

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

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER Stage 3 Proposed District
Plan - Settlement and
Lower Density
Residential Zones –
Mapping

**SECTION 42A REPORT OF ROSALIND MARY DEVLIN
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

SETTLEMENT AND LOWER DENSITY SUBURBAN RESIDENTIAL ZONES – MAPPING

18 March 2020

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Appendix 1: Summary of submissions and recommended decisions

1. PROFESSIONAL DETAILS

- 1.1 My full name is Rosalind Mary Devlin. I am self-employed as a planner. I have been in this position since August 2015.
- 1.2 I hold the qualifications of Master of Regional and Resource Planning (1998) and Bachelor of Science (Geography, 1996) from the University of Otago. I have 20 years' experience in resource management planning and I am a full member of the New Zealand Planning Institute (2006).
- 1.3 My experience includes roles at the Ministry for the Environment, local authorities and private practice. My current role includes planning advice and preparing resource consent applications for clients, processing resource consent applications for the Queenstown Lakes District Council (**the Council** or **QLDC**), and assisting the Council with planning policy work, including the Queenstown Lakes Proposed District Plan (**PDP**) and Housing Accord monitoring.
- 1.4 In relation to the PDP I prepared a section 42A report, rebuttal evidence, and a right of reply on behalf of the Council for rezoning requests for Group 1C – Queenstown Urban – Central, West and Arthurs Point (Stage 1 – Hearing Stream 13), and for Visitor Accommodation Sub-Zones rezoning requests (Stage 2 – Hearing Stream 15).
- 1.5 Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witness contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.
- 1.6 I note that my husband, Blair Devlin, is employed as a planner for local company Vivian and Espie Limited. I have not consulted with him about any of the views expressed in this report. Neither I, nor Mr

Devlin, have any personal or financial interest in any of the matters on which I have provided evidence.

2. INTRODUCTION

2.1 In this section 42A report, I provide recommendations to the Hearings Panel on the rezoning submissions and further submissions received on the Settlement Zone and Lower Density Suburban Residential Zone (**LDSRZ**) notified as part of Stage 3 of the PDP.

2.2 A total of 84 submission points were received on these zones. I have grouped my analysis of these submissions into geographic areas as follows:

- (a) Group 1: Glenorchy;
- (b) Group 2: Cardrona;
- (c) Group 3: Albert Town;
- (d) Group 4: Hāwea;
- (e) Group 5: Luggate; and
- (f) Group 6: Kingston.

2.3 The specific submissions addressed in each grouping are identified in the relevant sections of the report.

2.4 For each group, I summarise the key issue(s) and relief sought in the submissions, consider whether the relief sought better achieves the relevant objectives of the applicable policy documents, and evaluate the appropriateness, including costs and benefits, of the requested changes in terms of s32AA of the RMA.

2.5 When assessing the submissions, I refer to and rely on the evidence of:

- (a) Ms Helen Mellsop (Landscape Architect)
- (b) Mr Robert Bond (Geotechnical Engineer)
- (c) Mr Richard Powell (Infrastructure Engineer)

and also the report of Ms Bridget Gilbert (Landscape Architect), which is attached as Appendix 2 to the Chapter 20 Section 32 Evaluation for Stage 3 Components for Townships.

2.6 The key documents I have used, or referred to, in forming my view while preparing this section 42A report are:

- (a) Chapter 20 Section 32 Evaluation for Stage 3 Components for Townships, (**S32¹**);
- (b) Section 32 Evaluation for Rural Visitor Special Zone and consequential Variations to Proposed District Plan: Chapter 20 Settlements, (**RVZ S32²**);
- (c) PDP Stage 1 & 2 Decision Version, as attached to Mr Barr's Strategic Evidence (**PDP**);
- (d) Mr Barr's Stage 3 Strategic Evidence (**Strategic Evidence**);
- (e) The Townships Review and Cardrona Text s42A Report (**Settlements 42A³**);
- (f) The various versions of the Otago RPS as explained in Mr Barr's Strategic Evidence.

2.7 Changes I recommend to the maps in response to submissions are included in the report. My recommendations for accepting or declining submissions are included in **Appendix 1** alongside a summary of the relief sought in the submissions. My recommendation for accepting or declining further submissions, will stand or fall with the primary submission.

3. SCOPE

3.1 My evidence addresses all but one of the Settlement and LDSR rezoning requests. Due to a conflict of interest I do not address a rezoning submission from Lake Mackay Limited Partnership (3196⁴), which is instead addressed within Ms Bowbyes' evidence (Settlements Text s42A).

1 Queenstown Lakes District Proposed District Plan Section 32 Evaluation Stage 3 Components for: Townships.
2 Queenstown Lakes District Proposed District Plan Section 32 Evaluation Stage 3 Components for: Rural Visitor Special Zone.
3 Section 42A report of Amy Narlee Bowbyes, Townships Review (Stages 2) and Cardrona (Stage 3b) Text and Variations, Lake McKay Partnership Lt (Submission 3196) rezoning request, 18 March 2020.
4 My husband's colleague, Mr Ben Espie, provided landscape evidence for submitter 3196.

4. METHODOLOGY

4.1 I have read Mr Barr's Strategic Evidence, which sets out the relevant statutory tests on which I have relied, and a range of assessment principles and context factors which I have also considered to assist in the assessment of the appropriateness of the rezoning requests.

4.2 I have applied the parameters, tests and rezoning principles outlined within the Strategic Evidence consistently to all submissions in order to form my recommendations for whether the proposal being evaluated (i.e. a rezoning to Settlement Zone) is the most appropriate way to achieve the purpose of the RMA; and whether the proposal is the most appropriate way to achieve the strategic chapters of the PDP.

5. SUMMARY

5.1 I have considered 35 primary submissions seeking rezoning or mapping annotation changes in this evidence. The following changes are recommended to the notified PDP Planning Maps:

- (a) change the shape of the Visitor Accommodation Sub-Zone (**VASZ**) in the Settlement Zone at Glenorchy to incorporate all of proposed Lots 43, 45, and 46 of the subdivision of Lot 1 DP 430468 approved by resource consent RM171428 (Blackthorn Limited (3339));
- (b) change the shape of the VASZ in the Settlement Zone at Glenorchy to incorporate all of Lot 3 DP 26928 (Pounamu Holdings 2014 Limited (3307));
- (c) amend the Building Restriction Area (**BRA**) in the Settlement Zone at Glenorchy so that it is 10m wide on either side of Oban Street (Christine and David Benjamin (3223), Pounamu Holdings 2014 Limited (3307), Glenorchy Trustee Ltd (3310));
- (d) amend the Bible Face BRA to exclude Settlement zoned land at Glenorchy (Glenorchy Trustee Ltd (3310));
- (e) change the shape of the VASZ in the LDSRZ at Hāwea to incorporate all of Lot 1 DP 27336 (Quartz Commercial Group Limited (3328));

- (f) change the shape of the Commercial Precinct in the Settlement Zone at Luggate to incorporate part of Part Section 1248R Block VI Tarras SD and part of Part Section 1 Block VI Tarras SD (H W Richardson Group (3285));
- (g) change the shape of the VASZ within the Settlement Zone at Kingston to incorporate Lot 3 DP 7986 and Sections 31, 32 & 38 Block I Kingston SD (Kingston Holiday Park Ltd (3011));
- (h) change the shape of the Commercial Precinct in the Settlement Zone at Kingston to incorporate Section 1 SO 10898, Lot 9 DP 306647, Lot 1 DP 12130, Part Section 12 & Part Section 13 Block I TN of Kingston, Lot 1 DP 306647, Section 1 & 22-24 Block I Town of Kingston (Kingston Lifestyle Properties Ltd (3297)); and
- (i) change the shape of the Commercial Precinct in the Settlement Zone at Kingston to incorporate Section 1 & 22-24 Block I Town of Kingston (D.M. & M.E. Bryce Limited (3315.2)).

5.2 Other than the above amendments, I consider that the notified zones are more appropriate than the zonings being pursued by submitters to achieve the relevant statutory tests and objectives as set out in Mr Barr's Strategic Evidence.

6. GROUP 1: GLENORCHY

6.1 The following submissions relate to the Glenorchy Settlement Zone:

- (a) John & Toni Glover (3006);
- (b) Blackthorn Limited (3339);
- (c) Christine and David Benjamin (3223);
- (d) Pounamu Holdings 2014 Ltd (3307);
- (e) Dart River Safaris Limited (3308); and
- (f) Glenorchy Trustee Limited (3310).

7. JOHN & TONI GLOVER – 3006

Overall Recommendation	
Recommendation	Relief 3006.1: Accept Relief 3006.2: Reject

Submission and property information	
Submission number and name	John & Toni Glover – 3006.1; 3006.2
Notified Stage 3 zone	Settlement, VASZ
Stage 3 zone requested	Settlement, VASZ (Kinloch); Settlement, Commercial Precinct (Glenorchy)
Area of re-zone request	860 & 876 Kinloch Road, Kinloch; Mull Street, Glenorchy
Summary of relief	Relief 3006.1: Support the Kinloch Settlement VASZ; Relief 3006.2: Extend the Glenorchy Settlement Commercial Precinct the full length of Mull Street to Jetty Street/Benmore Place.
ODP Zone and mapping annotation	Township (Kinloch); Township, VASZ (Glenorchy)
Stage 1 or 2 PDP Zone and mapping annotation	NA
Legal Description	Section 7 Block XX TN of Kinloch, Section 12 Block XXI TN of Kinloch; Lots 36 – 38 DP 8985, Lot 1 DP 12016
Total area of property	2,024m ² (Kinloch); 10,727m ² (Glenorchy)
QLDC Property ID	8641, 24730, 8509, 8510, 8511, 8571
QLDC Hazard Register	Alluvial Fans – Regional Scale – Debris Dominated Liquefaction Risk – Possibly Susceptible Flood due to Rainfall
Supporting information provided by applicant	None
Position of Council experts	NA

Aerial Photograph of the site - Glenorchy

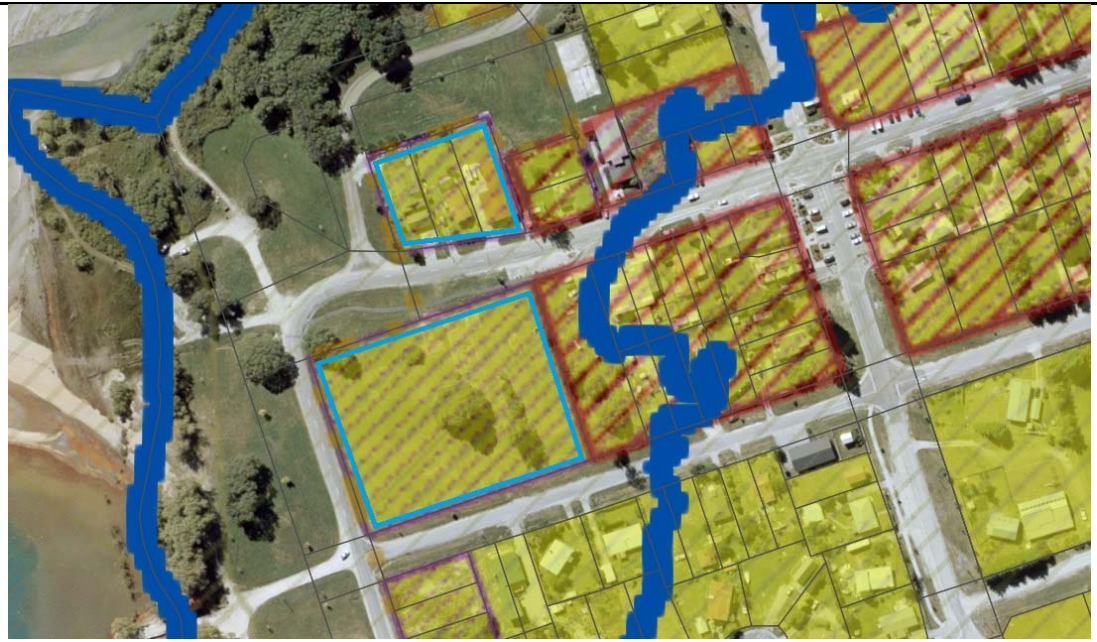


Figure 1 – Aerial photo of subject site showing area of re-zoning request

Blue outline – submission sites where Commercial Precinct is sought (4 allotments).

Yellow – Settlement; purple outline and dashed lines – VASZ; red diagonal stripes – Commercial Precinct; blue line – flood zone

Snip of PDP Stage 3 map notified 19/09/2019

Snip taken 16/03/2020

7.1 Relief 3006.1: The submitter supports the notified VASZ within Kinloch and I recommend this relief be accepted.

7.2 Relief 3006.2: The submitter seeks to extend the Commercial Precinct at Glenorchy the full length of Mull Street to Jetty Street/Benmore Place. The three allotments on the northern side of Mull Street (2,648m² in total area and shown together in red outline in **Figure 1** above) contain existing buildings occupied by:

- (a) 'Queenies Dumplings' at 19 Mull Street; resource consent RM061104 for commercial purposes;
- (b) A house at 15 Mull Street; and
- (c) 'The Trading Post Glenorchy' (café and art gallery) at 13 Mull Street; resource consent RM070920 for visitor accommodation and office/retail area. RM070920 does not appear to authorise The Trading Post.

- 7.3** The larger allotment on the southern side of Mull Street (shown on **Figure 1** above) is currently vacant (1 Benmore Place). This site is 8,079m² in area and contains the historic ruins of the Mt Earnslaw Hotel. A resource consent application (RM191318) is currently being processed for a new hotel and ancillary commercial activities (restaurant, bar, day spa), and was publicly notified on 13 February 2020, at the applicant's request. The submission period closed on 12 March 2020.
- 7.4** The S32 recommended that that the ODP Commercial Precincts are retained, with additional precincts added for Kingston to formalise existing commercial activities. The S32 recommended that limits are placed on the gross floor area (**GFA**) of activities to encourage a diverse range of small-scale activities to establish within Commercial Precincts, and to limit potential impacts on town centres and commercial zones. The S32 observes that the ODP Commercial Precincts have been successful in encouraging the clustering of non-residential activities, and in Glenorchy in particular the Commercial Precincts clearly signal the location of the small commercial 'heart' of the Township⁵.
- 7.5** Two of the three smaller lots contain existing commercial activities, although I consider the resource consent status of The Trading Post is unclear. I do not generally support a rezoning or enabling sub-zone that would reward unauthorised commercial activities. Conversely, I do consider that there may be benefit in applying a sub-zoning that reflects existing lawfully established development and to avoid future resource consent requirements where commercial activities are not anticipated by the underlying zoning, but are clearly in place. In this instance, only one of the allotments has legally established permanent commercial use.
- 7.6** Chapter 20, as notified, provides for small scale (up to GFA 100m²) commercial activities to be located outside of a Settlement Zone Commercial Precinct as a restricted discretionary activity (Rule 20.4.9), with larger activities non-complying pursuant to Rule 20.4.16. While a restricted discretionary activity can be declined, it is also slightly more

5 S32 para 10.23, page 75.

enabling than the ODP Township discretionary equivalent (Rule 9.2.3.3[iii]) with matters of discretion clearly outlined. As such, I consider there is realistic potential for appropriate small-scaled commercial activities to be established outside the Commercial Precinct by resource consent. The restricted discretionary activity status would apply to all the lots in question.

7.7 I consider that the size of the larger allotment at 1 Benmore Place may lead to the potential for inappropriately large scale commercial or retailing activities, if it is included within a Commercial Precinct. As noted above, the S32 identifies that large scale commercial or retail activities that are inappropriately located within a Settlement could affect town centres and commercial zones in Queenstown or elsewhere in the district.

7.8 The notified Commercial Precinct on Mull Street contains approximately 2.47ha of land. Several sites within the notified precinct are not currently used for commercial purposes, with some containing houses, some vacant, and some under-utilised (e.g. used for access or parking). I estimate that less than 50% of the Commercial Precinct is currently developed for commercial purposes. Ideally, I consider that the available land in the existing precinct should be developed first, before extensions are applied, to ensure efficient use of appropriately zoned land. Restricting the size of the Commercial Precinct also ensures that an appropriately small and compact commercial hub is maintained, without spreading or sprawling into the remainder of the Settlement Zone that is intended for low intensity residential living.

7.9 Given all of the above, I consider that extending the Commercial Precinct over the land sought would be inconsistent with the relevant objectives and policies of the Strategic Direction chapters of the PDP, in providing for small-scale commercial activities within the Settlement Zone and maintaining the low-intensity residential character of Glenorchy⁶.

7.10 For the reasons outlined above, I recommend relief 3006.2 be rejected.

6 Strategic Policies 3.2.1.5, 3.3.9, Settlements Policy 20.2.3.1.

8. BLACKTHORN LIMITED – 3339

Overall Recommendation	
Recommendation	Relief 3339.1: Accept Relief 3339.2: Reject Relief 3339.17: Accept

Submission and property information	
Submission number and name	Blackthorn Limited – 3339.1, 3339.2, 3339.17
Stage 3 notified zone	Settlement, VASZ
Stage 3 zone requested	Settlement, VASZ, Commercial Precinct
Area of re-zone request	1 Benmore Place, 38 Coll Street and 49 Oban Street, corner of Oban and Shiel Street, Glenorchy
Request referred to in report as	Relief 3339.1: That the Visitor Accommodation Sub-Zone on the submitter's property as indicated in the submission be retained as notified; Relief 3339.2: That the Commercial Precinct be extended over the submitter's property at 1 Benmore Place (Lot 1 DP 12016 BLK I Glenorchy TN) fronting Mull Street and 13, 15 and 19 Mull Street as shown in Schedule 4 of the submission; Relief 3339.17: That the Visitor Accommodation Sub-Zone be extended over the submitter's property, being proposed Lots 43, 45, and 46 of the subdivision of Lot 1 DP 430468 (as identified at Schedule 1 of the submission) approved by Resource Consent RM171428.
ODP Zone and mapping annotation	Township
Stage 1 or 2 PDP Zone and mapping annotation	NA
Legal Description	Lot 1 DP12016 BLK I Glenorchy TN; Sections 27 and 28 Block VIII TN OF Glenorchy; Proposed Lots 43,45,46 of the subdivision of Lot 1 DP 430468
Total area of property	1.04ha

QLDC Property ID	8571, 27330
QLDC Hazard Register	Flooding - rainfall: Flood due to Rainfall Alluvial Fan - ORC: Buckler Burn Alluvial Fans - Regional scale Liquefaction Risk – Possibly Moderate Risk
Supporting information provided by applicant	None
Position of Council experts	NA

Map of the site



Figure 2 Plan showing area of re-zoning request from submission (Relief 3339.2)

Green outline – land where Commercial Precinct extension is sought.

Red diagonal lines – notified Commercial Precinct along Mull Street, purple outline and dashed line – notified VASZ, blue line – flood zone.

Snip of PDP Stage 3 map notified 19/09/2019

Snip taken 16/03/2020

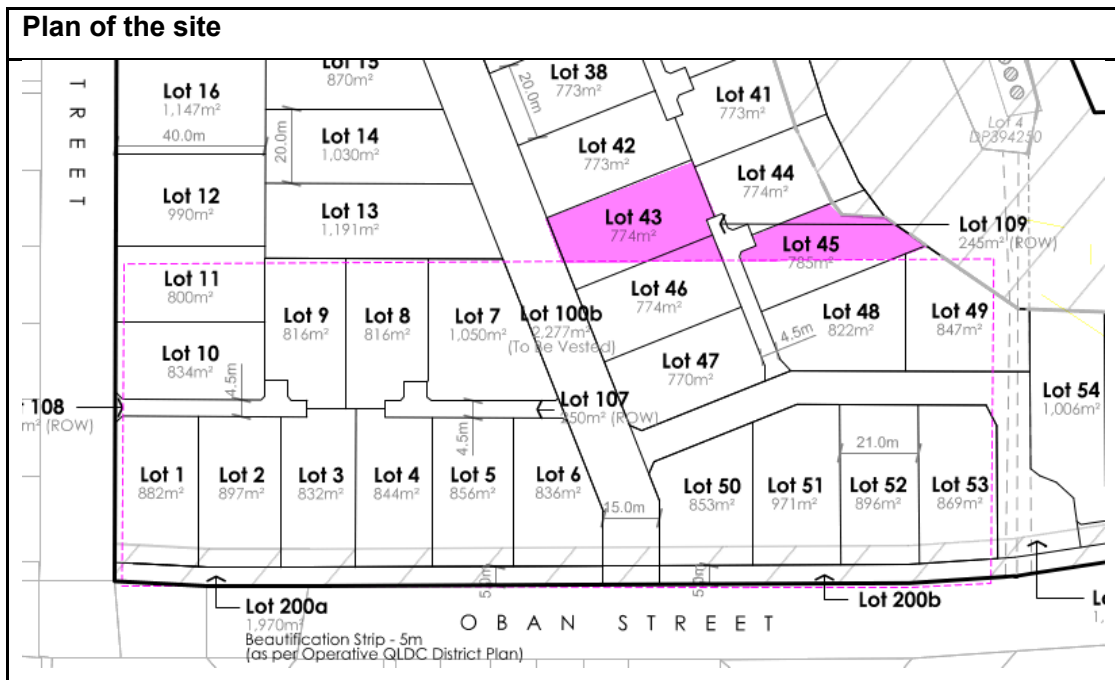


Figure 3 Plan showing area of re-zoning request from submission (Relief 3339.17)

Purple areas – VASZ extension sought over proposed Lots 43, 45 and 46 of RM171428

Purple dashed line- notified VASZ

Snip from RM171428 approved plans

Snip taken 20/02/2020

- 8.1** Relief 3339.1: The submitter supports the notified VASZ over part of their land and I recommend this part of the submission should be accepted.
- 8.2** Relief 3339.2: The submitter seeks to extend the Commercial Precinct over the part of 1 Benmore Place fronting Mull Street, and 13, 15 and 19 Mull Street (shown in green on **Figure 2** above). The resource consent application for a hotel currently in progress for this site (RM191318) shows the part of 1 Benmore Place subject to the rezoning request as proposed buildings 1-5, which are identified as ancillary commercial activities (hotel kitchens, bar, restaurant, and dining areas), which will be accessible to the public⁷.
- 8.3** The Commercial Precinct rezoning sought is a similar area of land to that requested by John & Toni Glover (3006). As such, my assessment for relief 3006.2 is applicable here and is not repeated. I consider that

⁷ RM191318 Assessment of Environmental Effects (November 2019) and Architectural Drawings (15.11.2019).

extending the Commercial Precinct over the land sought would be inconsistent with the relevant objectives and policies of the Strategic Direction chapters of the PDP, in providing for small-scale commercial activities within the Settlement Zone and maintaining the low-intensity residential character of Glenorchy⁸.

- 8.4** Given all of the above, I recommend that relief 3339.2 should be rejected.
- 8.5** Relief 3339.17: The submitter seeks to extend the VASZ over proposed Lots 43, 45 and 46 of the subdivision of Lot 1 DP 430468 (RM171428); refer to **Figure 3** above. This land is located at the southern end of Oban Street on the edge of Glenorchy. The VASZ already extends over part of these proposed lots. The VASZ is enclosed by a straight line approximately 85m wide along the eastern side Oban Street. To amend the VASZ to enclose property boundaries, as sought, would be consistent with the western side of Oban Street, where the VASZ follows lot boundaries. The VASZ extension sought would be relatively minor, adding approximately 1,080m² (mostly Lot 43). The extension would ensure that proposed Lots 43, 45 and 46 could be fully utilised for visitor accommodation activities, without technical breaches for the parts of the sites that would otherwise be outside the VASZ, and would avoid a VASZ artificially splitting allotments.
- 8.6** Titles have not yet been issued, but I note that substantial progress has been made towards giving effect to the subdivision. Given that it seems more than likely that the titles will be issued in due course, and that the VASZ extension sought is relatively small, I consider that the request is reasonable and appropriate.
- 8.7** The extended VASZ would be consistent with the Strategic Direction of the PDP⁹ in providing for the visitor industry, and would align with Chapter 20 by identifying a VASZ while ensuring that the Settlement Zone maintains a residential character¹⁰. The VASZ will enable efficient

8 Strategic Policies 3.2.1.5, 3.3.9, Settlements Policy 20.2.3.1.

9 Strategic Policies 3.2.1.1, 3.3.1.

10 Settlements Policy 20.2.3.7.

and effective use of the land for visitor accommodation purposes, while not precluding the proposed Lots being utilised for residential activities

8.8 Overall, I recommend relief 3339.17 be accepted.

9. CHRISTINE AND DAVID BENJAMIN - 3223

Overall Recommendation	
Recommendation	Relief 3223.33: Accept Relief 3223.34: Accept Relief 3223.35: Accept Relief 3223.36: Reject Relief 3223.37: Reject Relief 3223.38: Reject Relief 3223.39: Reject Relief 3223.41: Reject Relief 3223.42: Accept

Submission and property information	
Submission number and name	Christine and David Benjamin – 3223.33, 3223.34, 3223.35, 3223.36, 3223.37, 3223.38, 3223.39, 3223.41, 3223.42
Notified Stage 3 zone	Settlement, VASZ
Stage 3 zone requested	Settlement, Marina or Tourism Sub-Zone, VASZ
Area of re-zone request	49 – 57 Benmore Place; 29 Lochburn Avenue, 1 – 15 & 57 Oban Street, Glenorchy
Request referred to in report as	Relief 3223.33: That the rezoning of Glenorchy to Settlement Zone be retained as notified; Relief 3223.34: That the rezoning of 49, 51, 57 and 59 Benmore Place and right of way easement to Settlement Zone be retained as notified. Relief 3223.35: That the VASZ on 1-15 Oban Street (Secs 5-19 BLK X1 Glenorchy Town) be retained as notified;

	<p>Relief 3223.36: That the VASZ be amended to include Sec 1 SO24548 and Sec 3 SO23458 as shown in the submission.</p> <p>Relief 3223.37: That the VASZ be amended to include the Southern side of the Settlement from Oban Street to Forbes Place as shown in the submission.</p> <p>Relief 3223.38: That a new overlay be created called 'Glenorchy Marina and Tourism Sub-Zone.'</p> <p>Relief 3223.39: That the following properties be included in the Glenorchy Marina and Tourism Sub-Zone: 49 Benmore Place (Sec 1 BLK 111); 51 Benmore Place (Sec 1 SO 23457); 57 Benmore Place (Sec 1 SO Plan 23458); 59 Benmore Place (Sec 2 SO 23458).</p> <p>Relief 3223.41: That the Flood Zone at the south end of Glenorchy be refined to more accurately identify the sites that are subject to flood risk.</p> <p>Relief 3223.42: The Building Restriction Area should either be deleted or a 10m building setback should apply from Oban Street, for the land affected by the Building Restriction Area.</p>
ODP Zone and mapping annotation	Township
Stage 1 or 2 PDP Zone and mapping annotation	Part Rural
Legal Description	Secs 5-19 BLK X1 Glenorchy Town, Sec 1 SO24548 and Sec 3 SO23458, Sec 1 BLK 111; Sec 1 SO 23457, Sec 1 SO Plan 23458, Sec 2 SO 23458)
Total area of property	1.92ha
QLDC Property ID	8575, 8576, 21016, 13637, 13638, 17445, 17447, 88300, 88290,
QLDC Hazard Register	<p>Flooding due to rainfall (Glenorchy Floodplain), 150 Year Return Period (Lake Wakatipu)</p> <p>Alluvial Fans – Buckler Burn, Regional Scale</p>

	Liquefaction – Possible Moderate Risk
Supporting information provided by applicant	Planning evidence
Position of Council experts	NA

Aerial Photograph of the site - Glenorchy



Figure 4 Aerial photo of subject site showing area of re-zoning request

Red outline – submission sites where a (new) marina or tourism sub-zone is sought (8 allotments).

