providing more hotels and motels.

Housing Supply and Affordability

3. There is a lack of credible or certain evidence demonstrating that RVA creates a material or that the proposed amendments will result in a discernible benefit to housing supply and affordability issues in the District. The position of QLDC appears to be that any increase in supply of long term rental housing will provide a significant benefit. In my view the cause and effect link between RVA and housing supply and affordability issues is simply unclear and uncertain. Based on Councils own evidence **the best case scenario for housing supply and affordability issues is a reduction of the deterioration of rental affordability**. The extent of this reduction (and therefore benefit of the amendments) is uncertain. The cost of this reduction on the community has not been quantified or identified in respect of an appropriate s32 evaluation under s.32. For example the evidence of Ms Hayden, Ms Stevens, Ms Spice and Mr Harris and Mr Brown is that restricting the threshold of stays to less than 120 will affect their business and is not appropriate. RVA provides an efficient use of land and socioeconomic benefits that should be taken into account. These include:
 - (a) supply of accommodation for visitors;
 - (b) direct income benefits to landowners (diversification of land use);
 - (c) direct benefits to people and business involved in the RVA industry;
 - (d) indirect benefits to the community through increased employment opportunities, local spend and rates income.

Other matters arising from evidence and legal submissions

4. Upon review of Councils rebuttal evidence (22 August 2018) and Memorandum (“**Memo**”) by Ms Scott (14 September 2018):
 - (a) I agree that QLDC can manage RVA under s.31 of the RMA for the purposes of managing environmental effects of RVA (much like the district plan provides methods for managing the adverse effects of residential activities). However, I do not agree there is sufficient evidence to warrant the management of RVA in respect of housing supply or affordability.
 - (b) In respect of Par 5 of the Memo I maintain the non-complying activity status is not appropriate:
 - (i) Contrary to the statement in Par 5.2 of the Memo there is no need to “limit the proliferation or RVA activities”.
 - (ii) There are no strategic provisions requiring or directing RVA to be restricted or discouraged;

¹ On behalf of MajorDomo Limited (Submitter 2592), Touch of Spice Limited (Submitter 2600) and NZSIR Luxury Rental Homes Limited (Submitter 2598).

- (iii) Effects on amenity values, parking, noise can be managed;
 - (iv) The evidence on the issue of social cohesion in residential environments points to a need to restrict hotels and motels, not RVA.
- (c) I agree with the position of Ms McLeod that RVA is effectively a residential activity. While the characteristics of RVA have differences to residential activities, they remain primarily residential. For example:
- (i) The “on the ground” differences between RVA and permitted residential activities are case-by-case and largely indiscernible.
 - (ii) RVA can provide more residential characteristics (and more cohesion) compared to holiday homes (e.g. holiday homes which are not occupied for the majority of the year).
 - (iii) The principle of the monetary gain characteristic applies equally to RVA and long term rentals.
- (d) In respect of Par 6 of the Memo, I do not understand why RVA provisions in the Rural Zone should be different to the Rural Residential and Rural Lifestyle zones. QLDC’s rationale for softening the standards for the Rural Zone should equally apply to the Rural Residential and Rural Lifestyle zones.

Recommended Amendments

5. While I consider there is a lack of evidence to support the Council’s proposed provisions, in order to address (or respond to) its concerns regarding potential effects on amenity values and social cohesion, I consider amendments are appropriate that result in RVA being:
- (a) Recognised in objectives and policies as contributing a significant benefit to the community, acknowledging that adverse effects on residential amenity values should be managed.
 - (b) Provided for in Urban Zones as a controlled activity for up to 120 nights per year (with a lower trigger of nights being permitted) (subject to standards relating to noise, parking and vehicle access) with permissions or control reserved to site-specific operational management protocols to assist in the management of visitor behaviour and encourage professionally managed RVA.
 - (c) Provided for in Rural Zones as either permitted or controlled activities for up to 120 nights per year, subject to standards relating to noise, parking, and vehicle access.
 - (d) Managed as a discretionary or restricted discretionary activity beyond 120 days.

Overall conclusion

6. The Council’s reasons for managing and seeking to restrict RVA are to help address the District’s shortage of housing supply and maintaining residential amenity values and cohesion. In my view the amendments proposed in the Variation (as notified) or recommended in the s.42A report will not achieve this effectively or efficiently.
7. I consider the provisions will not promote sustainable management of the District’s resources.



Ben Farrell

19 September 2018