Green outline – submission sites where a VASZ is sought (10 allotments).

Yellow – Settlement; purple outline – notified VASZ; blue stripes – notified Building Restriction Area along Oban Street; blue line – flood zone

Snip of PDP Stage 3 GIS map notified 19/09/2019

Subject site as shown by red and green outlines

Snip taken 20/02/2020

9.1 Relief 3223.33 and 3223.34: The submitter supports the notified rezoning of Glenorchy to Settlement Zone, including the land at 49, 51, 57 and 59 Benmore Place and a right of way easement, and I therefore recommend this relief be accepted.

9.2 Relief 3223.35: The submitter supports the notified VASZ over 1-15 Oban Street and I therefore recommend this relief be accepted.

9.3 Relief 3223.36: The submitter requests that a VASZ be applied to the land shown on **Figure 4** above (outlined in green). The submitter's

land at 1-15 Oban Street, within the notified VASZ, has a resource consent for visitor accommodation for unspecified/unlimited nights per year (RM140989). There do not appear to be any lawfully established visitor accommodation activities within the rest of the land outlined in green on **Figure 4**, most of which is currently vacant.

- 9.4** The submission considered that 'the proposal' (which I interpret to mean the Stage 3 notified maps and Chapter 20) makes limited provision for residential visitor accommodation and visitor accommodation in the Settlement Zone. If I have interpreted this correctly, I disagree. Unlike some of the other settlements, which have limited, to no VASZ (e.g. Luggate), Glenorchy has substantial VASZ along Oban and Mull Streets and the lakefront, approximately 13.4ha in total or approximately 25% of the zone. I consider that this is more than sufficient for a zone that primarily provides for low-density residential living.
- 9.5** I do acknowledge that the VASZ is an overlay and residential activity may be carried out within the VASZ regardless. The S32 recommended that the ODP VASZ be retained¹¹. I support this, particularly in the context of Glenorchy as outlined above. I also note that if the VASZ was extended over the submission site on Oban Street, the area would be over 1ha and in theory (subject to Chapter 20 provisions) could enable a large-scale visitor accommodation activity, such as a hotel, which may be out of character with the surrounding residential neighbourhood of Invincible Drive and Birchdale Place.
- 9.6** Given all of the above, I recommend that relief 3223.37 for an extended VASZ be rejected.
- 9.7** Relief 3223.38 and 3223.39: The submitter seeks a that a new overlay be created called 'Glenorchy Marina and Tourism Sub-Zone' and applied to land along Benmore Place, including the existing Dart River Safaris depot – outlined in green on **Figure 4** above.

11 S32 para 1.5, page 2.

- 9.8** I do not support the requested bespoke 'Glenorchy Marina and Tourism Sub-Zone' overlay. There are no PDP definitions of Marina or Tourism. The submission notes that there are appeals¹² seeking a definition of 'Tourism Activity' to be inserted into the PDP; however, at the time of preparing this report, no determinations had been released. To add a bespoke definition and provisions into Chapter 20 would, in my view, result in unnecessary administrative burden, when the notified provisions for the Commercial Precinct could and should be fit for purpose for all the Settlements.
- 9.9** The Dart River Safaris depot or similar activities would fall within the PDP broad definition of commercial activity. Under the notified provisions, commercial activities would be restricted discretionary up to 100m² GFA (Rule 20.4.9) or non-complying if larger (Rule 20.4.16). By way of comparison, the existing Dart River Safaris building is 486m² and was a discretionary activity under the ODP Rural General provisions, with the breach of GFA being RDA. It would be more difficult to establish this scale of activity under Chapter 20, despite the change of zoning from Rural to Settlement. I consider that this is perhaps a signal that the scale of the depot in this location would now be considered unsuitable for the Settlement Zone, compared with the ODP Rural General Zone. I do, however, consider there is a resource consenting regime available for appropriately small-scaled commercial activities to be established in the vicinity of the depot by resource consent.
- 9.10** The other sites within the flood zone are currently vacant, whereas the larger site near the Dart River Safaris depot adjoins residential properties on Lancaster and Birchdale Places. The site in between is owned by the Department of Conservation. Given this variable site context, I consider that a Commercial Precinct over these properties may be out of character with the surrounding area.
- 9.11** I estimate that less than 50% of the approximately 2.47ha notified Commercial Precinct along Mull Street is currently developed for commercial purposes. Ideally, I consider that the available land in the existing precinct should be developed first to ensure efficient use of

12 Real Journeys Limited ENV-2018-CHC-131 and Te Anau Developments Limited ENV-2018-CHC-106.
33300481_1.docx

appropriately zoned land. Restricting the size of the Commercial Precinct also ensures that an appropriately small and compact commercial 'heart' for Glenorchy is maintained, without spreading into the remainder of the Settlement Zone that is intended for low intensity residential living.

- 9.12** The submission land does not adjoin the notified Commercial Precinct on Mull Street. As such, if the Commercial Precinct was applied to the submitter's land, it would become a new and geographically separate Commercial Precinct, rather than an extension.
- 9.13** Given the size and under-utilisation of the notified Commercial Precinct, I consider that it is important to avoid any further spreading or sprawling of the Commercial Precinct into the remainder of the Settlement Zone, to ensure that it predominantly provides for low-intensity residential living. This applies to the submission site, which is physically removed from the notified precinct so would form a new and sizable Commercial Precinct. This would not maintain the small commercial 'heart' of the Glenorchy.
- 9.14** I do note that some other settlements have Commercial Precincts in separate locations, for example Kingston. A separate Commercial Precinct would not be inconsistent with Council's strategic direction in this respect. I also note that the notified Commercial Precincts in other Settlements are smaller, more geographically separated and perhaps less likely to compete with each other or result in a sense of commercial sprawl.
- 9.15** Small Commercial Precincts have also been applied to long-established, standalone, commercial activities, such as the Kingston Flyer café. This could apply to the Dart River Safaris depot, although it was established under the ODP Rural General Zone and was not part of the Glenorchy ODP Township Zone at the time of resource consent approval.

- 9.16** Overall, I consider that a Commercial Precinct over the depot and adjoining land would generally be inconsistent with the relevant objectives and policies of the Strategic Direction chapters of the PDP¹³.
- 9.17** Given all of the above, I recommend that relief 3223.38 and 3223.39 be rejected.
- 9.18** Relief 3223.41: The submitter requested that the Flood Zone at the south end of Glenorchy be refined to more accurately identify the sites that are subject to flood risk.
- 9.19** The flood zone line shows land that falls below 312.8masl, which is the minimum flood height required by Council's 'Learning to Live with Flooding' strategy, as described in the S32. The flood zone line shown on the Stage 3 GIS map is the same as that mapped more precisely on the Stage 1 and 2 decisions GIS map (**Figure 5** below). There have been no changes to the flood zone line as part of Stage 3, it has simply been mapped as a wider line. A closer inspection of the PDP Stage 1 and 2 decisions map may assist with the submitter's concern over the wide blue line shown on the Stage 3 maps. I therefore consider no changes are required in this regard and recommend relief 3223.41 be rejected.

Stage 1 and 2 Decisions PDP map

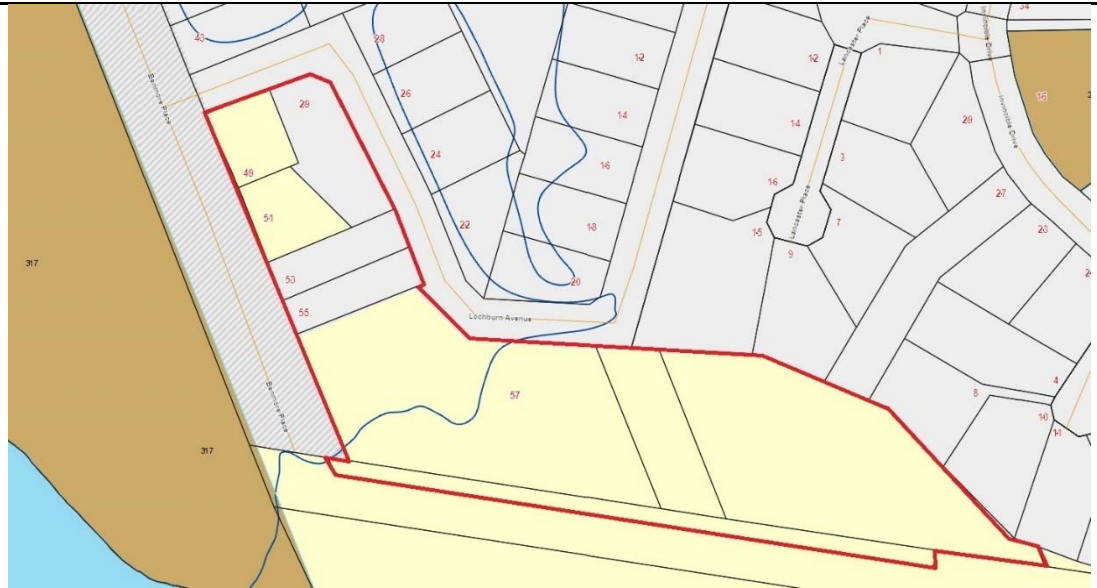


Figure 5 Stage 1 and 2 Decisions PDP map showing flood zone line over submission site

Red outline – submission site.

Pale yellow – Rural zone (Stage 1); light grey/white – not zoned in Stages 1 or 2; blue line – flood zone; mid brown – Open Space Information Recreation zone (Stage 2).

Snip of PDP Stage 1 and 2 Decisions Map notified 21/03/2019

Subject site as shown by red outline

Snip taken 20/02/2020

9.20 Relief 3223.42: The submitter seeks that the BRA on both sides of Oban Street be removed, or reduced to 10m in width.

9.21 I understand that the BRA has been mapped incorrectly on the Council's Stage 3 GIS map; it appears to be 25m wide, whereas it should be 10m wide, as annotated on ODP Planning Map 25b. The S32 notes that the BRA applies on Oban Street in Glenorchy to provide a wide entrance to the settlement that is not encroached on by buildings¹⁴. As such, I consider that this part of the submission should be accepted in part in regard to correcting and retaining the BRA at 10m wide.

9.22 Given the above, I recommend that relief 3223.42 be accepted.

14 S32 page 83.

10. POUNAMU HOLDINGS 2014 LTD – 3307

Overall Recommendation	
Recommendation	Relief 3307.5: Accept Relief 3307.6: Accept Relief 3307.7: Reject Relief 3307.35: Accept

Property and submission information	
Submission number and name	Pounamu Holdings 2014 Limited – 3307.5, 3307.6, 3307.7, 3307.35
Stage 3 notified zone	Settlement, VASZ,
Stage 3 zone requested	Settlement, VASZ, Commercial Precinct
Area of re-zone request	13 & 15 Pigeon Place, 61 Coll Street, 64 Oban Street, 51 Oban Street/62 Coll St, 60 Oban Street, 42 Oban Street, Glenorchy
Request referred to in report as	Relief 3307.5: Seeks retention of the VASZ over the Camp Glenorchy site. Relief 3307.6: Seeks the VASZ be extended over all of the Mrs. Wooley's site. Relief 3307.7: Seeks to extend the commercial precinct over that part of the Mrs Wooley's site with the notified VASZ. Relief 3307.35: Seek that the BRA on Oban Street is either deleted or reduced in size to 10m.
ODP Zone and mapping annotation	Township
Stage 1 or 2 PDP Zone and mapping annotation	NA
Legal Description	Lot 5 & 6 DP 381643, Lot 1 DP 501026, Lots 1 - 3 DP 26928, Lots 1-2 DP 435250 & Lot 3 DP 501488
Total area of property	5.35ha
QLDC Property ID	14254, 8502, 14254, 23312, 23313, 49770, 81070

QLDC Hazard Register	Alluvial Fans – Regional Scale – Floodwater Dominated; Buckler Burn Liquefaction Risk – Possibly Moderate Risk
Supporting information provided by applicant	Planning assessment
Position of Council experts	NA

Aerial Photograph of the site - Glenorchy

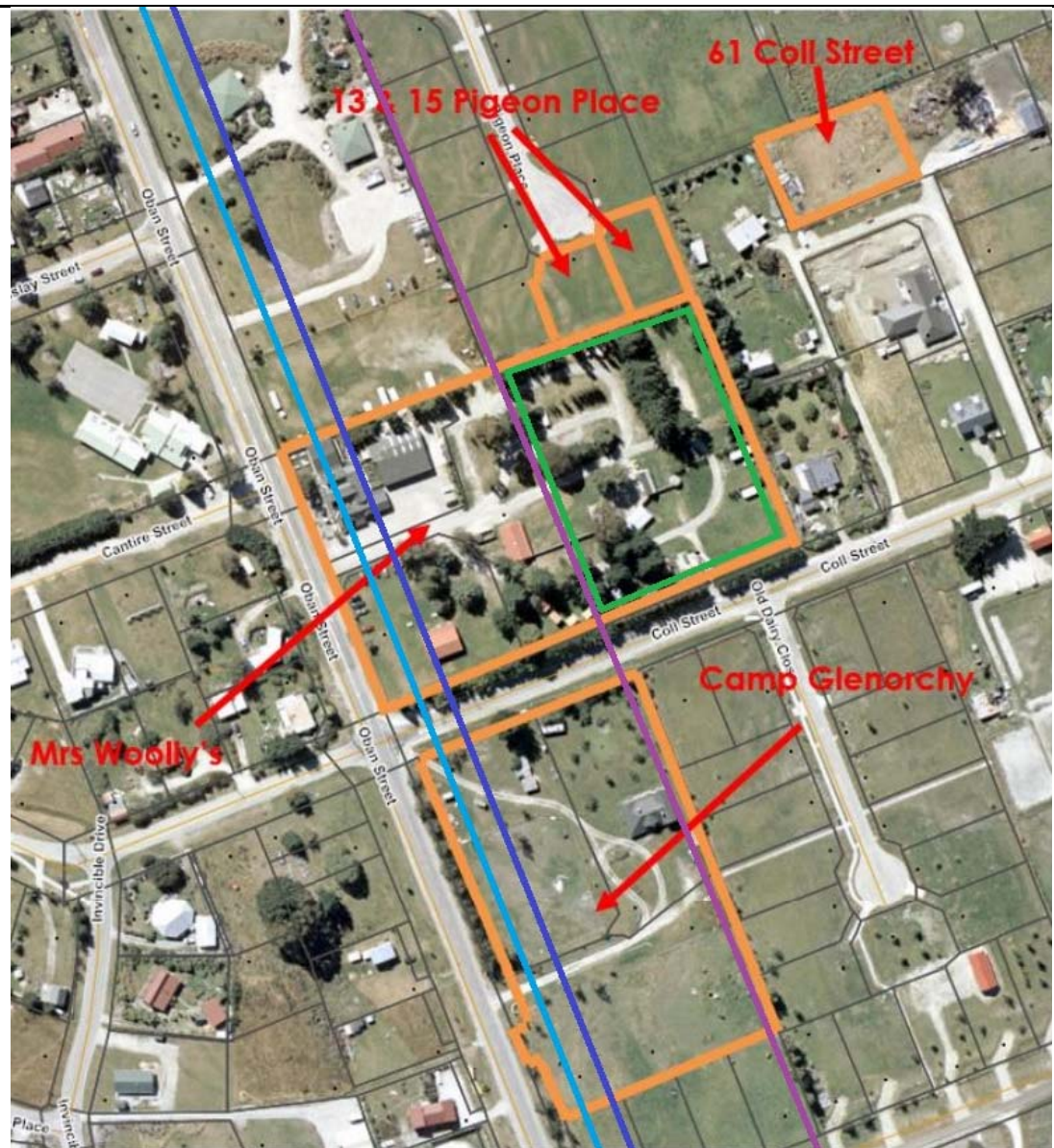


Figure 6 Aerial photo of subject site showing area of re-zoning request from submission

Orange outline – submission sites

Purple line – notified VASZ through submissions sites; green outline – VASZ extension sought over submissions site

Dark blue line – notified BRA; light blue line – approximate location of 10m BRA

Snip from submission

Snip taken 13/03/2020

- 10.1** The submission notes that 13 & 15 Pigeon Place and 61 Coll Street are owned by the submitter, but does not request any zoning changes to these properties.
- 10.2** Relief 3307.5: The submitter supports the notified VASZ across part of the Mrs Woolly's General Store site and the Camp Glenorchy site and I recommend this relief be accepted.
- 10.3** Relief 3307.6: The submitter seeks to extend the VASZ over all of the Mrs Woolly's site. The submission notes that Mrs Woolly's is operating under a temporary resource consent (RM181247) that will expire on the 13th of November 2028. Mrs Woolly's replaced an earlier motor camp, motels and store, which was lawfully established by ongoing resource consents dating to at least 1997, and extends over the large allotment outlined in orange and labelled as Mrs Woolly's on **Figure 6**.
- 10.4** The historical visitor accommodation activity has expanded over adjoining land outside the VASZ and the submitter is seeking to formalise this with a VASZ overlay encompassing the whole activity. Generally, I consider that there may be some benefit to a VASZ that reflects an existing lawfully established visitor accommodation development and to avoid future non-compliances within a zone where visitor accommodation is not anticipated. The current resource consent lapses in 2028, and at that time (assuming the PDP has not been varied or replaced) continuing or expanding the camping ground activities would be a non-complying outside of a VASZ (Rule 20.4.15).
- 10.5** The VASZ enables all types of visitor accommodation from low-intensity campgrounds to hotels. A VASZ therefore would enable other types of visitor accommodation to establish on the site, beyond the existing camp ground. Any new visitor accommodation activity on the site would be restricted discretionary and non-notified (Rules 20.4.7 and 20.6.2), along with compliance with relevant standards, including building height (7m), coverage (80%), and setbacks (2m internal, 4.5m

road). I consider that the provisions should ensure that visitor accommodation activities within the site would be compatible with the underlying zoning, with any breaches assessed through the resource consent process.

- 10.6** Overall, I consider the request for a VASZ over all of the Mrs Woolly's site will formalise the long-term lawfully established visitor accommodation development, and will assist in avoiding future non-compliances or over onerous resource consenting, including when RM181247 lapses. As the site is already historically established for visitor accommodation, the rezoning request would not result in a loss of housing supply within Glenorchy. I note that a VASZ does not preclude the land being used for residential activities.
- 10.7** Given all of the above, I recommend that relief 3307.6 be accepted and the VASZ extended over all of the Mrs Woolly's site (outlined in green on **Figure 6**).
- 10.8** Relief 3307.7: The submitter seeks to apply a Commercial Precinct over the portion of Mrs Woolly's site that currently contains a VASZ. This request would recognise the long-term commercial activity undertaken at the site, specifically the General Store, and provide for future (re)development.
- 10.9** Commercial activities outside a Commercial Precinct over 100m² GFA would be non-complying (Rule 20.4.16), with smaller scale commercial activities restricted discretionary (Rule 20.4.9). Under the ODP Township provisions large-scale commercial activities were also non-complying, which applied to the General Store during the processing of resource consent RM181247. As noted above, RM181247 was granted on a temporary basis until 2028; however, the lapse date only applies to the camping ground. The General Store is established permanently and that part of RM181247 may be relied on in perpetuity and will not lapse.
- 10.10** The submission outlines that based on an area of 8,328m², 80% building coverage within the Mrs Woolly's site under a Commercial Precinct, as enabled by Standard 20.5.5, would equate to a theoretical

building footprint of 6,662m². The submission proposes a bespoke building coverage rule of 12% for commercial activities within this site.

- 10.11** The suggestion of a bespoke rule indicates to me that the application of a Commercial Precinct is not well-suited to the Mrs Woolly's site, if there is a real possibility that an inappropriately large commercial activity could be established. To add site-specific provisions into Chapter 20 would, in my view, usually result in an unnecessary administrative burden, when the provisions for the Commercial Precincts should be fit for purpose across all the Settlements.
- 10.12** The General Store was established as a non-complying activity, although I note that it replaced an existing commercial development in the same location. Other appropriately scaled commercial activities may also be established by resource consent within the context of the General Store existing environment, particularly if the activities relate to, or are ancillary to, visitor accommodation within the VASZ. A commercial development over 100m² GFA would be non-complying under Rule 20.4.16, although Chapter 20 does not seek to *avoid* such activities, but requires that commercial activities are *predominantly* provided for within precincts¹⁵.
- 10.13** As such, I consider that there is a resource consenting regime available to the submitter that may provide adequately for future (re)development of the site.
- 10.14** The S32 observes that Commercial Precincts have been successful in encouraging the clustering of non-residential activities, and in Glenorchy in particular the Commercial Precincts clearly signal the location of the small commercial 'heart' of the Township¹⁶. The notified Commercial Precinct on Mull Street contains approximately 2.47ha of land, of which I estimate less than 50% is currently developed for commercial purposes.

15 Settlements Objective 20.2.3 *Commercial, community and visitor accommodation activities are predominantly provided for within precincts and sub-zones, are limited in scale, provide for local and visitor convenience, and support the local economy.*

16 S32, para 10.23, page 75.

- 10.15** Given the size and under-utilisation of the notified Commercial Precinct, I consider that it is important to avoid any further spreading or sprawling of Commercial Precinct into the remainder of the Settlement Zone. This applies to the submission site, which is removed from the notified precinct so would form a new, and reasonably large, Commercial Precinct. This would not maintain the small commercial 'heart' of the Glenorchy.
- 10.16** As noted earlier, some other settlements have Commercial Precincts in separate locations. In this instance; however, I understand that the General Store site has been historically associated with, and ancillary to, the predominant visitor accommodation activity on the site, rather than a standalone commercial activity.
- 10.17** I consider that a Commercial Precinct over the General Store site would generally be inconsistent with the relevant objectives and policies of the Strategic Direction chapters of the PDP¹⁷.
- 10.18** Given all of the above, I recommend relief 3307.7 be rejected.
- 10.19** Relief 3307.35: The submitter requests that the BRA on Oban Street, shown as a dark blue line on **Figure 6** above, is either deleted or reduced in size to 10m. This matter has been addressed earlier in this report and for the same reasons I consider that this part of the submission should be accepted in regard to correcting and retaining the BRA at 10m wide. I therefore recommend relief 3307.35 be accepted and the BRA amended to the location indicated by a light blue line on **Figure 6** above.

17 Strategic Policies 3.2.1.5, 3.3.9, Settlements Policy 20.2.3.1.

11. DART RIVER SAFARIS LIMITED - 3308

Overall Recommendation	
Recommendation	Relief 3308.1: Accept

Submission and property information	
Submission number and name	Dart River Safaris Ltd – 3308.1
Stage 3 notified zone	Settlement, Commercial Precinct, VASZ
Stage 3 zone requested	Settlement, Commercial Precinct, VASZ
Area of re-zone request	43, 47 and 51 Mull Street, Glenorchy
Request referred to in report as	Relief 3308.1: That Lot 2 DP 8985, Lot 3 DP 8985 and Lot 4 DP 8985 retain the Commercial Precinct and Visitor Accommodation Sub-Zone as notified.
ODP Zone and mapping annotation	Township
Stage 1 or 2 PDP Zone and mapping annotation	NA
Legal Description	Lots 2, 3 and 4 DP 8985
Total area of property	2,421m ²
QLDC Property ID	8555, 8554, 8553
QLDC Hazard Register	Alluvial Fans – Buckler Burn, Regional Scale – Floodwater Dominated Liquefaction Risk – Possibly Moderate Risk
Supporting information provided by applicant	Planning assessment
Position of Council experts	NA

Aerial Photograph of the site



Figure 7 Aerial photo of subject site showing area of re-zoning request from submission

Orange outline – submission site.

Purple outline – notified VASZ, red outline – notified Commercial Precinct

Snip from submission

Snip taken 20/02/2020

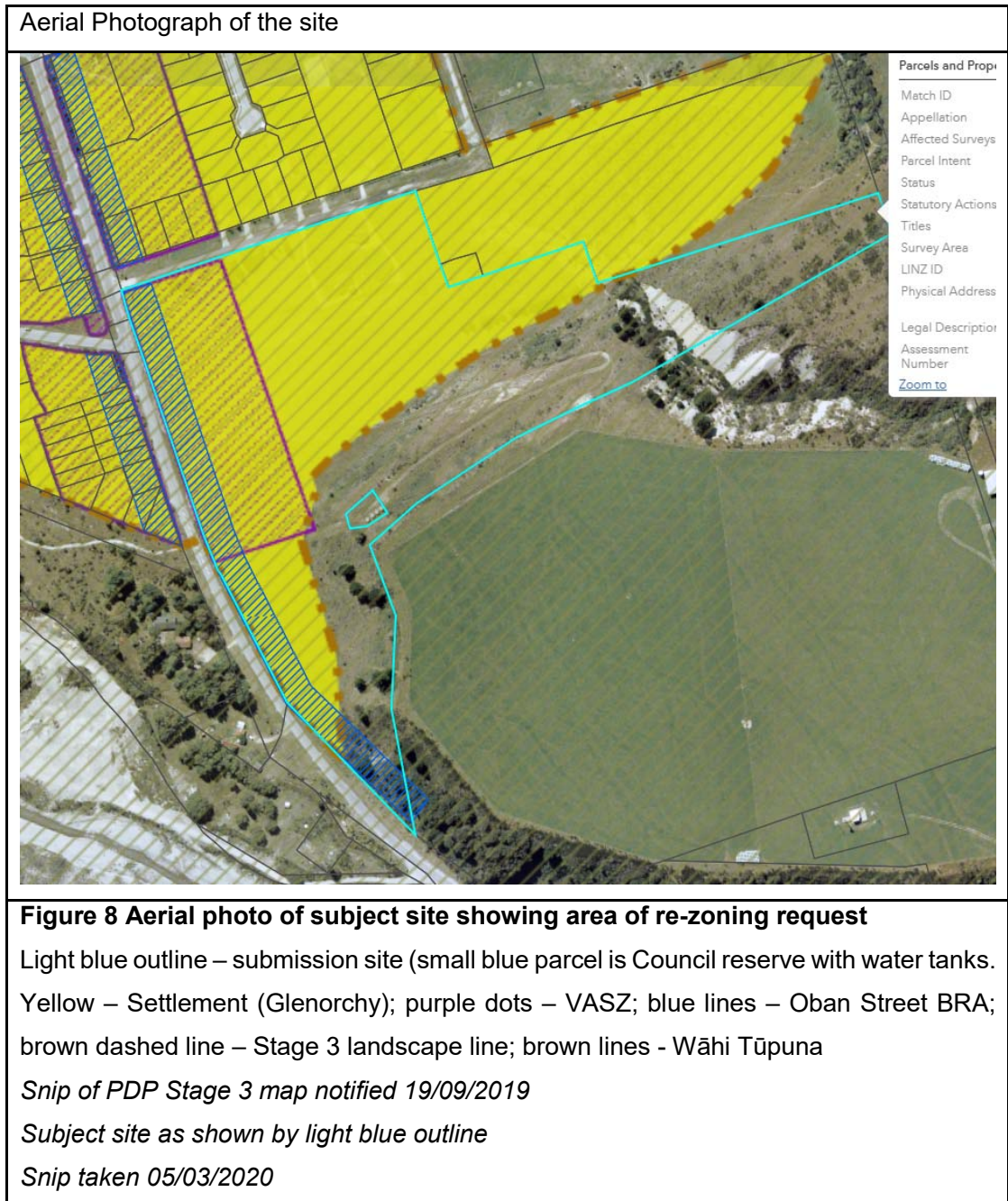
- 11.1 Relief 3308.1: The submitter supports the notified VASZ and Commercial Precinct over their land in Glenorchy and I recommend this relief be accepted.

12. GLENORCHY TRUSTEE LIMITED – 3310

Overall Recommendation	
Recommendation	Relief 3310.1: Accept Relief 3310.6: Accept in part Relief 3310.7: Accept Relief 3310.10: Accept

Submission and property information	
Submission number and name	Glenorchy Trustee Ltd – 3310.1, 3310.6, 3310.7, 3310.10
Stage 3 notified zone	Settlement, VASZ
Stage 3 zone requested	Settlement, VASZ
Area of re-zone request	Oban Street and Shiel Street, Glenorchy
Request referred to in report as	Relief 3310.1: That the VASZ over Lot 1 DP 430468 be retained as notified; Relief 3310.6: That the BRA over Lot 1 DP 430468 (Bible Face) be amended; Relief 3310.7: That the BRA on the Oban Street frontage be amended. Relief 3310.10: That the VASZ along the east and west sides of Oban Street and the north-western corner of Lot 1 DP 430468 be retained as notified.
ODP Zone and mapping annotation	Township; Rural General, Building Restriction Area, Protected Feature #8.
Stage 1 or 2 PDP Zone and mapping annotation	Part Rural, Building Restriction Area Protected Feature #8 - Bible Face, Glenorchy. Vicinity Depot and Gravel Pit, Queenstown-Glenorchy Road, Glenorchy. Exact location shown by the building line restriction, Council Category 3.
Legal Description	Lot 1 DP 430468
Total area of property	10.9448Ha
QLDC Property ID	27330
QLDC Hazard Register	Alluvial Fans – Buckler Burn, Regional Scale – Floodwater dominated

	Liquefaction Risk – Probably Low Risk, Possibly Moderate Risk
Supporting information provided by applicant	Planning assessment
Position of Council experts	NA



12.1 Relief 3310.1 and 3310.10: The submitter supports the notified VASZ over part of their land in Glenorchy and along Oban Street and I therefore recommend that this relief should be accepted.

- 12.2** Relief 3310.7: The submitter requests that the BRA on Oban Street is amended. This is discussed earlier in this report and for those same reasons, I consider that relief 3310.7 should be accepted, and that the Oban Street BRA should be corrected and retained at 10m wide.
- 12.3** Relief 3310.6: The submitter requests that the Bible Face Building Restriction Area is amended to align with the Settlement/Rural zone boundary and to follow a covenant boundary.
- 12.4** The BRA was not notified specifically as part of Stage 3, but already exists on the Stage 1 decisions version plan maps. For the avoidance of doubt and in the interests of fairness, and for practical reasons, I recommend that relief 3310.6 be considered at this time.
- 12.5** The BRA is intended to protect the heritage value of the visually sensitive Bible Face landform from building and development and to maintain the rural backdrop that the Bible Face provides to the Glenorchy Township.¹⁸ The BRA includes Protected Feature #8 '*Bible Face, Glenorchy. Vicinity Depot and Gravel Pit, Queenstown-Glenorchy Road, Glenorchy. Exact location shown by the building line restriction*' (refer Figure 11 below). The Protected Feature is located within the part of the BRA that is PDP Rural Zone, and is not located within the notified Settlement Zone. The Protected Feature is annotated in Chapter 26 (Historic Heritage) as being on Part Section 2, Block XIX, Town of Glenorchy (2911120100). This land has since been subdivided and is now split into Lots 1 and 2 DP 430468. Lot 1 is owned by the submitter and includes part of the Bible Face BRA. Lot 2 is owned by Cabo Ltd, and also contains part of the BRA.
- 12.6** The submission outlines the background to the Bible Face BRA, and describes a covenant between Council and the landowners (referred to as 'Wyuna') that would protect the Bible Face and that identified the BRA location that would form the basis of ODP Plan Change 5b (PC5b)¹⁹.

18 Rural Zone Policy 21.2.8.1.

19 Plan Change 5B: Bible Terrace, decision issued 4 November 2009, publicly notified as operative 18 March 2010 (no appeals).

- 12.7** I have not seen a copy of the covenant but I have examined the PC5b documents. The S32 for PC5b recommended “Option 7” should be adopted, which involving “lowering the Township boundary and adding a BRA over the terrace riser”. This means that the ODP Township zone boundary would generally follow the base of the Bible Terrace (i.e. below the Bible Face or terrace riser) and re-zone all the land above as ODP Rural General.
- 12.8** The S32 for PC5b included a map (**Figure 9** below) which appears to have been adopted without opposition and incorporated into the ODP planning maps. Contrary to the S32 for PC5b text, the map shows the BRA and does not provide an annotation to amend the zone boundaries to match the BRA; however, ODP Planning Map 25b clearly shows the BRA only over ODP Rural General zoned land (**Figure 9** below). As such, the ODP PDF planning map does not match the ODP GIS planning map.
- 12.9** The ODP GIS version of the BRA appears to have been carried over during Stage 1 of the PDP (Figure 11 below). The PDP BRA does not match the covenant line or ODP Planning Map 25b. I note that I have no knowledge of the status of the covenant and whether it was part of the PC5b process, for example, whether it was accepted through the submission process.
- 12.10** I do not know why the ODP GIS zone boundary was not amended to exclude the ODP Township Zone from the BRA given that it was amended for the ODP PDF Planning Map 25b. The S32 for PC5b seemed clear that the boundary should be amended, but did not show this on the recommended map, so this may simply be an oversight. Given there is a policy for the Bible Face in Chapter 21 (Rural), but no corresponding policy in Chapter 20 (Settlements), I consider the BRA boundary should be amended, so that it is located over the Rural Zone only and contains the Protected Feature, and to exclude Settlement zoned land.
- 12.11** Given the above, I recommend that the relief 3310.6 should be accepted in part (as the realigned BRA may not match the covenant line).

ODP Plan Change 5b Bible Face S32



Figure 9 S32 for PC5b recommended mapping – Bible Terrace, Glenorchy

Blue – Bible Face BRA; pink – ODP Township, green - Rural General

Snip of PC5b S32 dated August 2001 updated February 2005

Snip taken 05/03/2020

ODP Plan Change 5b Bible Face S32

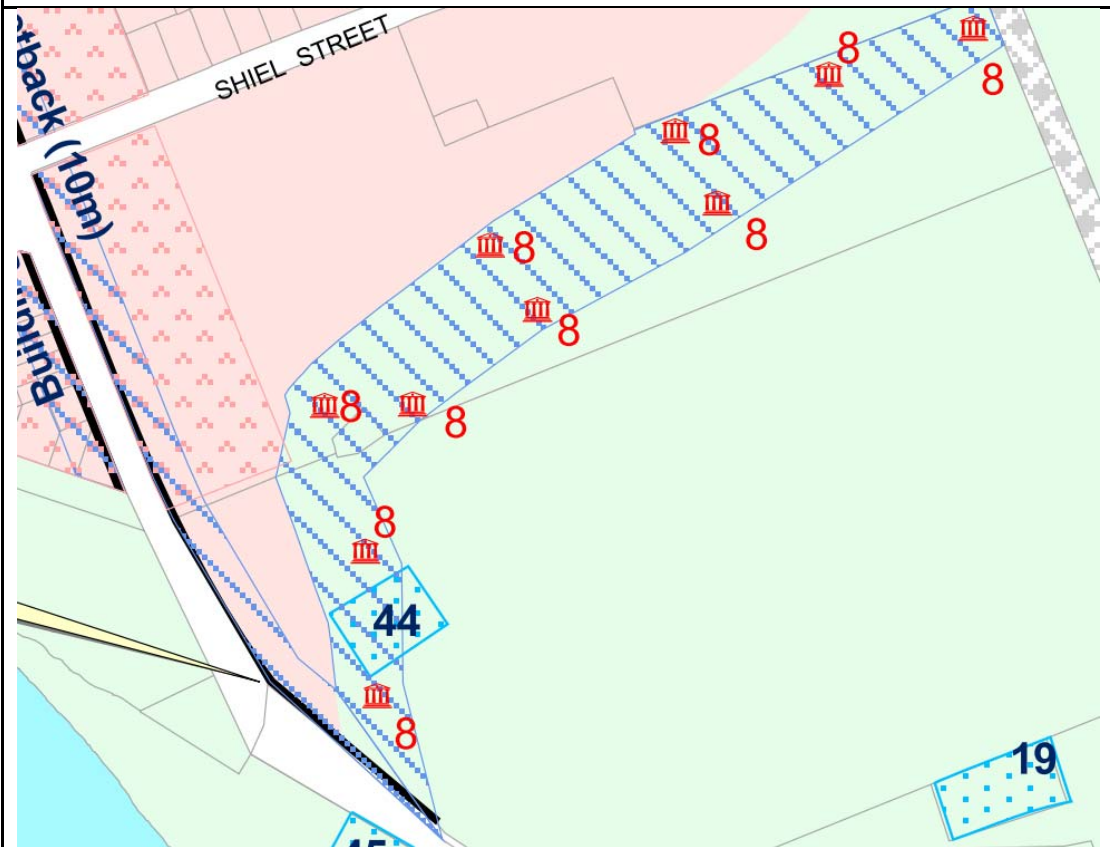


Figure 10 ODP Planning Map 25b (PDF)

Blue – Bible Face BRA; pink – ODP Township, green - Rural General

Snip of ODP Planning Map 25b (PDF)

Snip taken 05/03/2020

PDP Stages 1 and 2 GIS map – Bible Face

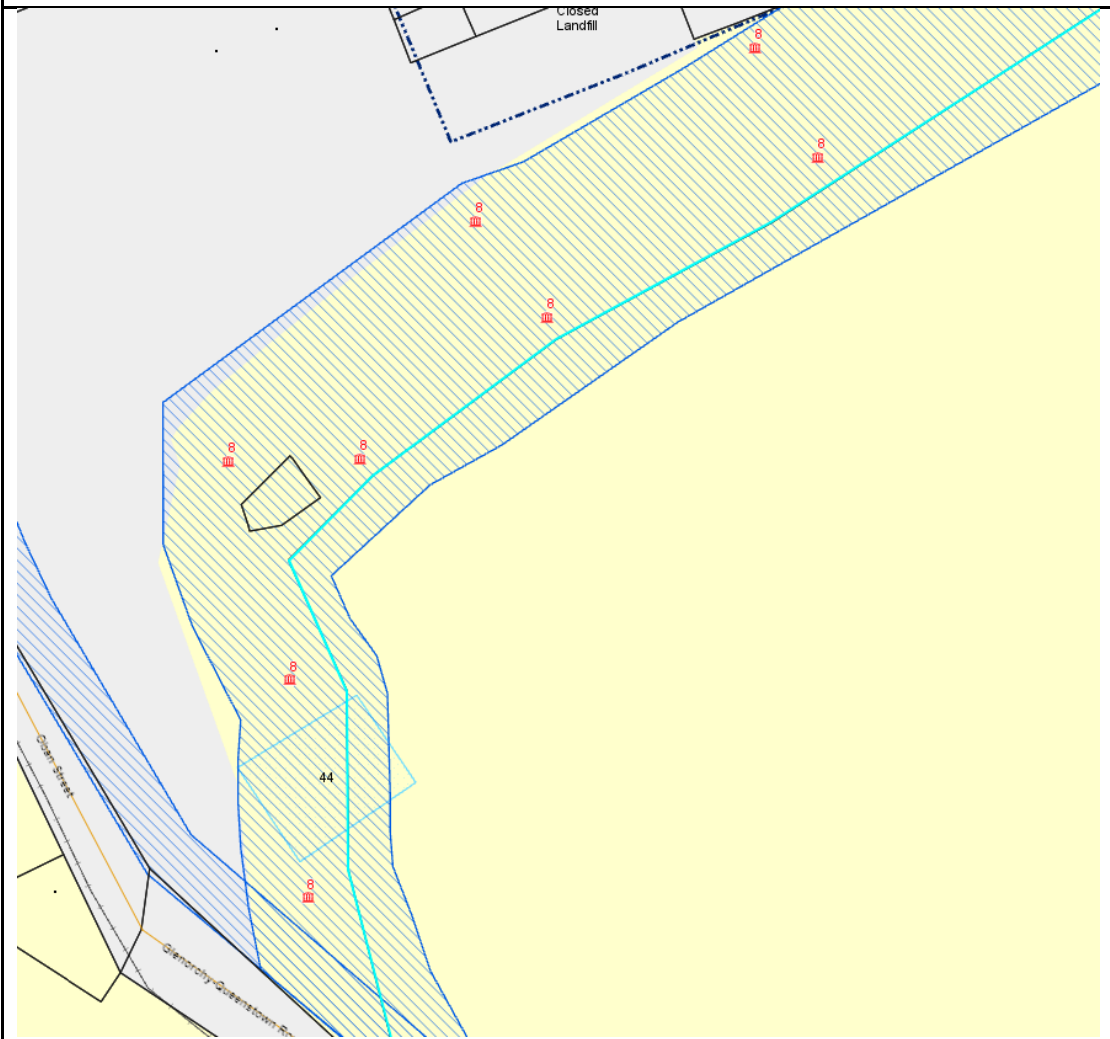


Figure 11 PDP Stages and 1 map – Bible Face BRA

Light blue outline – submission site.

Blue lines – Bible Face BRA; pale yellow – Rural Zone; white/grey – ODP Township not yet zoned in Stage 1.

Snip of PDP Stage 1 and 2 Decisions Map notified 21/03/2019

Subject site as shown by light blue outline

Snip taken 20/02/2020

13. GROUP 2: CARDRONA

13.1 The following submissions relate to the Cardrona Settlement Zone:

- (a) Cardrona Village Limited (31019);
- (b) Michael and Louise Lee for Airey Consultants Ltd (31027);
- (c) Mark Butson (31036); and
- (d) Judith & Russell Brown (31046).

14. CARDRONA VILLAGE LIMITED – 31019

Overall Recommendation	
Recommendation	Relief 31019.1: Accept Relief 31019.2: Reject Relief 31019.3: Reject Relief 31019.4: Reject Relief 31019.5: Reject

Submission and property information	
Submission number and name	Cardrona Village Ltd – 31019.1, 31019.2, 31019.3, 31019.4, 31019.5
Notified Stage 3 zone	Settlement, VASZ, Rural
Stage 3 zone requested	Settlement, VASZ, Commercial Precinct
Area of re-zone request	2297 Cardrona Valley Road, Cardrona
Request referred to in report as	Relief 31019.1: That the inclusion of those parts of the submitter's land (Lot 4 DP 507227, Lots 7-17 DP 440230, Lot 1 DP 310692, Section 47 Block I Cardrona SD) at Cardrona within the Settlement Zone and the associated Commercial Precinct or the associated VASZ is retained; Relief 31019.2: That the land and riverbed that is to be transferred to the Submitter from the Crown and shown on the Scheme Plan attached as Appendix 1 to the submission be included within the Settlement Zone and have the VASZ applied to the land;

	<p>Relief 31019.3: That the boundary between the Settlement Zone (and the associated VASZ) and the Rural Zone on the land described as Section 47 Block I Cardrona SD be realigned to the new boundary to be created as a result of the land exchange between the submitter and the Crown as detailed on the Scheme Plan attached as Appendix 1 to the submission;</p> <p>Relief 31019.4: That the ONL classification be removed from all the land located within the proposed Settlement Zone at Cardrona;</p> <p>Relief 31019.5: That the land within Lots 7, 16 and 17 DP 440230 and Lot 4 DP 507227 be located 30 metres from the boundary with Soho Street be included within the Commercial Precinct.</p>
ODP Zone and mapping annotation	Rural Visitor Zone; Rural General
Stage 1 or 2 PDP Zone and mapping annotation	Part Rural (river)
Legal Description	Lot 4 DP 507227; Lots 7-17 DP 440230; Lot 1 DP 310692; Section 47 Block I Cardrona SD.
Total area of property	8.32ha
QLDC Property ID	27827, 83440, 27839, 27829, 27838, 27837, 27830, 27831, 27832, 27833, 18554, 27834, 27836, 27835
QLDC Hazard Register	Liquefaction Risk – Susceptible Flooding due to Rainfall
Supporting information provided by applicant	Planning assessment
Position of Council experts	Landscape – support Natural Hazards – opposed Infrastructure – opposed

Aerial Photograph of the site – Cardrona Village Limited

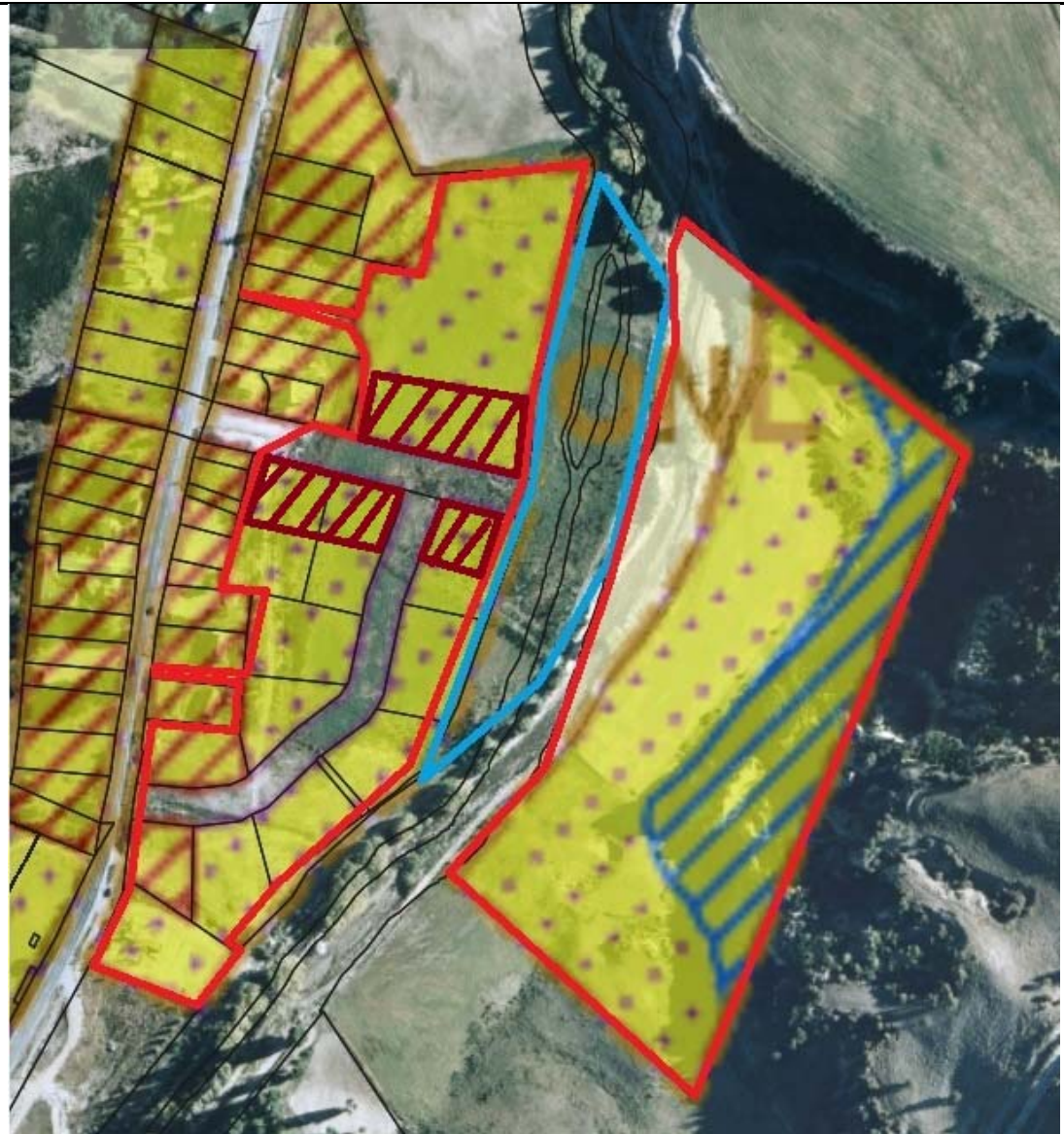


Figure 12 Aerial photo of subject site showing area of re-zoning request

Blue outline – approximate part of submission site where a land swap with the Crown is being undertaken and Settlement zoning is sought (former Cardrona River bed).

Red outline – roughly submission site (excluding river and roads).

Dark red with stripes – part of submission land along Soho Street where Commercial precinct is sought.

Yellow – Settlement Zone; maroon stripes – Commercial Precinct; purple dots – VASZ

Snip of PDP Stage 3b map notified 31/10/2019

Subject site as shown by red outline

Snip taken 20/02/2020

- 14.1** Relief 31019.1: The submitter supports the notified Settlement zoning, VASZ and Commercial Precinct over part of their land and I recommend this relief be accepted.
- 14.2** Relief 31019.2 and 31019.3: As can be seen on **Figure 12** above, the Cardrona River has changed course since the land subject to this submission was originally subdivided.
- 14.3** The submission outlines an agreement with the Crown (via LINZ) to exchange land that is located adjacent to the Cardrona River to ensure that the esplanade reserve is realigned to the new course of the river. The submission states that this land exchange process has not yet been completed. Council's GIS notes the statutory action currently being undertaken²⁰.
- 14.4** Once the land exchange is completed approximately 9,243m² of existing Crown land (former Cardrona Riverbed) located along the western side of the Cardrona River will be transferred to the submitter, and 11,528m² of land that contains the existing riverbed located along the eastern side of the Cardrona River will be transferred to the Crown.
- 14.5** The submitter requests that the land being transferred to the submitter (outlined in blue on **Figure 12** above) be zoned Settlement with a VASZ.
- 14.6** Almost all of the Cardrona Settlement Zone has a VASZ overlay, which I understand reflects the village's previous zoning as an ODP Rural Visitor Zone. The remainder of the settlement has a Commercial Precinct overlay along the main street, encompassing (among others) the historic Cardrona Hotel and the Cardrona Valley General Store and café.
- 14.7** Based on the notified minimum lot size of 800m², I estimate that the rezoning sought could yield seven residential lots, beyond the PDP enabled development capacity.

²⁰ Annotation on Council GIS: "Authorisation of exchange of Marginal Strip for another strip of land New Zealand Gazette 2017 In 4887 Sections 1 - 8 & 10 - 12 on SO 505836 to be exchanged for strips of land being Lots 22 - 24 DP 505835".

Landscape

14.8 In her evidence Ms Mellsop notes that in her earlier June 2019 assessment she concluded that, with the exception of one area, the land west of the river and within the ODP RVZ boundaries had capacity to absorb additional development that responded to the historic character of the village and resulted in a cohesive and integrated built form²¹. As such, Ms Mellsop does not oppose the relief sought by the submitter in terms of landscape effects.

14.9 I rely on Ms Mellsop's expert evidence. From a landscape perspective, rezoning this land to Settlement with a VASZ appears logical.

Natural Hazards

14.10 Mr Bond has reviewed the submitted information, and concludes that the risk from liquefaction and historical mine tailings is likely to be low, and the risk from flooding is potentially medium to high. As such, Mr Bond opposes the rezoning request from a geotechnical/flood risk perspective.

14.11 I rely on Mr Bond's evidence. In the absence of detailed site information, I am unclear on the tolerable level of risk and whether the risks can be appropriately managed for the rezoning request. I therefore consider the request is contrary to the strategic direction of the PDP²² and Chapter 28 Natural Hazards Objective 28.3.1 and 28.3.2 and associated policies.

Infrastructure

14.12 Mr Powell opposes the rezoning request from an infrastructure perspective, due to a lack of sufficient information demonstrating that an additional seven lots can be serviced.

14.13 I rely on Mr Powell's evidence. In the absence of detailed servicing information, I am unclear on whether the rezoning request can be

21 Rural Visitor Zone Review Landscape assessment, May 2019, para 3.4.6, page 27.
22 Strategic Direction Objective 3.2.2 and Policy 3.2.2.1.

integrated with existing, and planned future, infrastructure. I therefore consider the request is contrary to the strategic direction of the PDP²³.

- 14.14** Given all of the above, I recommend that relief 31019.2 and 31019.3 be rejected.
- 14.15** Relief 31019.4: The submission requests that the Outstanding Natural Landscape (**ONL**) line is moved to exclude all land within the Settlement Zone. The submission relies on the Stage 3 GIS map, where landscape lines have been notified around the Settlement Zone.
- 14.16** The inclusion of the ONL boundary line (or indeed RCL boundary line in other parts of the District) is to show that the notified Settlement Zone is excluded from the surrounding ONL / RCL. The Settlement Zone is an urban zone, with its higher order support provided by Chapter 4, Urban Development, of the PDP. Where landscape evidence is that a site has capacity to absorb additional development provided for by the Settlement Zone, and a rezoning is recommended, it would be appropriate for the ONL boundary to align with the zone boundary.
- 14.17** However, in this case I do not recommend any extension to the Settlement Zone, so I reject this submission point (in part – see below).
- 14.18** If the purpose of relief 31019.4 is to put the ONL boundary around the outside of the Settlement Zone at Cardrona (and therefore include roads), then that is accepted. I note that the boundary would need to align at each end of the road, where the zone does not start and stop in exactly the same place (on each side of the road).
- 14.19** Relief 31019.5: The submission outlines the intentions for the large part of the land on the eastern side of the Cardrona River. Resource consent RM061204 was granted on 6 May 2008 for a lodge building, 48 units for residential and visitor accommodation purposes, a manager's residence and associated parking, access, earthworks and landscaping. An extension of time was approved on 13 March 2018, extending the lapse date of RM061204 to 6 May 2020. A further time extension was submitted in January 2020 and is being processed

23 Strategic Direction Objective 3.2.2 and Policy 3.2.2.1.

(ET061204). RM061204 was still 'live' at the time of preparing this report but no works have commenced onsite.

- 14.20** A resource consent application was received on 9 October 2019 for a subdivision around the consented buildings and development approved by RM061204 (RM191114). At the time of preparing this report, the RM191114 application was being processed by Council and is on hold until the time extension is processed.
- 14.21** A further resource consent application is also being processed for a comprehensive development for visitor accommodation and residential activities on the western side of the Cardrona River along Soho Street and Rivergold Way (RM190669). This application site excludes the land swap land discussed above.
- 14.22** Citing these future plans for both side of the river, the submitter requests that a Commercial Precinct be applied to the submission land, extending 30m along both sides of Soho Street.
- 14.1** The RVZ S32 recommended identifying a Commercial Precinct over existing commercial activities to enable residential activity at a low scale and provide for visitor accommodation and commercial activity where amenity is retained²⁴.
- 14.2** The notified Commercial Precinct in Cardrona contains approximately 4ha of land. Much of the land within the notified precinct is not currently used for commercial purposes, with some houses, visitor accommodation units, car parking or vacant sites. Including the car park opposite the Cardrona Hotel, I estimate that only 16% of the Commercial Precinct is currently used for commercial purposes.
- 14.3** Ideally, I consider that the available land in the PDP Commercial Precinct should be developed first, before extensions are applied, to ensure efficient use of appropriately zoned land. Restricting the size of the Commercial Precinct also ensures that an appropriately small and compact commercial hub is maintained, without spreading or

24 Cardrona S32, para 9.15 page 39.

sprawling into the remainder of the Settlement Zone that is intended for low intensity residential living and visitor accommodation purposes.

14.4 In this instance, there is a large area of Commercial Precinct available in Cardrona. I am not supportive of an extension as it would likely result in a commercial area out of scale with the small village. I consider that the notified VASZ overlay would be sufficient to provide for ancillary or appropriately small-scale commercial activities, in accordance with Objective 20.2.3 and associated policies. These provisions provide a resource consenting regime for the submitter's future development plans, which are largely hotel or visitor accommodation oriented. The notified provisions for Cardrona's updated identity as a Settlement and no longer an ODP Rural Visitor Zone are slightly more enabling than the other Settlement Zones, in respect to setbacks from roads (3m, rather than 4.5-8m) and 12m building height, rather than 5.5-7m.

14.5 The notified Commercial Precinct is restricted to the main street. This centralised area is strongly reinforced by the Cardrona Village Character Guideline, incorporated into Chapter 20 by reference, which states:

The Village is anchored around its highway 'main street'. This means: Commercial and retail development is focussed on the linear strip of the highway that starts at Soho Street and runs south approximately 220m, and on a (future) village green opposite the Cardrona Hotel

The full length of Cardrona Valley Road within the village boundaries is too long to sustain a vibrant retail frontage. Commercial development should therefore be concentrated on the straight stretch of the road either side of the Hotel and around the envisaged village green.²⁵

14.6 In my view, the Commercial Precinct extension sought along Soho Street (Relief 5) would be inconsistent with the Cardrona Village Character Guideline, and would therefore undermine the intention of the zoning provisions to restrict further commercial spread into the rest of Cardrona. As such the request would be inconsistent with the PDP

25 Cardrona Village Character Guideline 2012, pages 5, 6.

strategic direction and the Settlement Zone provisions,²⁶ and I recommend this submission point be rejected.

14.7 Given all of the above, I recommend that relief 31019.5 be rejected.

15. MICHAEL AND LOUISE LEE FOR AIREY CONSULTANTS LTD – 31027

Overall Recommendation	
Recommendation	Relief 31027.1: Reject Relief 31027.10: Reject Relief 31027.14: Reject Relief: 31027.16: Reject

Submission and property information	
Submission number and name	Michael and Louise Lee for Airey Consultants Ltd – 31027.1, 31027.10, 31027.14, 31027.16
Notified Stage 3 zone	Settlement, Rural
Stage 3 zone requested	RVZ, Commercial Precinct
Area of re-zone request	Soho Street and Rivergold Way, Cardrona
Request referred to in report as	Relief 31027.1: That Cardrona is zoned Rural Visitor Zone; Relief 31027.10: That the Cardrona Settlement zone be rejected; Relief 31027.14: That an equivalent amount of land that has been rezoned Rural Zone at the northwestern end of the eastern side of the Cardrona River be added to the western side of the actual river location to balance the Rural Visitor Zone and the Rural areas to those under the current District Plan; Relief 31027.16: That the commercial precinct extends along Soho Street to Rivergold Way.
ODP Zone and mapping annotation	Rural Visitor Zone; Rural General

²⁶ Strategic Direction Policy 3.2.1.5, Settlements Objective 20.2.3, Policies 20.2.3.1, 20.2.3.2.

Stage 1 or 2 PDP Zone and mapping annotation	Part Rural (river)
Legal Description	Not specified.
Total area of property	Not specified.
QLDC Property ID	Not specified.
QLDC Hazard Register	Liquefaction Risk – Susceptible Flooding due to Rainfall
Supporting information provided by applicant	None
Position of Council experts	NA

15.1 Relief 31027.1 and 31027.10: The submitter seeks that Cardrona is zoned Rural Visitor Zone (**RVZ**) rather than Settlement. I support and rely on the RVZ S32 in this respect, which recommends that Settlement zoning is the most appropriate to enable residential activity at a low scale and provide for visitor accommodation and commercial activity where amenity is retained²⁷. I therefore recommend that relief 31027.1 and 31027.10 is rejected.

15.2 Relief 31027.14: The submitter requests that an equivalent amount of land that has been rezoned Rural Zone at the north-western end of the eastern side of the Cardrona River be added to the western side of the actual river location to balance the RVZ and the Rural areas to those under the current District Plan. Without a map attached to the submission, I interpret this to be the same land swap requested by submission 31019 (Cardrona Village Limited); however, RVZ is sought rather than Settlement zoning. For the reasons outlined for submission 31019, and also because submitter 31027 requests RVZ, I recommend relief 31027.14 be rejected.

15.3 Relief 31027.16: The submitter that the Commercial Precinct be extended along Soho Street and to also include part of the river frontage lots on both sides of the Cardrona River. I have largely addressed this matter earlier (submitter Cardrona Village Ltd – 31019); however, this submitter is seeking a Commercial Precinct associated with a RVZ. Overall, for the reasons outlined for submission 31019,

27 Cardrona S32, para 9.15 page 39.

and because submitter 31027 requests RVZ, I recommend relief 31027.16 be rejected.

16. MARK BUTSON – 31036

Overall Recommendation	
Recommendation	Relief 31036.1: Reject

Submission and property information	
Submission number and name	Mark Butson – 31036.1
Notified Stage 3 zone	Rural, and Settlement Zone (Cardrona) with VASZ
Stage 3 zone requested	Settlement (Cardrona) and VASZ
Area of re-zone request	Crown Range Road, Cardrona
Request referred to in report as	Relief 31036.1: That the Settlement Zone and Visitor Accommodation Sub-Zone are extended to cover all of Lot 2 DP 411508, with an area of 2.6ha that fronts the western side of Cardrona Valley Road, approximately 140m north of Soho Street.
ODP Zone and mapping annotation	Rural Visitor Zone; Rural General
Stage 1 or 2 PDP Zone and mapping annotation	Rural
Legal Description	Lot 2 DP 411508
Total area of property	2.59ha
QLDC Property ID	25426
QLDC Hazard Register	Alluvial Fan – recently active Liquefaction - susceptible
Supporting information provided by applicant	None
Position of Council experts	Landscape – opposed Natural Hazards – opposed Infrastructure – opposed

Aerial Photograph of the site

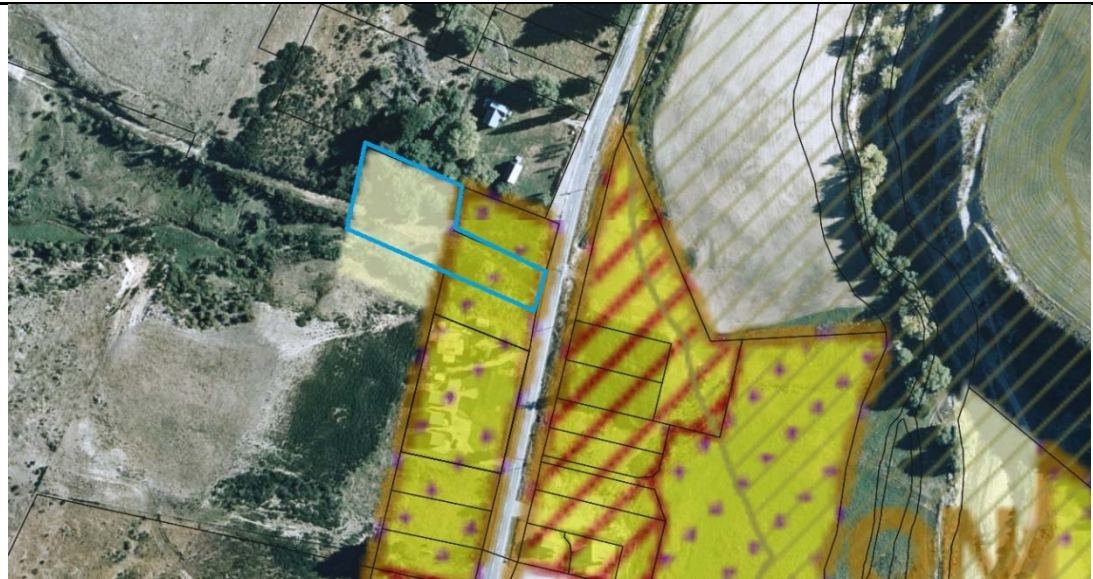


Figure 13 Aerial photo of subject site showing area of re-zoning request

Blue outline – submission site showing part zoned Settlement and part where Settlement zoning is sought (zoned Rural)

Darker yellow – Settlement Zone; pale yellow – Rural Zone; dots – VASZ; diagonal stripes – Commercial Precinct

Snip of PDP Stage 3b map notified 31/10/2019

Subject site as shown by blue outline

Snip taken 20/02/2020

- 16.1** Relief 31036.1: The submitter requests that the part of the site that was zoned ODP Cardrona Rural Visitor Zone (RVZ), which has been zoned Rural in Stage 3, be rezoned to Settlement with a VASZ. This part of the site is shown on Figure 13 above as pale yellow for the Stage 3 Rural Zone.
- 16.2** The site does not currently have any development and is largely vegetated with exotic trees and other species. A mountain bike trail (that appears to be private and associated with the Cardrona Alpine Resort) passes through the site and exits the adjoining property to the north next to the Council reserve.
- 16.3** The submitter advises that they wish to develop the site for accommodation.

- 16.4** Based on the minimum lot size of 800m² in the Settlement Zone, I estimate that the rezoning sought could yield two residential lots, beyond the PDP enabled development capacity.

Landscape

- 16.5** The upper part of the site extends into the Rural Zone and ONL. In her a landscape assessment for the RVZ S32 analysis, Ms Mellsoy identified that in general, the ODP Cardrona RVZ west of the river has capacity to absorb additional development that responds to the historic character of the village and results in a cohesive and integrated urban form²⁸.
- 16.6** Ms Mellsoy identified an exception being the north-west corner where the RVZ boundary extends up the toe slopes of the mountain. Ms Mellsoy considers that development in this elevated area could result in an anomalous extension of visually prominent built form beyond the natural boundary of the alluvial terrace/toe slope boundary, and noted that the presence of a natural water course in this part of the zone also means that the lower section adjoining Cardrona Valley Road is moderately sensitive to development²⁹.
- 16.7** Taking into account Ms Mellsoy's expert assessment, the Settlement Zone boundary was amended at notification to exclude this corner where development could inappropriately extend up the hillside.
- 16.8** In her evidence, Ms Mellsoy remains of the opinion that development on the toe slopes of the mountain in the upper part of this lot could result in an anomalous extension of visually prominent built form beyond the natural boundary of the alluvial terrace of the village, and opposes the relief sought by the submitter³⁰.
- 16.9** I rely on Ms Mellsoy's expert evidence. From the landscape perspective, the rezoning sought would not be appropriate.

28 Rural Visitor Zone Review Landscape Assessment, May 2019, para 3.4.6, page 27.

29 Ibid at para 3.4.6, page 27.

30 Statement of Evidence of Helen Juliet Mellsoy on behalf of Queenstown Lakes District Council, Landscape, dated 18 March 2020, para 7.36.

Natural Hazards

- 16.10** The submission did not provide any technical information pertaining to natural hazards. Mr Bond concludes that the risk from liquefaction is likely to be low. Mr Bond considers that risks from alluvial fans and associated flooding, historical mine tailings, and site stability, are unknown, and therefore Mr Bond opposes the rezoning request from a geotechnical perspective.
- 16.11** I rely on Mr Bond's expert evidence. The risk from natural hazards is uncertain. In the absence of detailed site information, I am therefore unclear on the tolerable level of risk associated with the rezoning request and whether the risk can be appropriately managed. I therefore consider the rezoning sought is contrary to the strategic direction of the PDP³¹ and Chapter 28 Natural Hazards objective 28.3.1 and 28.3.2 and associated policies.

Infrastructure

- 16.12** Mr Powell opposes the rezoning request from an infrastructure perspective, due to a lack of sufficient information demonstrating that an additional two lots can be serviced.
- 16.13** I rely on Mr Powell's evidence. In the absence of detailed servicing information, I am unclear on whether the rezoning request can be integrated with existing, and planned future, infrastructure. I therefore consider the request is contrary to the strategic direction of the PDP³².

Conclusion

- 16.14** Given all of the above, I recommend that relief 31036.1 be rejected.

31 Strategic Direction Objective 3.2.2 and Policy 3.2.2.1.
32 Strategic Direction Objective 3.2.2 and Policy 3.2.2.1.

17. JUDITH & RUSSELL BROWN – 31046

Overall Recommendation	
Recommendation	Relief 31046.1: Reject Relief 31046.2: Reject

Submission and property information	
Submission number and name	Judith & Russell Brown – 31046.1, 31046.2
Stage 3 notified zone	Not notified in Stage 3. Rural in PDP Stage 1.
Stage 3 zone requested	Settlement, VASZ
Area of re-zone request	2347 Cardrona Valley Road
Request referred to in report as	Relief 31046.1: That 2347 Cardrona Valley Road being Lot 1 DP 26402 with an area of 0.6ha, located on the eastern side of the road approximately 80m south of the intersection with Rivergold Way, be rezoned as Cardrona Settlement Zone with a VASZ; Relief 31046.2: That 2347 Cardrona Valley Road being Lot 1 DP 26402 be excluded from the ONL classification.
ODP Zone and mapping annotation	Rural General
Stage 1 or 2 PDP Zone and mapping annotation	Rural
Legal Description	Lot 1 DP 2640
Total area of property	5,901m ²
QLDC Property ID	14988
QLDC Hazard Register	Liquefaction Risk – Susceptible Flood due to Rainfall (Cardrona River Floodplain)
Supporting information provided by applicant	None
Position of Council experts	Landscape – support Natural Hazards – opposed Infrastructure – opposed

Aerial Photograph of the site – Judith & Russell Brown

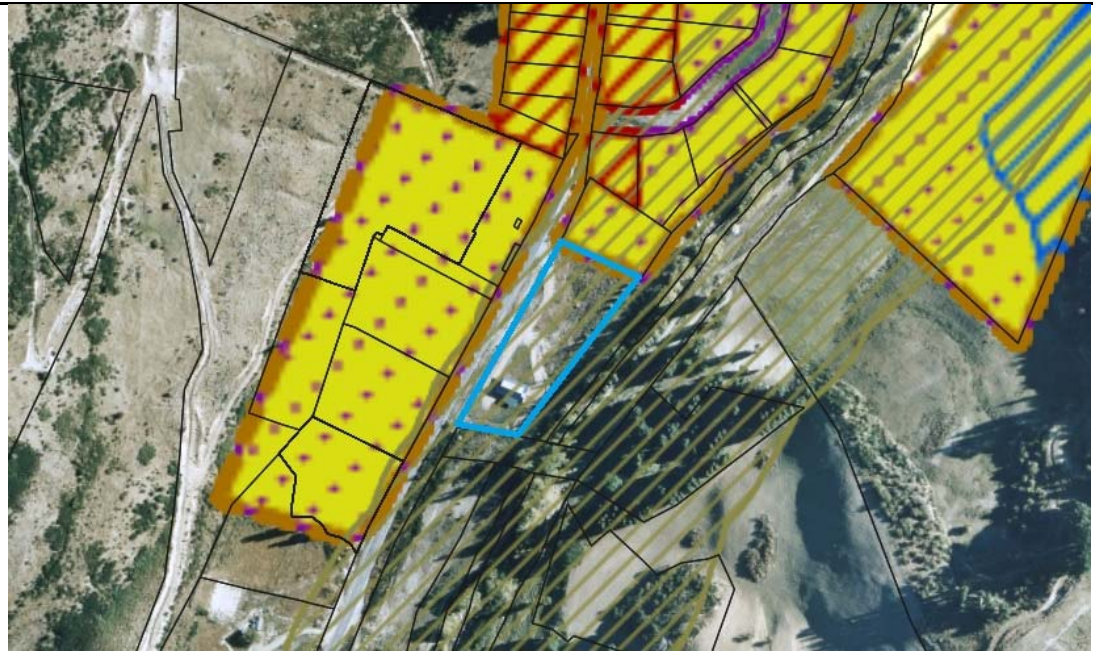


Figure 14 Aerial photo of subject site showing area of re-zoning request

Blue outline – submission site where Settlement zoning is sought.

Yellow – Settlement Zone; dots – VASZ; red stripes – Commercial Precinct; green stripes – Wāhi Tūpuna

Snip of PDP Stage 3b map notified 31/10/2019

Subject site as shown by blue outline

Snip taken 20/02/2020

17.1 Relief 31046.1: The submitter requests that their site on the Cardrona Valley Road that is Rural be rezoned to Settlement with a VASZ.

17.2 Based on the submission area and notified minimum lot size of 800m² for the Settlement Zone, I estimate that the rezoning sought could yield five residential lots, beyond the PDP enabled development capacity.

Landscape

17.3 From a landscape perspective, Ms Mellsoop considers that the submitters' property has a lower level of landscape sensitivity and does not oppose relief 31046.1.

17.4 I rely on Ms Mellsoop's expert evidence. The site is developed for residential purposes and is highly domesticated. It appears similar to

sites to the north, although it is a larger property. Given the landscape evidence and site context, I consider rezoning this land to Settlement with a VASZ appears logical.

Natural Hazards

17.5 Mr Bond in his evidence observes that the submission did not include a natural hazards assessment, and that the site would be affected by liquefaction, flood risk (rainfall), and to a lesser extent potentially unstable ground associated with mining or mine wastes (tailings or subsidence).

17.6 Mr Bond considers that the risks posed by flooding to the site, in particular, are significant, warranting additional investigation and assessment. As such, Mr Bond opposes the rezoning from a geotechnical and flood risk perspective.

17.7 I rely on Mr Bond's expert evidence. In the absence of detailed site information, the risk from natural hazards, in particular flooding, is uncertain. I am unclear on the tolerable level of risk and whether the risks can be appropriately managed, for this site. I therefore consider the rezoning request is contrary to the strategic direction of the PDP³³ and Chapter 28 Natural Hazards objective 28.3.1 and 28.3.2 and associated policies.

Infrastructure

17.8 Mr Powell opposes the rezoning request from an infrastructure perspective, due to a lack of sufficient information demonstrating that an additional five lots can be serviced.

17.9 I rely on Mr Powell's evidence. In the absence of detailed servicing information, I am unclear on whether the rezoning request can be integrated with existing, and planned future, infrastructure. I therefore consider the request is contrary to the strategic direction of the PDP³⁴.

33 Strategic Direction Objective 3.2.2 and Policy 3.2.2.1.
34 Strategic Direction Objective 3.2.2 and Policy 3.2.2.1.

Conclusion

17.10 Overall, I recommend that relief 31046.1 should be rejected.

17.11 Relief 31046.2: The submitter seeks to exclude the ONL from their site. I refer to paragraph #14.17 above. As I recommend rejection of the rezoning submission, I also recommend rejection of movement of the ONL line.

18. GROUP 3: ALBERT TOWN

18.1 The following submissions relate to the Albert Town Lower Density Suburban Residential Zone (**LDSR**):

- (a) Alan Cutler (3001);
- (b) Josephine Haines (3002);
- (c) Bruce Hebbard (3012);
- (d) Southern Ventures Property Limited (3190);
- (e) Jo Fyfe (3232); and
- (f) Bruce and Diane Carvell (3050).

19. SUBMISSIONS IN SUPPORT – ALBERT TOWN

Overall Recommendation	
Recommendation	Relief 3001.1: Accept Relief 3002.1: Accept Relief 3012.1: Accept Relief 3190.1: Accept Relief 3232.1: Accept Relief 3232.2: Accept

Submission and property information	
Submission number and name	Alan Cutler – 3001.1 Josephine Haines – 3002.1 Bruce Hebbard – 3012.1

	Southern Ventures Property Limited – 3190.1 Jo Fyfe – 3232.1
Stage 3 notified zone	LDSR Zone
Stage 3 zone requested	LDSR Zone
Area of re-zone request	Albert Town
Request referred to in report as	Relief 3001.1, 3002.1, 3012.1, 3190.1, 3232.1: That the notified Lower Density Suburban Residential Zone for Albert Town be retained
ODP Zone and mapping annotation	Township
Stage 1 or 2 PDP Zone and mapping annotation	UGB

19.1 The submitters support the notified rezoning of Albert Town from ODP Township to LDSRZ and I therefore recommend that relief 3001.1, 3002.1, 3012.1, 3190.1, and 3232.1 be accepted.

19.2 Relief 3232.2: Submitter J Fyfe seeks that any additional or consequential relief required be made to give effect to the submission seeking to retain the LDSRZ for Albert Town. As I have recommended that the primary relief 3232.1 be accepted, I consider no other relief is required. As such, I recommend relief 3232.2 be rejected.

20. SOUTHERN VENTURES PROPERTY LIMITED – 3190

Overall Recommendation	
Recommendation	Relief 3190.1: Accept Relief 3190.2: Reject Relief 3190.3: Reject Relief 3190.4: Reject

Submission and property information	
Submission number and name	Southern Ventures Property Limited – 3190.2, 3190.3, 3190.4
Stage 3 notified zone	Wāhi Tupuna overlay over part of site

	No zone.
Stage 3 zone requested	LDSR
Area of re-zone request	Templeton Street, Albert Town
Request referred to in report as	<p>Relief 3190.1: That the notified Lower Density Suburban Residential Zone for Albert Town be retained.</p> <p>Relief 3190.2: That a site at Templeton Street, Albert Town be partially re-zoned LDSR; Amend Urban Growth Boundary accordingly; Amend Landscape Classification Line accordingly.</p> <p>Relief 3190.3: That the remainder of the site remains Rural Lifestyle with a no build restriction if necessary.</p> <p>Relief 3190.4: Any consequential amendments required to facilitate the re-zoning.</p>
ODP Zone and mapping annotation	Rural, Rural Lifestyle
Stage 1 or 2 PDP Zone and mapping annotation	Rural Lifestyle and Rural (Rural Character Landscape)
Legal Description	Lot 1 DP 27171
Total area of property	8.7ha
QLDC Property ID	74090
QLDC Hazard Register	<p>Landfill – non-verified</p> <p>Flooding due to rainfall (Cardrona River Floodplain)</p> <p>Liquefaction – Possible Moderate Risk</p>
Supporting information provided by applicant	<p>Planning evidence and plans</p> <p>Flood hazard report</p> <p>Earthworks plan</p> <p>Landfill assessment</p>
Position of Council experts	<p>Natural Hazards – not opposed</p> <p>Infrastructure – opposed</p>

Aerial Photograph of the site – Southern Ventures Property Ltd

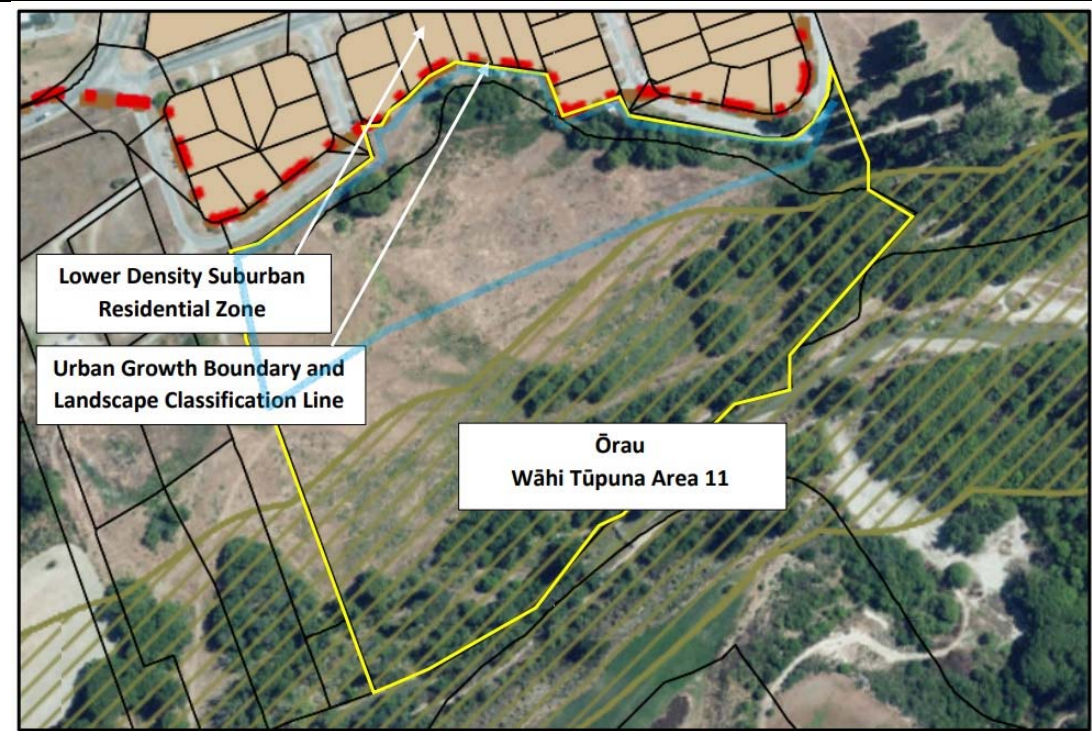


Figure 15 Aerial photo of subject site showing area of re-zoning request

Yellow outline – submission site, blue outline – part of submission site where LDSR zoning is sought.

Light brown LDSR; red dashed line – UGB; green diagonal lines - Wāhi Tūpuna

Snip from submission

Snip taken 20/02/2020

Map of submission site



Figure 16 PDP Stages 1 and 2 map showing submission site request

Yellow outline – submission site, blue outline – part of submission site where LDSR zoning is sought.

Pale yellow – Rural; green – Rural Lifestyle; red dashed line – UGB; brown dashed line – ONL

Snip of PDP Stage 1 and 2 Decisions Map notified 21/03/2019

Snip taken 16/03/2020

- 20.1** Relief 3190.1: The submission request that the notified LDSR Zone for Albert Town be retained and I recommend this relief be accepted.
- 20.2** Relief 3190.2 and 3190.4: The submitter seeks that part of the site is rezoned from Rural and Rural Lifestyle to LDSR (outlined in blue on **Figure 15** and **Figure 16** above). Part of the site is zoned Rural and is an esplanade reserve. The submitter has approval in principle from the Department of Conservation to realign this reserve with the Cardrona River via a land swap. The submitter requests that the UGB and landscape lines are amended accordingly.
- 20.3** Relief 3190.3: The submitter requests that the remainder of the site remain as Rural Lifestyle with a no build restriction if necessary.

- 20.4** The submission notes that the current PDP zoning would yield 4 Rural Lifestyle properties. Rezoning part of the site to LDSR would yield approximately 65 lots, or an additional 61 lots beyond the PDP enabled development capacity.
- 20.5** The submission also calculates yields for Rural Residential, Large Lot Residential or Settlement Zone. With the exception of Rural Residential, the other options would result in a relatively small 'spot zone' adjoining different zones. As the site adjoins LDSR, this would be the most logical rezoning to consider.
- 20.6** The site is currently vacant and part of the top terrace appears as a natural extension to the LRSR zoned land; although I note that some of this land has been modified by fill.
- 20.7** A landscape assessment was not provided with the submission. In this instance I consider this shortfall of information is acceptable, as the site is part of a peri-urban rural lifestyle and rural residential buffer, and is part of a Rural Character Landscape (**RCL**) and is not located within an ONL.

Natural Hazards

- 20.8** The submission includes a flood hazard assessment (GeoSolve) that recommends a setback of between 250m and 350m from the Cardrona River and minimum floor levels to ensure buildings are elevated 1-2m above the recorded 1999 flood line. The setback would be the south-eastern boundary of the LDSR rezoning sought, with land on the other side of the boundary remaining as Rural Lifestyle with a no build restriction.
- 20.9** Council's natural hazards expert, Mr Bond, has reviewed the submission and GeoSolve report, and his evidence is that the two key hazards affecting the site are likely to be liquefaction and flood risk (dam burst and precipitation).
- 20.10** Mr Bond agrees with GeoSolve's conclusions that the site is highly unlikely to be affected by either liquefaction or by flooding either from

dam burst or flooding (Clutha River and Cardrona River), assuming that the proposed mitigation measures are adopted, namely lifting of the development platform and adopting a setback for the filling area. Overall, Mr Bond considers that the risks posed by natural hazards to the intended development are therefore considered to be relatively minor and can be mitigated relatively easily through design.

20.11 I rely on Mr Bond's expert evidence. In this instance, however, the design promoted to mitigate natural hazards risk is of the level of detail best suited to a resource consent application, where the entire site would be raised by 1.5-2.5m and implications for off-site drainage and flooding risk to other properties would be addressed through engineering design. This level of detail does not translate well to a rezoning. A site-specific provision would be required to ensure that the flood risk was addressed for permitted residential development under the new zoning (i.e. Chapter 7); whereas a subdivision of the site would be required to address natural hazards and the site could be raised at that stage³⁵.

20.12 I recommend that a provision and fill plan (which is included with the submission) is required to support the rezoning. The provision would be inserted into Chapter 7, similar to provisions for flood prone parts of the Shotover Country Special Zone. My recommended wording is as follows:

Xxx Templeton Street

(a) No residential units shall be constructed on the Templeton Street site until such time as fill works are constructed in accordance with the plan contained in Appendix X. The fill works shall be:

- i. Located within the Fill Area shown on the Fill Area Plan in Appendix X*
- ii. Constructed to achieve a height throughout the Fill Area no lower than the Minimum Finished Ground Levels shown on the Fill Area Plan in Appendix X provided that the finished ground levels detailed on the*

35 Subdivision and Development Rule 27.5.7 urban subdivision activities *the adequacy of on site measures to address the risk of natural and other hazards on land within the subdivision;*

Fill Area Plan are extrapolated across the Fill Area to achieve a plane surface.

(b) No works of any nature shall interfere with, damage or otherwise adversely affect the fill works constructed under subclause (a) of this rule so that those fill works shall be maintained in perpetuity.

(c) No residential units shall be constructed on the Templeton Street Site until the outer batter (facing the Cardrona River) of the fill works required to be implemented under subclause (a) of this rule has been top soiled and planted to achieve a permanent vegetative cover.

(d) No works of any nature (excluding mowing or other plant maintenance works) shall interfere with, damage or otherwise adversely affect the vegetative cover on the outer batter implemented under subclause (c) of this rule so that that vegetative cover shall be maintained permanently.

20.13 Provided that a provision is applied, the risks from natural hazards can be appropriately managed for the rezoning request. I therefore consider relief 3190.2 and 3190.3 is consistent with the strategic direction of the PDP³⁶ and Chapter 28 Natural Hazards objective 28.3.1 and 28.3.2 and associated policies.

Landfill

20.14 The submission site has a (non-municipal) landfill in the western side that likely comprises slash and stumps fill material, with a topsoil cover. The submission's assessment (e3 Scientific) identified historical land filling activities that may have impacted the soil quality of the site, in that the unconsolidated landfill material will not support foundations without remediation.

20.15 I consider that fill works associated with natural hazards mitigation would also address the unconsolidated landfill material.

³⁶ Strategic Direction Objective 3.2.2 and Policy 3.2.2.1.

Infrastructure

20.16 Mr Powell opposes the rezoning request from an infrastructure perspective, due to a lack of sufficient information demonstrating that the additional 65 residential lots can be serviced.

20.17 I rely on Mr Powell's evidence. In the absence of detailed servicing information, I am unclear on whether the rezoning request can be integrated with existing, and planned future, infrastructure. I therefore consider the request is contrary to the strategic direction of the PDP³⁷.

Conclusion

20.1 Given all of the above, I consider relief 3190.2, 3190.3, and 3190.4 should be rejected.

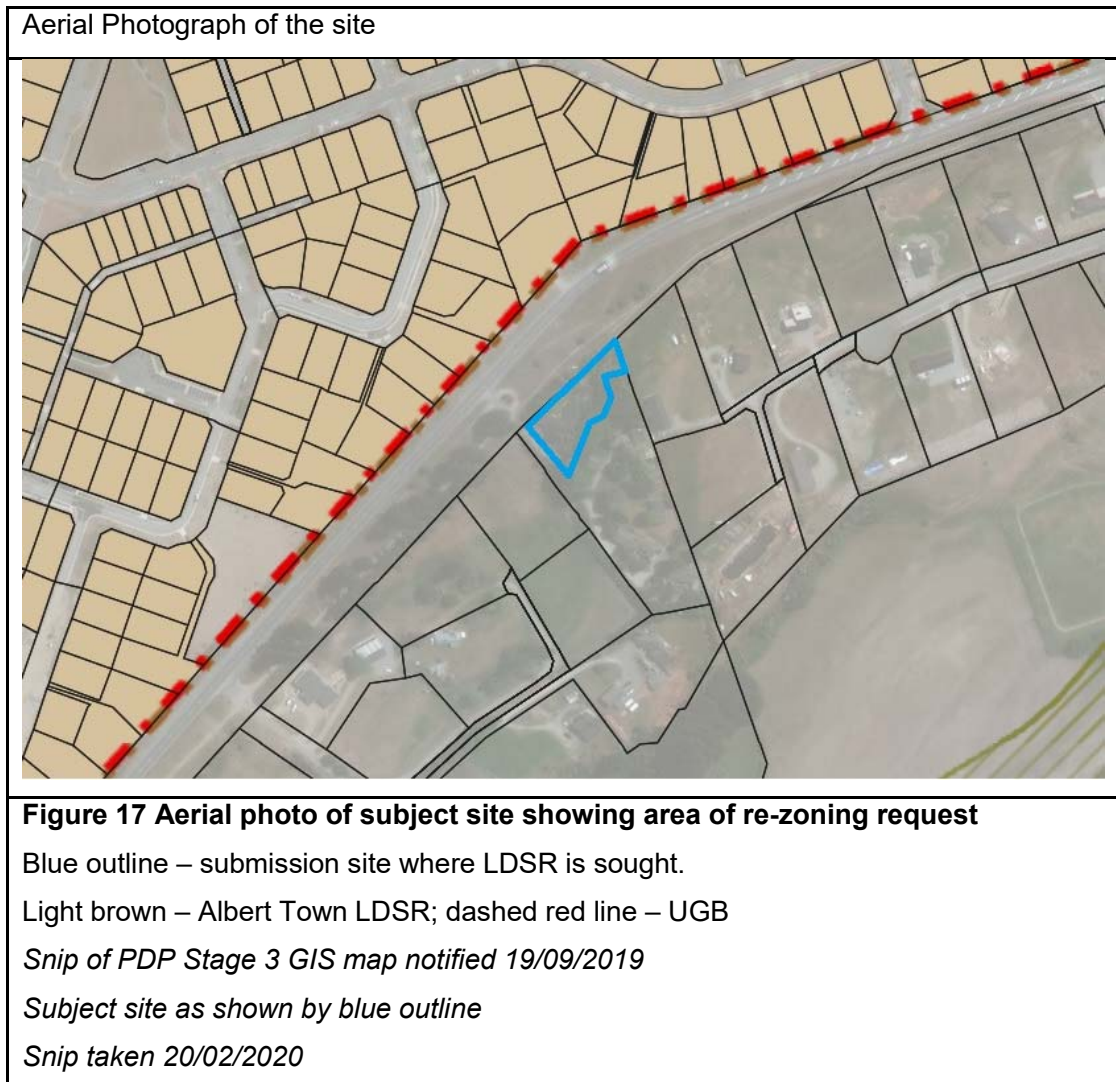
21. BRUCE AND DIANE CARVELL – 3050

Overall Recommendation	
Recommendation	Relief 3050.2: Reject

Submission and property information	
Submission number and name	Bruce and Diane Carvell – 3050.2
Stage 3 notified zone	NA
Stage 3 zone requested	LDSR
Area of re-zone request	146 Albert Town-Lake Hāwea Road, Albert Town
Request referred to in report as	Rezone 146 Albert Town-Lake Hāwea Road from Rural Residential to Albert Town LDSR
ODP Zone and mapping annotation	Rural Residential
Stage 1 or 2 PDP Zone and mapping annotation	Rural Residential
Legal Description	Lot 1 DP 300252
Total area of property	2124m ²
QLDC Property ID	15104

37 Strategic Direction Objective 3.2.2 and Policy 3.2.2.1.

QLDC Hazard Register	Liquefaction Risk – Possibly Moderate Risk Fault Line – Nevis Cardrona Fault System – concealed active fault
Supporting information provided by applicant	Planning assessment
Position of Council experts	NA



21.1 Relief 3050.1: The submitter seeks to apply the notified Albert Town LDSRZ zoning over their site on Albert Town-Lake Hāwea Road, which is zoned Rural Residential by the PDP Stage 1. The submission is on Stage 1 land but as it seeks a zone type that is notified in Stage 3 on nearby land, I have considered the submission as ‘on’ Stage 3.

- 21.2** The s42A report for Upper Clutha mapping annotations and rezoning requests (Stage 1) recommended retaining within the Upper Clutha area the existing ODP Rural Lifestyle and Rural Residential Zones, recognising the established development rights and development patterns within these zones³⁸.
- 21.3** The submission site is within a PDP Rural Residential Zone that provides rural residential living opportunities on the periphery of urban Albert Town. The area south of Albert Town-Lake Hāwea Road has been retained as PDP Rural Residential and Rural Lifestyle to maintain a buffer edge between urban Albert Town and the natural landscape values of the surrounding Rural Zone³⁹.
- 21.4** While I acknowledge that the opposite side of Albert Town-Lake Hayes Road is rezoned LDSR, the site is separated by a busy road with generous road reserve setbacks, and as such would not read as an extension of the Albert Town LDSR Zone. I consider that a single 2,124m² site zoned LDSR, surrounded by Rural Residential, would generally be out of character with the surrounding area. The LDSR in the district is located within the UGB. The request would essentially require the UGB line to be moved in a manner that would illogically exclude similar land to either side of the submission site, and to 'circle' the site, given that roads are also excluded.
- 21.5** The rezoning sought would result in a 'spot zone' that I consider would be contrary to the relevant objectives and policies of the Strategic Direction chapters of the PDP⁴⁰. Spot zonings and zonings that fit around site specific areas are discouraged other than in specific circumstances.
- 21.6** Overall, I recommend that relief 3050.1 should be rejected.

38 Ibid at page 30.

39 Ibid at page 48.

40 Objective 3.2.2, Policy 3.2.2.1: *Urban development occurs in a logical manner*

22. GROUP 4: HĀWEA

22.1 The following submissions relate to the Hāwea LDSR Zone:

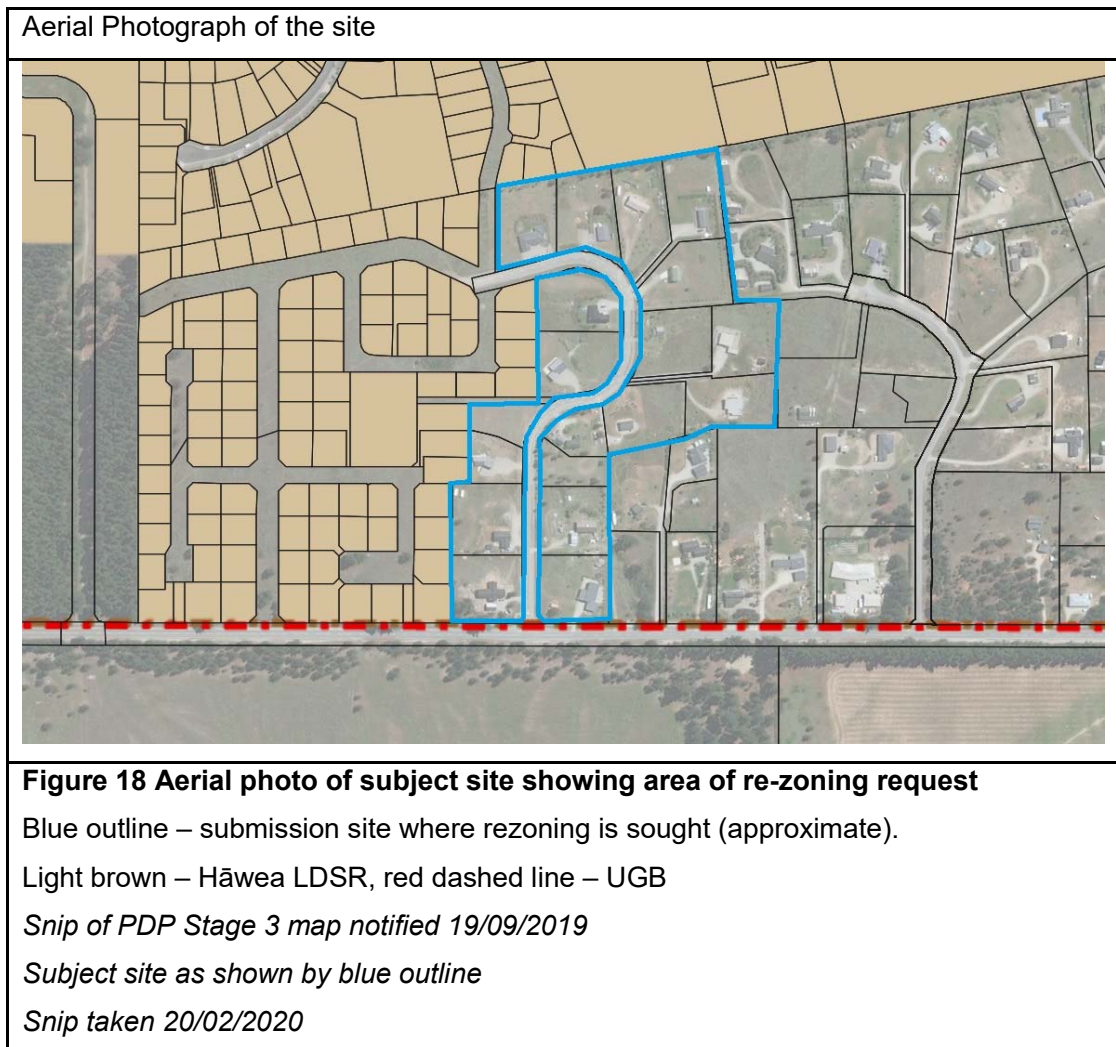
- (a) Daniel Martin (3259);
- (b) Quartz Commercial Group Limited – 3328
- (c) Streat Developments Limited (3221 & 3222);
- (d) Aaron and Sally Ford (3261);
- (e) Universal Developments Limited (3248).
- (f) Lakehouse Holdings Limited (3209);
- (g) Allan Robert Murray (3271);
- (h) Amanda Murray (3272);
- (i) Hāwea Community Association (3287);
- (j) Tim Porter (3301); and
- (k) Marovid Trust (3296, 3233, 3233)

23. DANIEL MARTIN – 3259

Overall Recommendation	
Recommendation	Relief 3259.1: Reject Relief 3259.2: Reject

Submission and property information	
Submission number and name	Daniel Martin – 3259.1, 3259.2
Notified Stage 3 zoning	NA
Stage 3 zone requested	LDSR or other higher density
Area of re-zone request	Grandview Road, Hāwea
Request referred to in report as	Relief 3259.1 and 3259.2: That Grandview Road, Hāwea, be re-zoned to a higher density zone with minimum lot size 1000m ² .
ODP Zone and mapping annotation	Rural Residential
Stage 1 or 2 PDP Zone and mapping annotation	Large Lot Residential A, within UGB
Legal Description	Not specified
Total area of property	Not specified
QLDC Property ID	Not specified

QLDC Hazard Register	NA
Supporting information provided by applicant	None
Position of Council experts	Infrastructure – opposed



23.1 Relief 3259.1 and 3259.2: The submitter has not provided a map to show which parts of Grandview Road is sought to be rezoned to a higher density. The submitter’s property is 109 Grandview Road and zoned Large Lot Residential A (**LLRA**) under the PDP Stage 1. I have therefore roughly interpreted the submission land as an area shown on **Figure 18** above that encompasses other similar properties along each side of Grandview Road.

23.2 The area on **Figure 18** shows 19 properties in total, of which 15 are approximately 4,000m² in area, which was the minimum lot size at the

time of the original subdivision under the ODP Rural Residential zoning.

23.3 Two of those original properties have recently subdivided to approximately 2,000m² each under the LLRA provisions, creating four smaller Lots⁴¹. At the time of preparing this report, there were no other subdivision applications being processed for the other properties.

23.4 The PDP enabled yield for this area is approximately 15 additional lots or residential units, based on the minimum lot size of 2,000m². The submitter seeks a minimum lot size of 1,000m² via a rezoning to an unspecified residential zone. This would yield 45 extra units beyond the PDP enabled capacity. The minimum lot size of 1,000m² as sought by the submitter is not currently provided for by any residential zones in the PDP, so would require bespoke provisions in the Subdivision and (possibly) LDSR Chapters.

23.5 Given the reduction in minimum lot size and urban containment of the area through the PDP to date, these properties have already been substantially upzoned. I note that the adjoining subdivision (Sentinel Park) was also rezoned from ODP Rural Residential to LLRA (PDP Stage 1) and is now notified as LDSR under Stage 3. Unlike Grandview Road, however, the rezoning of Sentinel Park to LDSR reflects the smaller lot sizes that already exist within that subdivision.

23.6 The hearing panel's report for Hāwea rezoning requests during Stage 1 considered that:

The land generally east of Grandview Road has been developed previously to a density of approximately 4,000m² lots and while limited additional intensification, down to 2,000m² lots via the Large Lot Residential Area A zone, can be appropriately accommodated, density beyond this would not be appropriate⁴².

41 RM190429 at 70 Grandview Road, RM190783 at 115 Grandview Road.

42 Report 16.2 Report and Recommendations of Independent Commissioners Regarding Upper Clutha Planning Maps Urban Wanaka and Lake Hāwea, para 390, page 69.

23.7 The hearing panel also referred to Mr Barr's evidence⁴³ at the time, which considered that at a density of 2000m², the amenity and character values of the existing environment would be adequately maintained, infrastructure and servicing issues could be overcome, and no landscape effects of concern would arise⁴⁴.

23.8 I support and rely on the Stage 1 Panel's findings in support of the PDP LLRA Zone, and consider that the rezoning sought is not appropriate. Hāwea has a range of neighbourhoods and residential zonings that create housing diversity and respond to topography within the UGB. I consider LLRA in the Grandview Road location will support the most appropriate framework to manage growth in Hāwea.

Infrastructure

23.9 From an infrastructure perspective, Mr Powell is opposed to the rezoning sought, until such time that sufficient information has been provided by the submitter, demonstrating the existing reticulation has sufficient capacity for the additional lots.

23.10 I rely on Mr Powell's evidence. In the absence of servicing confirmation, I am unclear on whether the rezoning request can be integrated with existing, and planned future, infrastructure. I therefore consider the request is contrary to the strategic direction of the PDP⁴⁵.

23.11 Overall, I recommend that relief 3259.1 and 3259.2 should be rejected.

⁴³ Hearing Stream 12 Reply of Craig Barr on behalf of Queenstown Lakes District Council, Upper Clutha, 10 July 2017, para 14.13, page 55.

⁴⁴ Report 16.2 Report and Recommendations of Independent Commissioners Regarding Upper Clutha Planning Maps Urban Wanaka and Lake Hāwea, para 404, page 70.

⁴⁵ Strategic Direction Objective 3.2.2 and Policy 3.2.2.1.

24. QUARTZ COMMERCIAL GROUP LIMITED – 3328

Overall Recommendation	
Recommendation	Relief 3328.1: Accept Relief 3328.15: Accept

Submission and property information	
Submission number and name	Quartz Commercial Group Limited – 3328.1, 3328.15
Stage 3 notified zone	LDSR with VASZ (over part)
Stage 3 zone requested	LDSR, VASZ
Area of re-zone request	Capell Ave, Lake Hāwea
Request referred to in report as	Relief 3328.1: That a VASZ be extended to apply to all of the submitter's Capell Avenue, Lake Hāwea property (Lot 1 DP 27336); Relief 3328.15: That the zoning of the submitter's property at Lot 1 DP 27336 Capell Avenue, Wanaka as LDSR is retained.
ODP Zone and mapping annotation	Township
Stage 1 or 2 PDP Zone and mapping annotation	NA
Legal Description	Lot 1 DP 27336
Total area of property	8,404m ²
QLDC Property ID	16400
QLDC Hazard Register	NA
Supporting information provided by applicant	None
Position of Council experts	NA

Map of the site

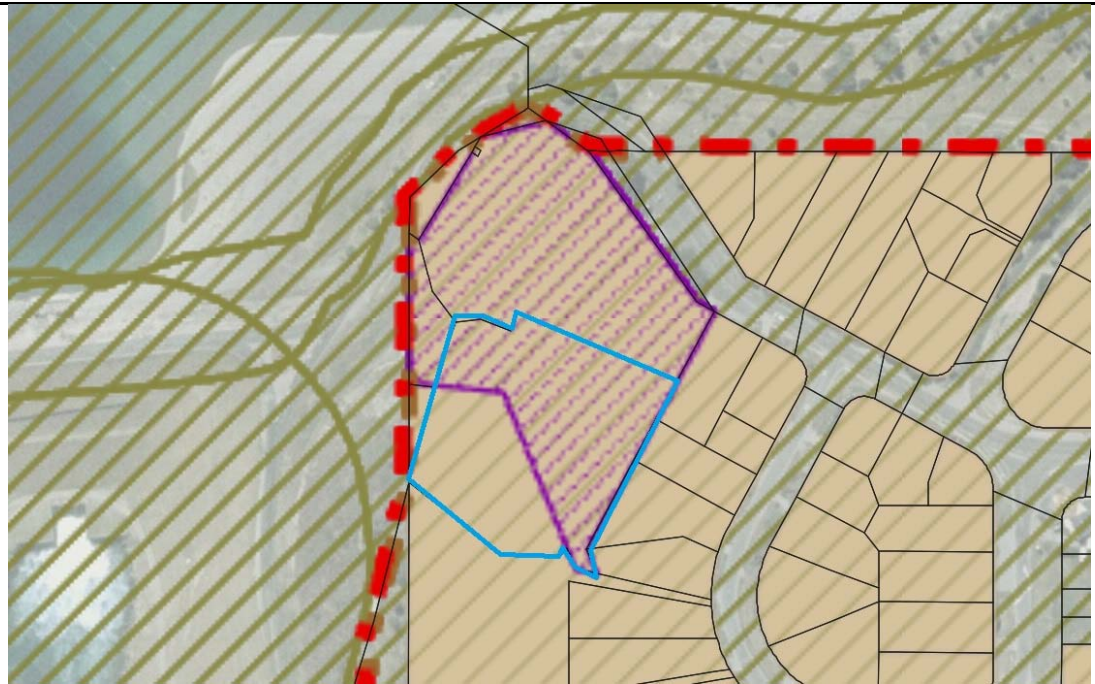


Figure 19 Map subject site showing area of re-zoning request

Snip of PDP Stage 3 map notified 19/09/2019

Subject site as shown by blue outline

Light brown – LDSR; red dashed line – UGB; green diagonal lines – Wāhi Tūpuna; Purple outline and dashed lines - VASZ

Note small triangle to the west is owned by Contact Energy

Snip taken 20/02/2020

- 24.1** Relief 3328.1: The submitter supports the notified zoning of LDSR over their land and I recommend that relief 3328.1 should be accepted.
- 24.2** Relief 3328.15: The submitter requests that the VASZ be extended to apply to the entirety of the property. The submission states that the site is used for visitor accommodation activities established by resource consent, but does not specify the current use and any associated approvals.
- 24.3** The adjoining site to the north is occupied by the Lake Hāwea Hotel and is in different ownership. The submitter's site is currently used as a campervan park. The site was previously associated with the hotel and held in the same ownership, and has also been used for car parking associated with New Year's Eve events at the hotel.

24.4 The VASZ has the same shape in the ODP Township maps with the same lot boundaries i.e. it extends over the hotel site and part of the submission site. It is likely that the VASZ originated from an earlier specified departure in the previous district scheme to recognise the visitor accommodation activities and legal boundaries at the time. This has been carried into the ODP and now the PDP. The legal boundaries have since changed but the overlay has not.

24.5 The partial VASZ over the site would both enable visitor accommodation activities and result in 'technical' breaches where activities and buildings extended outside the overlay boundary. Visitor accommodation within the VASZ would be a restricted discretionary activity (Rule 7.4.7) but non-complying outside the VASZ (Rule 7.4.15). I consider that it would be logical and appropriate to update the VASZ to encompass the entire site, to avoid future non-compliances and overly onerous resource consenting under the LDSR zoning. The VASZ would provide for visitor accommodation in a location where it has been historically provided to meet the District's needs.⁴⁶

24.6 I consider that the overlay extension would be consistent with the PDP strategic direction, which seeks to make provision for the visitor industry within the District's urban areas and settlements at locations where this is consistent with objectives and policies for the relevant zone⁴⁷.

24.7 Given all of the above, I recommend that relief 3328.15 be accepted and the VASZ applied to all of the submission land.

25. STREAT DEVELOPMENTS LIMITED – 3221 & 3222; AARON AND SALLY FORD - 3261

Overall Recommendation	
Recommendation	Relief 3221.1, 3222.1 and 3261.1: Reject Relief 3221.2, 3222.2 and 3261.2: Reject Relief 3221.3, 3222.3 and 3261.3: Reject

⁴⁶ Lower Density Suburban Residential Objective 7.2.8, Policy 7.2.8.1.
⁴⁷ Strategic Direction Policy 3.3.1

Submission and property information	
Submission number and name	Streat Developments Limited – 3221.1, 3221.2, 3221.3 Streat Developments Limited – 3222.1, 3222.2, 3222.3 Aaron and Sally Ford – 3261.1, 3261.2, 3261.3
Stage 3 notified zone	NA
Stage 3 zone requested	Settlement or other residential zoning, open space
Area of re-zone request	'Domain Acres', Domain & Cemetery Roads, Hāwea
Request referred to in report as	Relief 3221.1, 3222.1 and 3261.1: Move the Hāwea UGB to include Domain Acres; Relief 3221.2, 3222.2 and 3261.2: Rezone Domain Acres from Rural Residential to Settlement or other low density residential zoning; Relief 3221.3, 3222.3 and 3261.3: Rezone part of the site to open space.
ODP Zone and mapping annotation	Rural Residential
Stage 1 or 2 PDP Zone and mapping annotation	Rural Residential (under appeal ENV-2018-CHC-086)
Legal Description	Lot 1 DP 304937
Total area of property	16.8ha
QLDC Property ID	16538
QLDC Hazard Register	Small corner of site – flooding due to dambust (Hāwea Control Structure)
Supporting information provided by applicant	Planning evidence and plans
Position of Council experts	Infrastructure – opposed

Aerial Photograph of the site



Figure 20 Aerial photo of subject site showing area of re-zoning request

Snip of PDP Stage 3 map notified 19/09/2019

Same site for submissions 3221, 3222, 3261 shown by blue outline

Light brown – LDSR; red dashed line – UGB

Snip taken 20/02/2020

Area of requested re-zoning (from submission)



Figure 21 Zoning sought by Streat Developments & Aaron and Sally Ford ('Domain Acres')

Yellow area – Hāwea within notified UGB (blue dashed line)
Brown area – Special Housing Area (Universal Developments – submission 3248),
Domain Acres and land in between within proposed UGB (red dashed line)
Snip from submission
Snip taken 20/02/2020

- 25.1** For completeness I note that submission 3261 (Sally and Aaron Ford) is identical to the submissions from Streat Developments Limited, both of which are also identical (3221 and 3222).
- 25.2** Relief 3221.1, 3222.1 and 3261.1: The submitters request that the Hāwea UGB be moved to include the land described as 'Domain Acres' (Domain Acres is outlined in blue on **Figure 21**).
- 25.3** Relief 3221.2, 3222.2 and 3261.2: The submitters seek to rezone most of Domain Acres from Rural Residential to Settlement or other low density residential zoning. Relief 3221.3, 3222.3 and 3261.3: The submitters request that part of Domain Acres be rezoned as open space.
- 25.4** The submission notes that based on the minimum lot size of 800m² sought, the site could accommodate 119 residential lots, compared with 36 Rural Residential lots enabled by the PDP.
- 25.5** By way of background, rezoning land south of Cemetery Road was sought during Stage 1 of the PDP, with the hearing panel at the time finding that Hāwea's southern extent should be coordinated with the inclusion of an Urban Growth Boundary generally aligned with Cemetery Road⁴⁸.
- 25.6** The hearing panel noted:
- Beyond Mill Road to the east, and Cemetery Road to the south, the landform is of an unmistakably rural production character and shows virtually no evidence of urban-scaled buildings or subdivision for some distance.*

48 Report 16.2 Report and Recommendations of Independent Commissioners Regarding Upper Clutha Planning Maps Urban Wanaka and Lake Hāwea, para 390, page 69.

The contrast between the northern and southern sides of Cemetery Road makes the road act as an informal edge to the Hāwea settlement at this time, in our view⁴⁹.

- 25.7** The hearing panel considered that a ‘hard’ boundary along Cemetery Road was appropriate. The hearing panel also noted that the Hāwea 2020 plan excluded land south of Cemetery Road at the ‘gateway’⁵⁰ and recommended that Domain Acres remain Rural Residential as notified.
- 25.8** The hearing panel recommend that a UGB be shown on the planning maps to reinforce and support the zone pattern that was determined to be most appropriate for Hāwea, as well as sending a clear message to the community that Hāwea was a contained and purposefully planned community⁵¹.
- 25.9** The UGB excludes land south of Cemetery Road. The submissions state that the Hāwea Community Association agreed to an UGB extension in July 2015 that includes the submission land, known as Domain Acres. Since that time, however, the Association’s submission (3287, discussed below) seeks that the UGB as introduced in Stage 1 of the PDP be retained in its current location. I note that the UGB location in Stage 1 and 3 is the same, as depicted in **Figure 22** and **Figure 23** below.

49 Ibid at paras 399-400, page 70.

50 Ibid at para 441, page 76.

51 Ibid at paras 447-449, page 77.

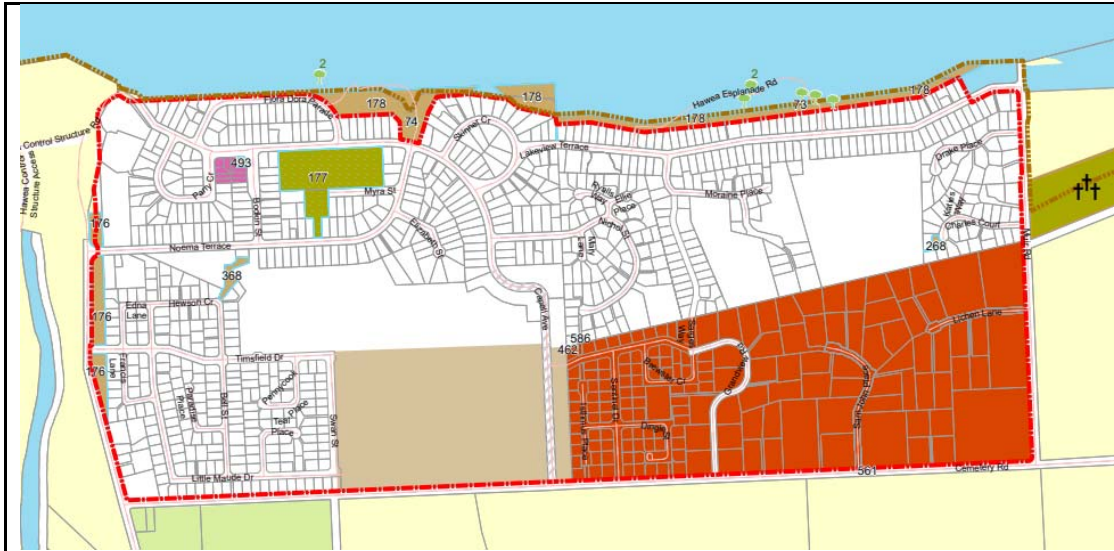


Figure 22 Stages 1 and 2 PDP decisions map 17

Red dashed line – Urban Growth Boundary

Snip of PDP Stage 1 and 2 Decisions Map notified 21/03/2019

Snip taken 20/02/2020



Figure 23 Stages 3 PDP notified map

Red dashed line – Urban Growth Boundary

Snip of PDP Stage 3 map notified 19/09/2019

Snip taken 20/02/2020

25.10 Since Stage 1 decisions were notified, a Special Housing Area application is underway on land south of Cemetery Road (discussed below for Universal Developments Limited, submission 3248).

25.11 The S32 noted that Streat Developments Limited has an appeal seeking that their land on the southern side of Cemetery Road be zoned to an urban zone, and the S32 noted that during mediation, the Council did not accept the relief to amend the UGB or rezoning and the parties agreed to place proceedings on hold until after the notification of Stage 3 of the Plan review.

25.12 The S32 concludes that there is sufficient plan-enabled development capacity to meet forecast demand with the District's urban and rural areas⁵², including the Hāwea urban area.

Infrastructure

25.13 Mr Powell notes that the site is located within the existing Water Supply, Wastewater and Storm water scheme boundary, and opposes the rezoning request from an infrastructure perspective, until such times as sufficient information is provided to ensure that the site can be serviced.

25.14 I rely on Mr Powell's evidence. In the absence of detailed servicing information, I am unclear on whether the rezoning request can be integrated with existing, and planned future, infrastructure. In this respect I therefore consider the request is contrary to the strategic direction of the PDP⁵³.

Landscape

25.15 A landscape analysis provided by Ms Gilbert⁵⁴ for the S32 considered that the southern edge of the Hāwea UGB along Cemetery Road is problematic, as it relies on a 'land use' type boundary i.e. a collector road, and the patterning and character of the rural residential development approved on the south (i.e. Streat Developments Limited subdivision) is likely to read as an extension of the Hāwea settlement. Ms Gilbert considered the existing UGB could be strengthened with a

52 S32 para 9.19, page 41.

53 Strategic Direction Objective 3.2.2 and Policy 3.2.2.1.

54 Hāwea Urban Growth Boundary Landscape Report, August 2019, para 4.9, page 17.

strong green corridor along Cemetery Road. Alternatively, Ms Gilbert identified several potential new UGB boundaries.

- 25.16** The S32 recommended that the UGB around Hāwea be retained in its current location as the most appropriate option to manage growth, encourage a compact urban form, to provide a high degree of certainty regarding where and when growth may occur, and to ensure that any expansion into rural areas is undertaken in a planned manner, rather than occurring through ad-hoc development or through urban sprawl⁵⁵.
- 25.17** A UGB around the submission site (including the SHA, as shown on Figure 21 above) would not meet any of Ms Gilbert's suggested new UGB boundaries in the S32, as it would follow legal boundaries and not respond to landscape features.
- 25.18** The S32 further notes that there is capacity remaining within the Hāwea UGB for redevelopment of large sites at a higher density (LDSR compared with ODP Township, and LLRA instead of ODP Rural Residential) and for efficient development of greenfield sites.
- 25.19** The S32 specifically considered the request from Streat Developments Limited (in Environment Court appeal form) as part of the analysis.
- 25.20** I support and concur with the S32, and consider that the existing capacity within the Hāwea UGB should be developed first before a UGB expansion south of Cemetery Road might be appropriate, in order to best achieve the strategic direction of the PDP at this time⁵⁶.
- 25.21** I also consider that a UGB extension and rezoning on this scale, and with strong community interest, should be subject to more detailed and rigorous process.
- 25.22** The submissions include a planning assessment, Record of Title, table of relief sought, copy of an approved Rural Residential subdivision plan of the site (RM181236), concept plan (that includes the Special Housing Area although rezoning of that site is not sought by these

55 S32 para 9.25, page 45.

56 Strategic Direction Objective 3.2.2, Policies 3.2.2.1, 3.3.13.

submitters), a structure plan, and an indicative master plan that would enable 119 residential lots at a minimum of 800m² each.

25.23 The submissions do not include a S32 analysis and expert reporting on transport, infrastructure, landscape, and urban design, for example. I consider that all these matters should be addressed. I therefore find that I cannot fully assess the submissions with this shortage of information.

25.24 Overall, I consider that retaining the Hāwea UGB in its current location, and the notified PDP zonings on land south of Cemetery Road, is the most appropriate option at this time. I therefore recommend that relief 3221.1, 3222.1, 3261.1, 3221.2, 3222.2, 3261.2, 3221.3, 3222.3 and 3261.3 be rejected.

26. UNIVERSAL DEVELOPMENTS LIMITED - 3248

Overall Recommendation	
Recommendation	Relief 3248.1: Reject Relief 3248.2: Reject Relief 3248.3: Reject Relief 3248.4: Reject Relief 3248.5: Reject

Submission and property information	
Submission number and name	Universal Developments Limited – 3248.1, 3248.2, 3248.3, 3248.4 3248.5
Stage 3 notified zone	NA
Stage 3 zone requested	Settlement
Area of re-zone request	Cemetery Road, Hāwea
Request referred to in report as	Relief 3248.1 and 3248.2: Rezone land south of Cemetery Road from to Settlement or other urban zoning; Relief 3248.4: Amend the chapters to provide for the land rezoning sought. Relief 3248.3 and 3248.5: Move the Hāwea UGB to include the submission land.

ODP Zone and mapping annotation	Rural General
Stage 1 or 2 PDP Zone and mapping annotation	Rural (under appeal ENV-2018-CHC-065)
Legal Description	Lots 1 and 2 DP 8474, Lots 1 and 2 DP 477596, Lot 1 DP 304937, Lots 1-3 DP 343855
Total area of property	170ha
QLDC Property ID	16538, 25595, 25596, 25594, 34600, 3739, 3738
QLDC Hazard Register	Small parts of site – flooding due to dambust (Hāwea Control Structure and Gate failure Gladstone Gap Concealed Fault Line – Nevis-Cardrona Fault System
Supporting information provided by applicant	None
Position of Council experts	Infrastructure – no concerns

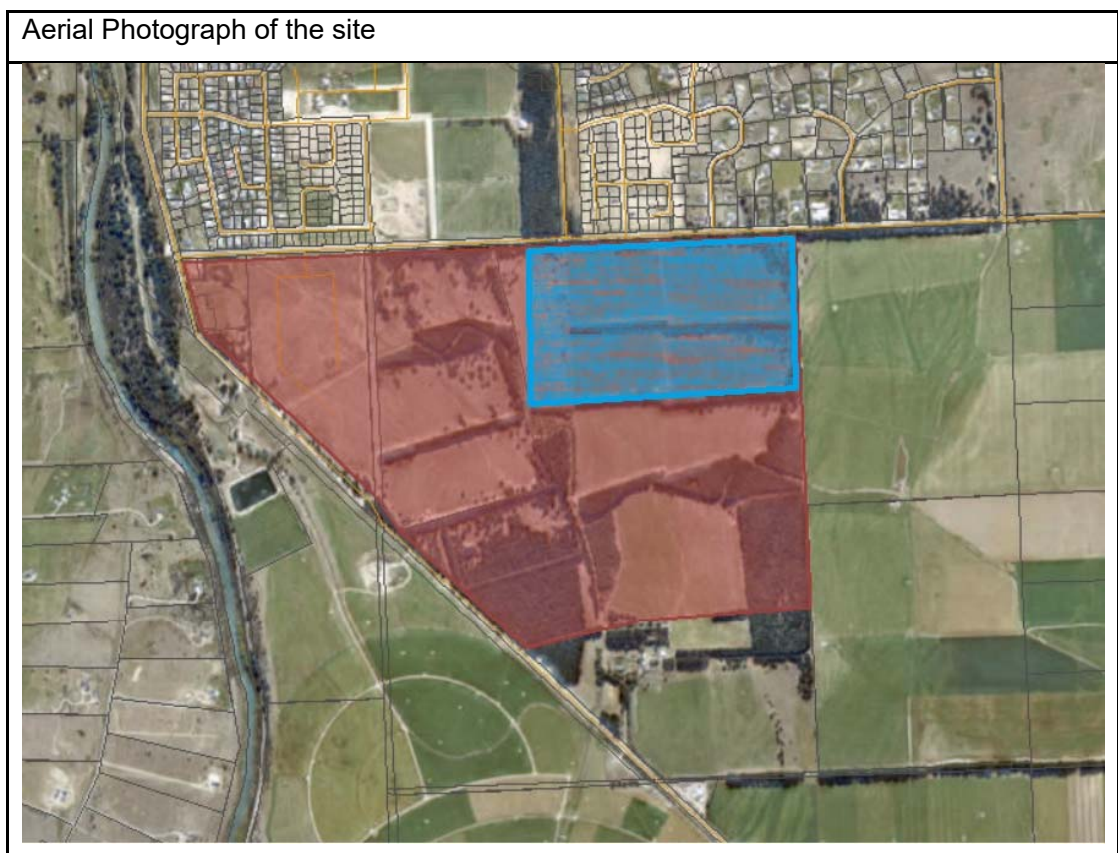




Figure 24 Aerial photo of subject site showing area of re-zoning request (Options 1 and 2)

Red colour – submission site where urban zoning is sought, with blue showing location of SHA

Snip from submission

Snip taken 02/03/2020

- 26.1** The submitter has a suite of resource consent applications currently being processed for a Special Housing Area (**SHA**) on land south of Cemetery Road (SH190005 – SH190503; refer **Figure 24** for location). At the time of preparing this report, a hearing had been held on 24-25 February 2020.
- 26.2** The land identified by the submission in **Figure 24** includes the SHA, Domain Acres (subject to submissions from Streat Developments Limited, 3221 and 3222, and Aaron and Sally Ford, 3261, discussed above) and land in between and further south. The land is zoned Rural and Rural Residential under the PDP (Stage 1).
- 26.3** For completeness, I note that at the time of PDP Stage 1 reporting, only Domain Acres, subject to the submissions from Streat Developments Ltd (3221.1 and 3222.2) and Aaron and Sally Ford (3261), discussed above, was under consideration for land south of

Cemetery Road, as the Special Housing Area had not been gazetted at that time⁵⁷.

- 26.4** I acknowledge that the submitter may be covering all their options with the rezoning request, in the event that the SHA consent is not approved. If successful, a SHA consent has a limited implementation timeframe. While the SHA consenting process is still underway, a rezoning to an urban zone may result in less urgency to develop the land than under the SHA process and lead to possible, and inappropriate, land banking, rather than implementation of the SHA consent (if the resource consents are approved) within the specified timeframes. Regardless of whether land banking is an actual concern for this SHA, I consider rezoning now would be inappropriately pre-emptive.
- 26.5** In regard to moving the UGB to incorporate the submitter's land and adjoining land, I support and concur with the S32, which found that there is sufficient development capacity within the Hāwea UGB, and that the current UGB is the most appropriate option to manage growth and encourage a compact urban form for Hāwea. I note that the S32 specifically considered the request from this submitter (in Environment Court appeal form) as part of the analysis.
- 26.6** The smaller area of rezoning sought, Option 1 as shown on **Figure 24**, is approximately 140ha. The larger area of rezoning sought, Option 2 is approximately 170ha. Option 2 is a similar size to the Hāwea UGB at approximately 221ha. This area of rezoning would effectively create another Hāwea sized town.
- 26.7** Based on the mixed urban zoning sought with an average lot size of 600m², I estimate that Option 2 could yield 1,800 residential lots, beyond the PDP enabled development capacity.
- 26.8** Similar to my assessment of the Domain Acres submissions, I consider that a UGB extension and rezoning on this scale, and with strong

⁵⁷ Housing Accords and Special Housing Areas (Queenstown-Lakes) Order 2017, Schedule 3 Lake Hāwea special housing area, Schedule 3: inserted, on 28 June 2019, by clause 5 of the Housing Accords and Special Housing Areas (Queenstown-Lakes) Amendment Order 2019

community interest, should be subject to more detailed and rigorous process.

Infrastructure

- 26.9** Mr Powell notes that the site is located within the existing Water Supply, Wastewater and Storm water scheme boundary, but opposes the rezoning request from an infrastructure perspective, until such times as sufficient information is provided to ensure that the site can be serviced.
- 26.10** I rely on Mr Powell's evidence. In the absence of detailed servicing information, I am unclear on whether the rezoning request can be integrated with existing, and planned future, infrastructure. In this respect I therefore consider the request is contrary to the strategic direction of the PDP⁵⁸.
- 26.11** The submission does not include any supporting evidence, such as a S32 analysis or reporting on transport, landscape, or urban design. I therefore cannot fully assess the proposed rezoning comprehensively with this shortfall of information.
- 26.12** I support and concur with the S32, and consider that the existing capacity within the Hāwea UGB should be developed first before a UGB expansion south of Cemetery Road may be considered appropriate, in order to best achieve the strategic direction of the PDP for managing urban growth in an integrated and logical manner, at this time⁵⁹.
- 26.13** Overall, I consider that retaining the Hāwea UGB in its current location, and the notified PDP zonings on land south of Cemetery Road, is the most appropriate option, at this time.
- 26.14** I consider that the area subject to the SHA should not be rezoned prior to works commencing; however, once development is underway (if the resource consents are approved), a rezoning (perhaps via variation)

58 Strategic Direction Objective 3.2.2 and Policy 3.2.2.1.
59 Strategic Direction Objective 3.2.2, Policy 3.2.2.1.

during a later stage of the District Plan Review may be considered appropriate. This would be similar to the Bridesdale or Bullendale SHAs, for example, where rezoning followed development. I appreciate however that is a decision for Council to make in the future.

26.15 For all the reasons given above, I recommend the rezoning request and all associated relief should be rejected.

27. LAKEHOUSE HOLDINGS LIMITED – 3209

Overall Recommendation	
Recommendation	Relief 3209.1: Accept

Submission and property information	
Submission number and name	Lakehouse Holdings Limited – 3209.1
Stage 3 zone notified	LDSR, VASZ
Stage 3 zone requested	LDSR, VASZ
Area of re-zone request	56-60 Capell Avenue, Hāwea (Lake Hāwea Motel)
Request referred to in report as	Relief 3209.1: That the zoning of Lower Density Suburban Residential and VASZ overlay at the site is retained as notified.
ODP Zone and mapping annotation	Township; VASZ
Stage 1 or 2 PDP Zone and mapping annotation	UGB
Legal Description	Lots 1 & 2 DP 475636
Total area of property	3035m ²
QLDC Property ID	33650, 33660
QLDC Hazard Register	NA
Supporting information provided by applicant	Planning assessment
Position of Council experts	NA

Aerial Photograph of the site



Figure 25 Aerial photo of subject site showing area of re-zoning request

Snip of PDP Stage 3 map notified 19/09/2019

Subject site as shown by purple

Light brown – LDSR; red dashed line – UGB

Snip taken 20/02/2020

- 27.1** Relief 3209.1: The submitter supports the notified zoning of 56-60 Capell Avenue, Hāwea, from ODP Township to Lower Density Suburban Residential with a VASZ overlay. The site contains the former Lake Hāwea Motel, although I am unclear on whether it is currently being used for visitor accommodation purposes. I recommend that relief 3209.1 should be accepted.

28. SUBMISSIONS IN SUPPORT – HĀWEA

Overall Recommendation	
Recommendation	Relief 3271.1: Accept Relief 3272.1: Accept Relief 3287.7, 3287.11: Accept Relief 3301.1: Accept Relief 3296.3: Accept Relief 3233.1, 3233.2: Accept

Property and submission information	
Submission number and name	Allan Robert Murray – 3271.1 Amanda Murray – 3272.1 Hāwea Community Association – 3287.7, 3287.11 Tim Porter – 3301.1 Marovid Trust – 3296.3, 3233.1, 3233.2
Stage 3 zone notified	LDSR
Stage 3 zone requested	LDSR
Area of re-zone request	Hāwea
Request referred to in report as	That the proposed Lower Density Suburban Residential Zone within the existing Urban Growth Boundary at Hāwea be retained as notified
ODP Zone and mapping annotation	Township; UGB
Stage 1 or 2 PDP Zone and mapping annotation	UGB
Legal Description	Multiple
Total area of property	Not given
QLDC Property ID	Multiple
QLDC Hazard Register	NA
Supporting information provided by applicant	None
Position of Council experts	NA

28.1 Relief 3287.7 and 3301.1: The submitters seek that the notified rezoning of Hāwea from ODP Township to Lower Density Suburban Residential is retained, and I recommend this relief be accepted.

28.2 Relief 3271.1, 3272.1, 3296.3, 3233.1: The submitters support the notified rezoning of Hāwea from ODP Township to Lower Density Suburban Residential, within the notified **UGB**, and I recommend that the submissions should be accepted.

28.3 Relief 3233.2: The Marovid Trust (3233) requests that the notified location of **UGB** around Hāwea be retained as notified, and I therefore recommend that this relief be accepted.

28.4 Relief: 3287.11: The Hāwea Community Association seeks that the UGB as introduced in Stage 1 of the PDP be retained in its current location. This is relevant to other submission points seeking to amend the location of the UGB. For completeness, I note that the location of the UGB around Hāwea has not changed from Stage 1 to Stage 3 of the PDP (refer to **Figure 22** and **Figure 23**) and I have not recommended that it be amended in response to other submissions. I therefore recommend that relief 3287.11 be accepted.

29. GROUP 5: LUGGATE

29.1 The following submission relates to the Luggate Settlement Zone:

(a) H W Richardson Group (3285).

30. H W RICHARDSON GROUP - 3285

Overall Recommendation	
Recommendation	Relief 3285.1: Reject Relief 3285.2: Accept Relief 3285.3: Reject

Submission and property information	
Submission number and name	H W Richardson Group – 3285.1, 3285.2, 3285.3
Stage 3 notified zone	Settlement
Stage 3 zone requested	BMUZ, or Settlement with Commercial Precinct
Area of re-zone request	144-126 Main Road, Luggate and 132 Main Road, Luggate
Request referred to in report as	Relief 3285.1: That a portion of the land at 114-126 Main Road Luggate be zoned Business Mixed Use with a 12m height limit; Relief 3285.2: That in the event Upper Clutha Transport is relocated to Church Road, that a

	<p>portion of 114-126 Main Road Luggate and 132 Main Road Luggate retain the Settlement Zone as notified with the addition of a commercial precinct overlay;</p> <p>Relief 3285.3: That any further amendments or consequential changes be made to meet submission 3285, or if not implemented that Stage 3 be withdrawn.</p>
ODP Zone and mapping annotation	Township
Stage 1 or 2 PDP Zone and mapping annotation	NA
Legal Description	Part Section 1248R Block VI Tarras SD, Part Section 1 Block VI Tarras SD, Lot 1 DP 24093
Total area of property	5.8ha
QLDC Property ID	3500, 11632
QLDC Hazard Register	Alluvial Fan – Luggate Creek, Regional Scale Liquefaction Risk - Susceptible
Supporting information provided by applicant	Planning assessment
Position of Council experts	NA

Aerial Photograph of the site



Figure 26 Aerial photo of subject site showing area of re-zoning request

Red outline and shading – submission site where BMUZ or Commercial Precinct is sought.

Yellow – Settlement; diagonal red stripes – Commercial Precinct

Snip of submission

Snip taken 20/02/2020

- 30.1** Relief 3285.1: The submitter seeks BMUZ with a 12m height limit over land in Luggate that is occupied by the Upper Clutha Transport Ltd industrial/transport depot.
- 30.2** I consider that rezoning the site to BMUZ would not be appropriate or enabling. Luggate does not have an UGB, and the BMUZ is an intensive urban zone. The BMUZ provides for complementary commercial, business, retail and residential uses that supplement the activities and services provided by town centres (16.1 Zone Purpose). The BMUZ does not explicitly provide for industrial activities on a scale similar to the depot, and, as industrial activities are not listed they would be non-complying (Rule 16.4.8). I consider a BMUZ located within a Settlement Zone would be inconsistent with the PDP strategic direction⁶⁰.

60 Strategic Policy 3.3.13 Apply Urban Growth Boundaries (UGBs) around the urban areas in the Wakatipu Basin (including Jack's Point), Wanaka and Lake Hāwea Township.

- 30.3** Overall, I recommend relief 3285.1 be rejected.
- 30.4** Relief 3285.2: The submission specifies that the Commercial Precinct is sought if the depot relocates out of the Luggate Settlement Zone to a site on Church Road, next to the Rural Industrial Sub-Zone. The submitter has a separate submission (3256) seeking General Industrial zoning over land next to this zone. I support and rely on Mr Place's assessment of submission 3256 in that regard. In my assessment below I have considered the rezoning requests for the Luggate depot regardless of whether or not the depot moves.
- 30.5** The submission notes that the activities at the Luggate depot are authorised by resource consent RM150374, which gave retrospective approval to construct an office/workshop building that exceeds 60m² gross floor area of non-residential activity and for associated signage. RM150374 was assessed as a non-complying activity and was processed on a non-notified basis, with no written approvals required. The decision noted that the site zoning had previously changed from Industrial (Vincent County Scheme) to Township (ODP).
- 30.6** The Settlement Zone provisions do not provide for industrial activities, or commercial activities on the scale of the depot outside of a Commercial Precinct. The submission notes that while the existing activity can continue under RM150374, should any changes in the nature or scale of activity occur at the site, then, under the Settlement Zone provisions, a non-complying resource consent would be required. I agree with this, but I do note that RM150374 and the existing environment concept would assist with further resource consents.
- 30.7** Notwithstanding RM150374, I consider that there may be benefit in a Commercial Precinct that reflects existing lawfully established development and to avoid future non-compliances where commercial (or industrial) activities are not anticipated by the underlying zoning. In this instance, the site has long been used for commercial and industrial activities, as evidenced by the Protected Feature within the depot land (#544 - Old Flour Mill 114 & 126 Main Road SH 6 Luggate, Council

Category 2). Zoning to reflect and provide for ongoing use of the land for these purposes would be appropriate.

- 30.8** As I noted above, Chapter 20 does not provide for industrial activities, but commercial activities within a Commercial Precinct would be a controlled activity (Rule 20.4.5) and associated buildings restricted discretionary (Rule 20.4.6). Combined with the existing environment concept (created by RM150374), I consider the Commercial Precinct provisions would be suitably enabling for this land, within the limitations of the purpose of the Settlement Zone, which is to predominantly provide for low-intensity residential living.
- 30.9** The submission considers that a Commercial Precinct may better enable adaptive reuse of the Protected Feature within the depot land (#544 - Old Flour Mill 114 & 126 Main Road SH 6 Luggate, Council Category 2). I support this view.
- 30.10** I note that the overlay would be geographically separate from the notified precinct further south on the Main Road, although would be reasonably close with only a Council reserve and four houses in between. As such, Luggate would not have a single, contiguous commercial hub. In this regard, however, I observe that other Settlements have separate Commercial Precincts, such as Kingston.
- 30.11** Overall, I consider the request for a Commercial Precinct overlay will achieve the objectives and policies of the PDP strategic direction in regard to providing for local service and employment functions, while not undermining the role of the Queenstown and Wanaka town centres as the primary focus for the District's economic activity,⁶¹ and ensuring the scale and location is appropriate within Luggate⁶².
- 30.12** Given the above, I recommend that relief 3285.2 be accepted.
- 30.13** Relief 3285.3: The submitter seeks any further amendments to meet their rezoning sought or that Stage 3 is withdrawn. As I have recommended one of their rezoning requests be accepted, I consider

61 Strategic Direction Policies 3.2.1.5, 3.3.3, 3.3.6.
62 Settlements Objective 20.2.3, Policy 20.2.3.1.

no further amendments are required and recommend relief 3285.3 be rejected.

31. GROUP 6: KINGSTON

31.1 The following submissions relate to the Kingston Settlement Zone:

- (a) Kingston Holiday Park (3011);
- (b) Kingston Village Ltd (3306);
- (c) Kingston Lifestyle Properties Ltd (3297); and
- (d) D.M. & M.E. Bryce Limited (3315).

32. KINGSTON HOLIDAY PARK - 3011

Overall Recommendation	
Recommendation	Relief 3011.1: Accept

Submission and property information	
Submission number and name	Kingston Holiday Park Ltd – 3011.1
Stage 3 notified zone	Settlement
Stage 3 zone requested	Settlement, VASZ
Area of re-zone request	2, 4, 12 & 16 Kent Street, Kingston
Request referred to in report as	Relief 3011.1: That the Kingston Holiday Park at 2 & 16 Kent Street, and two adjoining lots (4 and 12 Kent St), have a VASZ applied to them, with any consequential changes.
ODP Zone and mapping annotation	Township, VASZ
Stage 1 or 2 PDP Zone and mapping annotation	NA
Legal Description	Lot 3 DP 7986, Sections 31, 32 & 38 Block I Kingston SD
Total area of property	13.94ha
QLDC Property ID	9071, 9072, 9074

QLDC Hazard Register	Alluvial Fans – Active (Cemetery Creek), Channels (Kingston Creek) Liquefaction Risk – Possibly Moderate Risk Flooding – rainfall
Supporting information provided by applicant	Planning evidence
Position of Council experts	NA

Aerial Photograph of the site



Figure 27 Aerial photo of subject site showing area of re-zoning request

Yellow outline – submission site where Kingston Holiday Park is located and VASZ sought.

Red outline – submission sites where VASZ is sought over holiday homes operated by the Kingston Holiday Park.

Snip of submission

Snip taken 20/02/2020

32.1 Relief 3011.1: The submitter seeks that a VASZ be applied over land rezoned Settlement that is occupied by the Kingston Holiday Park, including two holiday homes.

32.2 Generally, I consider that there may be some benefit to a VASZ that reflects an existing lawfully established visitor accommodation

development and to avoid future non-compliances within a zone where visitor accommodation is not otherwise anticipated.

- 32.3** I note that a few of the notified VASZs within the Settlement Zones are small and would therefore be considered 'spot zones', particularly if they relate to only one parcel. I understand that these VASZs have originated from earlier specified departures in the previous district scheme, which have been carried into the ODP and now the PDP.
- 32.4** The site is a lawfully established holiday park. As described in the submission, the earliest drainage plan on Council files is dated 1967. More recently, resource consent RM160897 was granted on 23 July 2018 to undertake upgrades to the holiday park, including new cabins and kitchen and to increase the number of visitors allowed on the site. It appears the visitor accommodation activity has since expanded over adjoining allotments on Kent Street and that the submitter is seeking to formalise this with a VASZ overlay over the entire site.
- 32.5** RM160897 incorporated the allotment at 12 Kent Street (the larger allotment outlined in red on Figure 27 above), noting that the existing house is used for visitor accommodation and worker accommodation. Visitor accommodation at 12 Kent Street is therefore considered lawfully established. The smaller allotment at 4 Kent Street is not mentioned in RM160897; however, the site is a Registered Holiday Home, meaning it can be used for visitor accommodation for up to 90 nights per year.
- 32.6** Overall, I consider the request will formalise the expanded visitor accommodation development and will assist in avoiding future non-compliances within the Settlement Zone, where visitor accommodation outside of a VASZ would be non-complying (Rule 20.4.15). As the site is already established for visitor accommodation, the rezoning request would not result in a loss of housing supply within Kingston. It is noted that a VASZ does not preclude the land for being used for residential activities.
- 32.7** The VASZ enables all types of visitor accommodation from low-intensity campgrounds to hotels. A VASZ therefore would enable other

types of visitor accommodation to establish on the site, beyond the existing holiday park. Any new visitor accommodation activity on the site would be restricted discretionary and non-notified (Rules 20.4.7 and 20.6.2), along with compliance with relevant standards, including building height (7m), coverage (80%), and setbacks (2m internal, 4.5m road). I consider that the provisions should ensure that visitor accommodation activities within the site would be compatible with the underlying zoning, with any breaches assessed through the resource consent process.

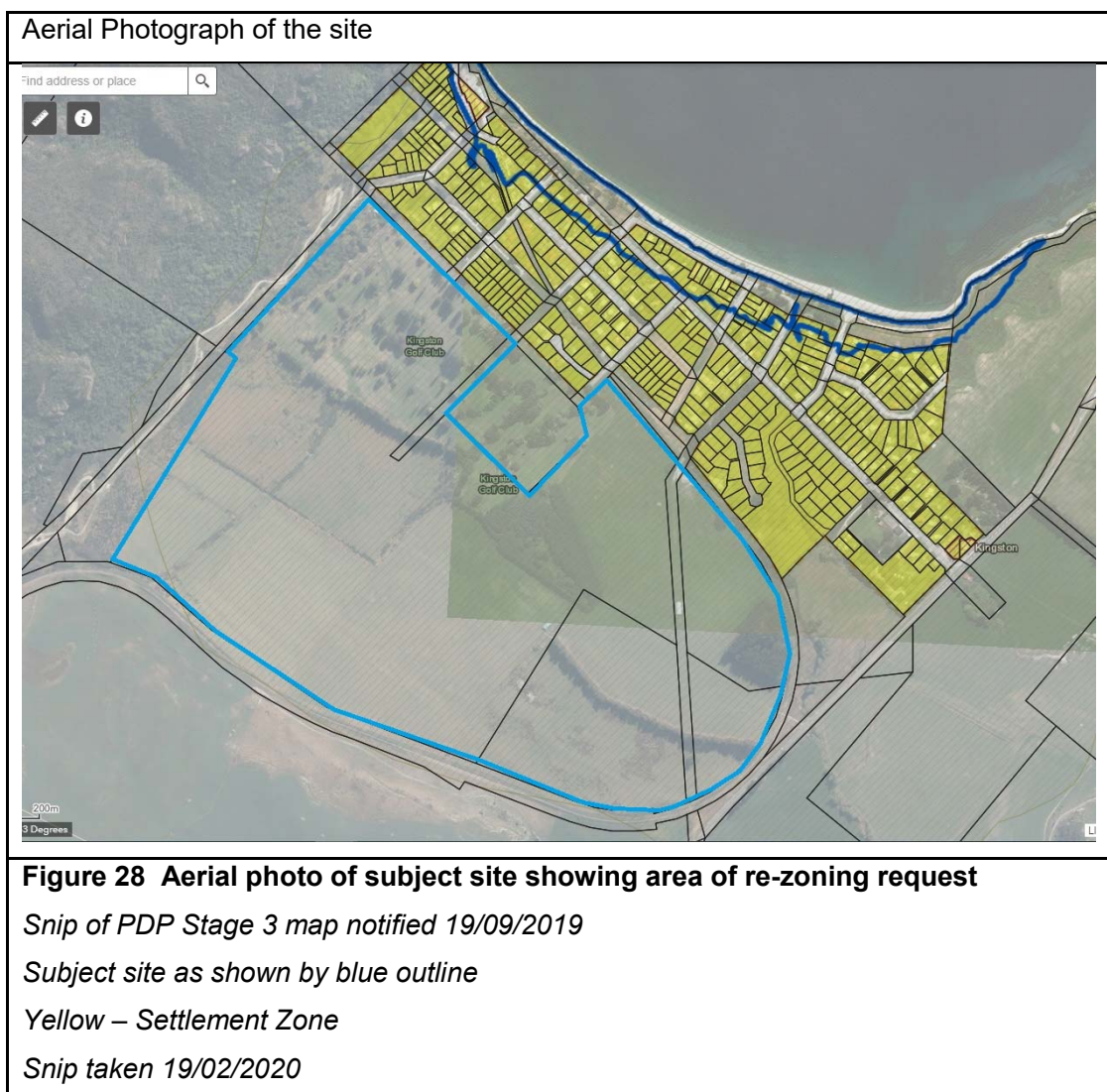
32.8 For the reasons outlined above, I recommend that relief 3011.1 be accepted.

33. KINGSTON VILLAGE LTD – 3306

Overall Recommendation	
Recommendation	Relief 3306.1: Reject Relief 3306.2: Reject Relief 3306.3: Reject

Submission and property information	
Submission number and name	Kingston Village Ltd – 3306.1, 3306.2, 3306.3
Stage 3 notified zone	NA
Stage 3 zone requested	NA
Area of re-zone request	Kingston Special Zone
Request referred to in report as	Relief 3306.1: That Kingston Landscape Classification Line be amended to exclude Kingston Special Zone. Relief 3306.2: That the Landscape Classification Line surrounding Kingston be rejected. Relief 330363: That any Landscape Classification line provisions be deleted.
ODP Zone and mapping annotation	Kingston Special Zone
Stage 1 or 2 PDP Zone and mapping annotation	NA

Legal Description	Lots 1-2 DP 12725, Section 18 Block I Kingston SD
Total area of property	82ha
QLDC Property ID	8829
QLDC Hazard Register	Alluvial Fans Liquefaction Risk - Possibly Moderate Risk
Supporting information provided by applicant	Planning assessment
Position of Council experts	NA



33.1 The submission is seeking changes to the landscape categorisation lines in the vicinity of the notified Stage 3 Kingston Settlement Zone. In Stage 3 a landscape line was placed around the outside of the

notified Settlement Zone. The submission is seeking to extend the ONL boundary so that the ONL annotation is also not shown on the site in blue, in **Figure 28** above. This land is zoned in the ODP as Kingston Settlement Zone. This land has not been notified into the PDP yet.

- 33.2** I understand that the boundary of the ONL line in this area is within the scope of Stage 3, given that a line was notified around the Kingston Settlement Zone in Stage 3. The question raised by the submission is whether additional land should be excluded from the wider ONL.
- 33.3** While the land in question remains in 'Volume B' of the PDP as explained in Mr Barr's Strategic Evidence, the ONL annotations and boundaries are in the PDP, across the district.
- 33.4** I do consider that whether the ODP Kingston Special Zone should also be excluded from the ONL is best considered at the same time as the ODP Kingston Special Zone is reviewed through the PDP process.
- 33.5** However, in terms of Stage 3, no landscape assessment has been provided by the submitter in support of excluding this land from the surrounding ONL, nor has any assessment been given as to whether the ODP Kingston Special Zone achieves the objectives and policies in the strategic chapters of the PDP; for example, whether it would protect the values of the ONL.
- 33.6** I therefore consider that relief 3306.1, 3306.2 and 3306.3 should be rejected.

34. KINGSTON LIFESTYLE PROPERTIES LTD - 3297

Overall Recommendation	
Recommendation	Relief 3297.1: Accept in part Relief 3297.2: Reject Relief 3297.3: Accept in part Relief 3297.4: Accept in part

Submission and property information	
Submission number and name	Kingston Lifestyle Properties Ltd – 3297.1, 3297.2, 3297.3, 3297.4
Stage 3 notified zone	Settlement (in part)
Stage 3 zone requested	Settlement, Commercial Precinct
Area of re-zone request	Kingston Flyer railway corridor and associated land 'Kingston Flyer land'
Request referred to in report as	<p>Relief 3297.1: That the Kingston Settlement Zone be applied over the Kingston Flyer land (Kingston Flyer railway corridor) identified as Section 2 SO10898, Section 1 SO 10898, Lot 6 DP 306647, Section 1 SO 7617, Lot 2 DP 318661 and Lot 1 DP 318661;</p> <p>Relief 3297.2: That the Kingston Settlement Zone be applied to Crown Land Lot 4 DP 318631;</p> <p>Relief 3297.3: That Kingston Flyer Land identified as Section 2 SO 10898, Section, 1 SO 10898, Lot 1 DP 12130, Lot 9 DP 306647, Lot 1 DP 306647, Lot 6 DP 306647, Section 1 SO 7617, Lot 2 DP 318661 and Lot 1 DP 318661 be included in the Commercial precinct overlay in the Kingston Settlement Zone;</p> <p>Relief 3297.4: That the land identified as Sections 1 – 5, 22 – 24 Block 1 Town of Kingston, Section 1 Block XIX, Town of Kingston, Part Section 12 Block 1 Town of Kingston, Part Section 13 Block 1 Town of Kingston and Lot 4 DP 318631 be included in the Commercial precinct overlay in the Kingston Settlement Zone.</p>
ODP Zone and mapping annotation	Township, Rural General, part unzoned (between Shropshire and Huntingdon Streets) Designation #5 - Railway Purposes (Tranz Rail Limited); Protected Features 401, 402, 403, 404, 406, 407, 408.

Stage 1 or 2 PDP Zone and mapping annotation	Rural (part) Protected Features 401, 402, 403, 404, 411: Square stone culvert, under railway yards, Stone cairn, site of the launching of the Earnslaw, Rock retaining wall, wharf approach, Kingston, Wharf, Kingston, Kingston Flyer Railway, including: Railway turntable, water tank and crane. The railway line from Kingston to Fairlight (up to the QLDC District boundary) Kingston Railway Station. Water weir, QLDC Category #1 and #2
Legal Description	Section 2 SO10898, Section 1 SO 10898, Lot 6 DP 306647, Section 1 SO 7617, Lot 2 DP 318661 and Lot 1 DP 318661; Crown Land Lot 4 DP 318631; Sections 1 – 5, 22 – 24 Block 1 Town of Kingston, Section 1 Block XIX, Town of Kingston, Part Section 12 Block 1 Town of Kingston, Part Section 13 Block 1 Town of Kingston and Lot 4 DP 318631
Total area of property	Not defined
QLDC Property ID	12215, 8850, 8850, 14250, 8849, 8855, 8849, 18841
QLDC Hazard Register	Flooding – Lake Wakatipu 75 Year Return Period Flooding due to Rainfall Alluvial Fans – Regional Scale, Jetty Creek Liquefaction Risk - Possibly Moderate Risk
Supporting information provided by applicant	Planning assessment
Position of Council experts	NA

Map view of the site – Kingston Flyer Railway Corridor

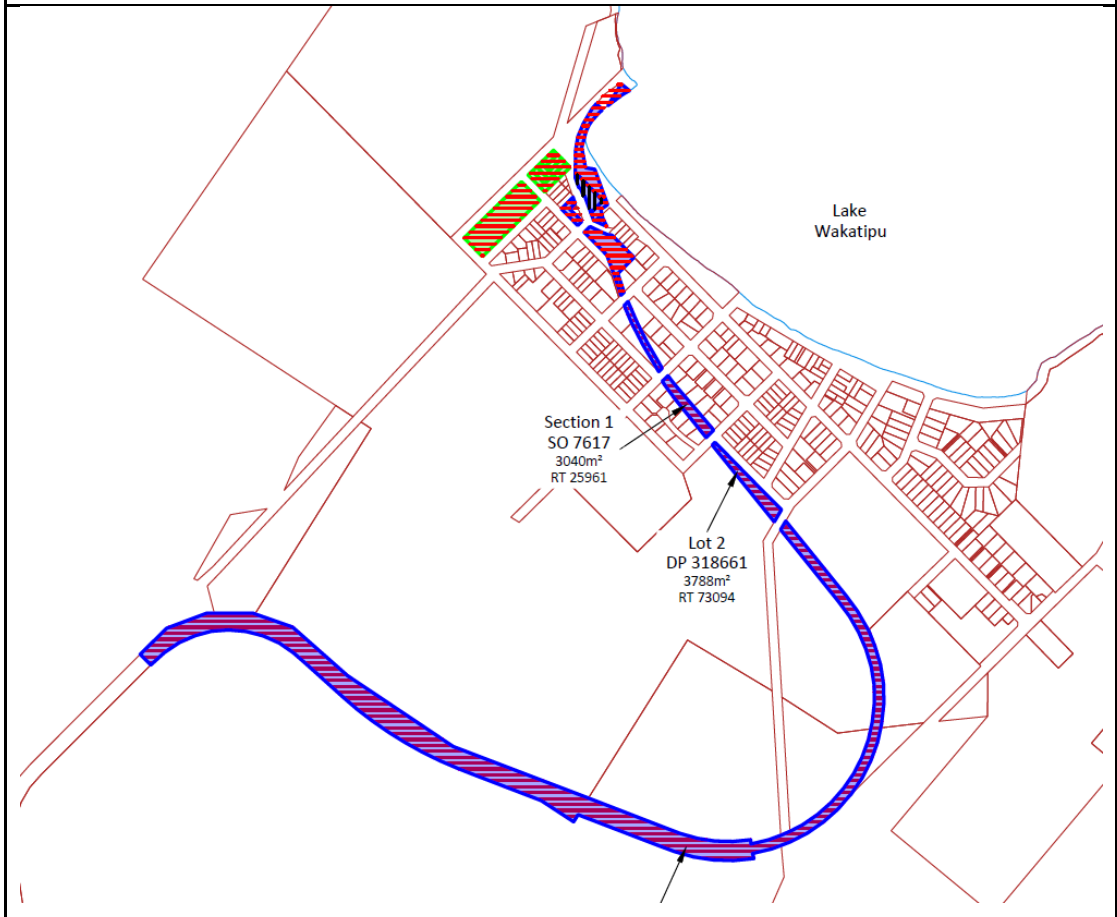




Figure 29 Map of subject site showing area of re-zoning request from submission

Black stripes – notified Commercial Precinct (Kingston Flyer café)

Blue outline and red stripes – submission site where Settlement zoning and Commercial Precinct is sought.

Green outline and red strips – submission D.M. & M.E. Bryce Limited (3315)

Snip of submission

Snip taken 20/02/2020

- 34.1** The submitter seeks Settlement zoning with a Commercial Precinct overlay over land in Kingston containing the Kingston Flyer Railway Corridor and associated structures (**Kingston Flyer land**).
- 34.2** By way of background, ODP Designation #5 - Railway Purposes (Tranz Rail Limited) was removed in Stage 1 of the PDP at the request of KiwiRail Holdings Limited. KiwiRail stated it did not own or operate on any land within the Queenstown Lakes District, as the Kingston Branch, which was the subject of Designation #5, was passed to LINZ in 1994⁶³. The Kingston Flyer assets and land were privately owned at the time of KiwiRail's submission.
- 34.3** The submitter outlines the history to the Kingston Flyer and notes that it has a licence to operate under the Railways Act 2005 issued by the NZTA. The submission details that under the Railways Act 2005 the

63 Report 10 – Decisions of Independent Commissioner Regarding Chapter 37 – Designations, dated 20 April 2018, paragraphs 110 – 114, pages 18-19.

Submitter is a “rail participant”, and the Kingston Flyer railway corridor including the railway lines is “railway infrastructure”. The submission outlines the intentions for the Kingston Flyer to begin operating again as a tourism attraction, and associated future development, included potential small-scale retail, restaurants and bars, residential and serviced apartments, visitor accommodation and a hotel.

- 34.4** Relief 3297.1: The submitter notes that the full extent of the Kingston Flyer land has not been zoned Settlement and that it is shown as ‘road, unzoned, or public land’, and considers that the Kingston Flyer land has not been recognised and provided for within Stage 3. I generally concur with this view, insofar as the Kingston Flyer land is shown on the PDP maps as a mix of Settlement and Rural zones or unzoned in parts (the railway corridor within Kingston and towards the wharf). I note that the ODP maps show the land as a similar mix of zones with the designation overlay.
- 34.5** Part of the submission land has been omitted from the Stage 3 zoning and was previously zoned ODP Township. This land includes the car park near the café and the railway corridor towards the wharf. This land was not zoned in Stages 1 or 2. This area is clearly part of the Kingston Flyer land; therefore, I recommend this land is rezoned Settlement. Therefore, I recommend relief 3297.1 be accepted in part.
- 34.6** Relief 3297.2: The submitter seeks that the Settlement Zone be applied to Crown Land Lot 4 DP 318631. This allotment is near the wharf and contains Kingston Flyer buildings, although it is Crown owned and has a recreation reserve classification. I am unclear on the status of the ongoing occupation of this land by what is now a privately owned train operation. The land was zoned Rural during Stage 1 of the PDP. Overall, I consider the existing Rural zoning is most appropriate for this land, and that relief 3297.2 should be rejected.
- 34.7** Relief 3297.3 and 3297.4: By way of Stage 3 PDP provision for the Kingston Flyer land, part of the land has been included in a new notified Commercial Precinct overlay to formalise existing commercial activities at Kingston⁶⁴, described in the S32 as a café that operates from the

64 S32, para 1.5, page 2.

Kingston Flyer site⁶⁵. The current café is within the historic tavern building, which has resource consents dating back to at least 1988 (RM970092). The most recent resource consent (RM181493) to upgrade the café was a discretionary activity for commercial activities and sale of liquor, and non-complying to breach the noise limits associated with outdoor areas until 10pm, under the ODP Township rules.

- 34.8** The entire Kingston Flyer Railway Corridor and associated buildings and structures are listed in Chapter 26 Historic Heritage as Protected Features, with Council Category 3 for most items, and Category 2 for the railway from Kingston to Fairlight (district boundary), turntable, water tank and crane, Kington Railway Station, and water weir. The items are not listed with Heritage New Zealand.
- 34.9** External alterations and additions to the Protected Features would require a RDA resource consent pursuant to Rule 26.5.7, for both Category 2 and 3 items. Internal alterations to the Kingston Railway Station would also be restricted discretionary (Rule 26.5.8). Development within the setting or extent of place of the Projected Features, such as new buildings, car parks or earthworks, would be restricted discretionary (Rule 26.5.9). In summary, there is a resource consenting framework available to the submitter, regardless of the underlying zoning or lack of zoning.
- 34.10** In regard to the buildings and structures on Kent Street around the café and including the turntable and water tank, I consider that there may be benefit in extending the notified Commercial Precinct to encompass all of the existing lawfully established development associated with the Kingston Flyer, and to avoid future non-compliances where commercial activities are not anticipated by the underlying Settlement zoning. As the land is historically established for commercial activities, the rezoning request would not result in a loss of housing supply within Kingston. In addition, there is limited Commercial Precinct available in Kingston, limited to part of this site (café) and the pub and service station at the southern end of Kingston on the State Highway (1.2km away).

65 Ibid at para 10.8, page 65.

- 34.11** I consider extending the Commercial Precinct over adjoining vacant land on Kent Street would enable additional commercial activities in an appropriate location. There is an existing visitor accommodation development 'Lakes End Lodge' at 101-103 Hampshire Street, in the vicinity. Otherwise much of this part of Kingston is undeveloped. As such, I consider the four allotments with frontage to Kent Street, close to the café and lakefront, appear to be well-positioned to extend the Commercial Precinct by 1,820m², to enable commercial activities that limited in scale, provide for local and visitor convenience, and support the local economy⁶⁶.
- 34.12** The rezoning would align with Policy 20.2.3.1 which seeks to identify Commercial Precincts on the Planning Maps, within which commercial, visitor accommodation and community activities are provided for in order to meet the day-to-day needs of residents and visitors and support the local economy.
- 34.13** By comparison, I consider that commercial development of the rear allotments along Hampshire Street, which are closer to existing houses and do not front Kent Street, would appear incongruent and not well-suited to a Commercial Precinct.
- 34.14** Furthermore, I consider that the size of the larger allotment to the south-west of Hampshire Street at 9,282m² may lead to the potential for inappropriately large scale commercial or retailing activities, if it is included within a Commercial Precinct. The S32 identifies that large scale commercial or retail activities that are inappropriately located within a Settlement could affect town centres and commercial zones in Queenstown or elsewhere in the district. At 80% building coverage (Rule 20.5.5) this lot could theoretically accommodate 7,425m² commercial GFA, not allowing for car parking or landscaping. This indicates to me that the application of a Commercial Precinct may not be appropriate for this land, and could result in the precinct becoming overly large, instead of a forming a small commercial 'heart' for Kingston.

66 Settlements Objective 20.2.3.

- 34.15** I therefore consider that extending the Commercial Precinct, in part as sought by the submitter, would be an appropriate outcome for this land. The zoning would assist with the submitter's future development plans through the resource consenting framework of Settlement and Historic Heritage provisions. This rezoning would achieve the relevant objectives and policies of the Strategic Direction chapters of the PDP, in particular Policy 3.3.9 that supports the role township commercial precincts and local shopping centres fulfil in serving local needs by enabling commercial development that is appropriately sized for that purpose. As such, I recommend relief 3297.3 and 3297.4 be accepted in part.
- 34.16** Relief 3297.1 and 3297.2 continued: Applying the Settlement Zone with a Commercial Precinct would not, however, be a good fit for the Kingston Flyer railway corridor, in my opinion. The primary purpose of the Settlement Zone is to provide for low density residential living. Applying this zone, even with a Commercial Precinct, would not appear to assist with maintaining railway infrastructure, or enable any resource consents that might be required for the train operation. The provisions are primarily written for buildings or similar conventional development and would not be readily applicable to the railway corridor and train operation. I note that Settlement zoning would be more enabling than the Rural Zone provisions, as commercial activities are specifically provided for, whereas railway operations (should a resource consent be needed) would be non-complying under the Rural Zone as 'any activity not otherwise provided for' (Rule 21.4.34).
- 34.17** One way to provide for the Kingston Flyer Railway Corridor would be a set of site-specific provisions, which the submitter has requested and Ms Bowbyes has considered in her report.
- 34.18** As an alternative to applying the Settlement Zone and Commercial Precinct to the railway corridor, I consider that the submitter could consider applying for requiring authority status as a network utility operator, similar to the Taieri Gorge Railway Limited.⁶⁷ Section 166 of the RMA defines a network utility operator as a person who (among

67 <https://gazette.govt.nz/notice/id/1997-go1987>

other matters) “constructs, operates, or proposes to construct or operate, a road or railway line.”

34.19 If approved, the requiring authority could then apply for a notice of requirement to (re)designate the corridor for (tourism) railway purposes. The designation could also apply to the associated buildings and structures, including the café. The notice of requirement would set the parameters under which the railway activities can occur, giving certainty to both the Kingston Flyer operation and the Kingston community.

34.20 Overall, I recommend that relief 3297.1, 3297.2, 3297.3 and 3297.4 should be accepted in part, in regard to applying the Settlement Zone and Commercial Precinct over part of the Kingston Flyer land, excluding the railway corridor.

Recommended amendments to zoning (Kingston Settlement Zone)
Change the shape of the Settlement Zone to incorporate all of Section 1 SO 10898 and amend the ONL line to exclude this land. The movement to the ONL line is consequential to the rezoning relief.
Change the shape of the Commercial Precinct to incorporate part of Section 1 SO 10898, part of Lot 1 DP 306647, and all of Lot 9 DP 306647, Lot 1 DP 12130, Part Section 12 Block I TN OF Kingston, Part Section 13 Block I TN OF Kingston, Sections 1 and Sections 22-24 Block I Town of Kingston



Figure 30 - recommended rezoning

Snip of PDP Stage 3 map notified 19/09/2019

Recommended rezoning to Settlement shown by yellow and Commercial Precinct shown by solid red

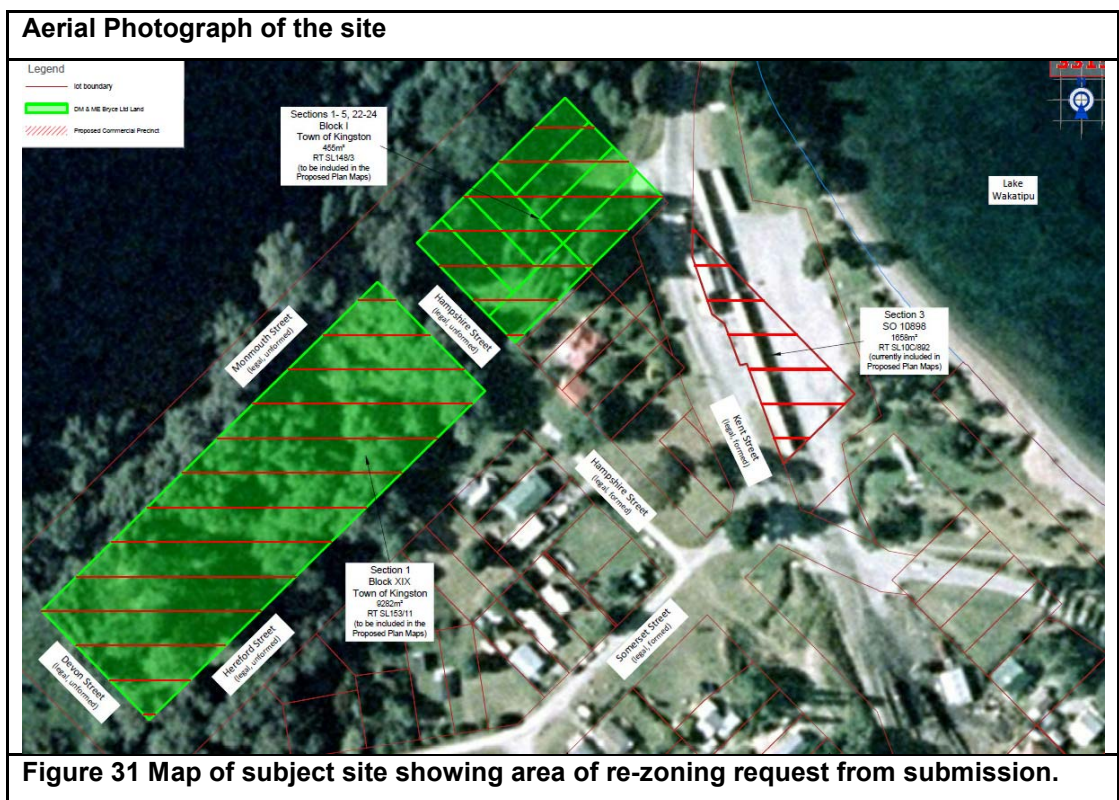
Snip taken 20/02/2020

35. D.M. & M.E. BRYCE LIMITED - 3315

Overall Recommendation	
Recommendation	Relief 3315.2: Accept in part

Submission and property information	
Submission number and name	D.M. & M.E. Bryce Limited – 3315.2
Stage 3 notified zone	Settlement
Stage 3 zone requested	Settlement (Kingston), Commercial Precinct
Area of re-zone request	107 - 109 & 112 Hampshire Street, Kingston

Request referred to in report as	Relief 3315.2: That 107 - 109 & 112 Hampshire Street, Kingston are rezoned as Commercial Precinct.
ODP Zone and mapping annotation	Township
Stage 1 or 2 PDP Zone and mapping annotation	NA
Legal Description	Sections 1-5 and Sections 22-24 Block I Town of Kingston, Section 1 Block XIX Town of Kingston
Total area of property	1.2924 ha
QLDC Property ID	16611, 8853
QLDC Hazard Register	Alluvial Fans – Regional Scale, Jetty Creek South Liquefaction Risk - Possibly Moderate Risk
Supporting information provided by applicant	Planning assessment
Position of Council experts	NA



Green area with red stripes- submission site where Commercial Precinct is sought.

Red stripes – notified Commercial Precinct (Kingston Flyer café)

Snip of submission

Snip taken 19/02/2020

- 35.1** Relief 3315.2: The submitter requests that 107 - 109 & 112 Hampshire Street, Kingston, has a Commercial Precinct overlay applied.
- 35.2** The submitter's land comprises two areas separated by Hampshire Street (unformed). The land is currently vacant and there are no resource consents for commercial activities.
- 35.3** I have considered this land earlier for submitter Kingston Lifestyle Properties Ltd (3297). As such, I recommend that the relief should be accepted in part, as shown on **Figure 30**.



Rosalind Devlin

18 March 2020

APPENDIX 1

Summary of submissions and recommended decisions

No.	Last Name	First Name	On Behalf Of	Point No.	Position	Submission Summary	Planner Recommendation
3001	Cutler	Alan		3001.1	Support	That the Lower Density Suburban Residential Zoning for Albert Town be retained as notified.	Accept
3002	Haines	Josephine		3002.1	Support	That the Lower Density Suburban Residential Zoning for Albert Town be retained as notified.	Accept
3006	Glover	John & Toni		3006.1	Support	That the visitor accommodation sub-zone at Kinloch be retained as notified.	Accept
3006	Glover	John & Toni		3006.2	Oppose	That the extent of the Commercial Precinct at Glenorchy is amended to include all of the properties at the lake end of Mull Street.	Reject
3011	Kemp	Richard	Kingston Holiday Park Limited	3011.1	Oppose	That the Kingston Holiday Park and two adjoining lots (4 and 12 Kent St) have a visitor accommodation sub-zone applied to them, with any consequential changes.	Accept
3012	Hebbard	Bruce		3012.1	Support	That Albert Town be zoned Lower Density Suburban Residential as notified.	Accept
3050	Carvell	Bruce	Bruce and Diane Carvell	3050.2	Oppose	That 146 Albert Town-Lake Hawea Road (Lot 1 DP 300252) having an area of 2124 square metres, located on the south-eastern side of SH6, located approximately 300 metres south-west from the Riverside turnoff, be rezoned from Rural Residential to Low Density Suburban Residential Zone.	Reject
3190	Edgar	Scott	Southern Ventures Property Limited	3190.1	Support	That the notified Lower Density Suburban Residential Zone for Albert Town be retained.	Accept
3190	Edgar	Scott	Southern Ventures Property Limited	3190.2	Oppose	That Lot 1 DP 27171, an 8.7 hectare site at Templeton Street, Albert Town, located between the Albert Town township and the Cardrona River, be partially re-zoned Lower Density Suburban Residential Zone, with the Urban Growth Boundary and Landscape Classification Line realigned accordingly, as shown in Appendix G of the submission. Alternatively, if the notified Lower Density Residential Zone for Albert Town is rejected and an alternative zoning imposed, that the same re-zoning is applied to that part of Lot 1 DP 27171.	Accept
3190	Edgar	Scott	Southern Ventures Property Limited	3190.3	Oppose	That the remainder of the site (Lot 1 DP 27171, Templeton Street, Albert Town) not otherwise zoned Low Density Suburban Residential Zone, as requested in submission point 3190.2, remains Rural Lifestyle Zone, with a no build restriction or similar mechanism if necessary.	Accept
3190	Edgar	Scott	Southern Ventures Property Limited	3190.4	Oppose	That any consequential amendments required to facilitate the re-zoning and future development of the land are incorporated into the Proposed District Plan.	Accept
3209	Bryce	Nigel	Lakehouse Holdings Limited	3209.1	Support	That the zoning of Lower Density Suburban Residential at 56-60 Capell Avenue, Hawea, is retained as notified, or any similar amendments with like effect, with any consequential changes.	Accept
3221	Ferguson	Shirley	Streat Developments Limited	3221.1	Oppose	That the Hawea Urban Growth Boundary be moved to include the 16.8 hectare block known as Domain Acres (Lot 1 DP 304937), located on the southern side of the Lake Hawea settlement between the western end of Cemetery Road and Domain Road, as shown on the attachments to the submission.	Reject
3221	Ferguson	Shirley	Streat Developments Limited	3221.2	Oppose	That the 16.8 hectare block known as Domain Acres (Lot 1 DP 304937), located on the southern side of the Lake Hawea settlement between the western end of Cemetery Road and Domain Road, be rezoned from Rural Residential to Settlement Zone, as shown in the attachments to the submission, or in the alternative a residential zone that provides for low density residential subdivision and development.	Reject
3221	Ferguson	Shirley	Streat Developments Limited	3221.3	Oppose	That if the 16.8 hectare block known as Domain Acres (Lot 1 DP 304937), located on the southern side of the Lake Hawea settlement between the western end of Cemetery Road and Domain Road, is rezoned as requested in the submission, then the southern triangle of the site be re-zoned open space as shown on the attachments to the submission.	Reject
3222	Ferguson	Shirley	Streat Developments Limited	3222.1	Oppose	That the Hawea Urban Growth Boundary be moved to include the 16.8 hectare block known as Domain Acres (Lot 1 DP 304937).	Reject

3222	Ferguson	Shirley	Streat Developments Limited	3222.2	Oppose	That the 16.8 hectare block known as Domain Acres (Lot 1 DP 304937), located on the southern side of the Lake Hawea settlement between the western end of Cemetery Road and Domain Road, be rezoned from Rural Residential to Settlement Zone, or in the alternative a residential zone that provides for low density residential subdivision and development.	Reject
3222	Ferguson	Shirley	Streat Developments Limited	3222.3	Oppose	That if the 16.8 hectare block known as Domain Acres (Lot 1 DP 304937), located on the southern side of the Lake Hawea settlement between the western end of Cemetery Road and Domain Road, is rezoned as requested in the submission, then the southern triangle of the site be re-zoned open space as shown on the attachments to the submission.	Reject
3223	Ferguson	Shirley	Christine and David Benjamin	3223.33	Support	That the rezoning of Glenorchy to Settlement Zone be retained as notified.	Accept
3223	Ferguson	Shirley	Christine and David Benjamin	3223.34	Support	That the rezoning of 49, 51, 57 and 59 Benmore Place and right of way easement to Settlement Zone be retained as notified.	Accept
3223	Ferguson	Shirley	Christine and David Benjamin	3223.35	Support	That the Visitor Accommodation Sub Zone on 1-15 Oban Street (Secs 5-19 BLK X1 Glenorchy Town) be retained as notified.	Accept
3223	Ferguson	Shirley	Christine and David Benjamin	3223.36	Oppose	That the Visitor Accommodation Sub-Zone be amended to include Sec 1 SO24548 and Sec 3 SO23458 as shown in the submission.	Reject
3223	Ferguson	Shirley	Christine and David Benjamin	3223.37	Oppose	That the Visitor Accommodation Sub-Zone be amended to include the Southern side of the Settlement from Oban Street to Forbes Place as shown in the submission.	Reject
3223	Ferguson	Shirley	Christine and David Benjamin	3223.38	Oppose	That a new overlay be created called 'Glenorchy Marina and Tourism Sub-Zone.'	Reject
3223	Ferguson	Shirley	Christine and David Benjamin	3223.39	Oppose	That the following properties be included in the Glenorchy Marina and Tourism Sub-Zone: 49 Benmore Place (Sec 1 BLK 111); 51 Benmore Place (Sec 1 SO 23457); 57 Benmore Place (Sec 1 SO Plan 23458); 59 Benmore Place (Sec 2 SO 23458).	Reject
3223	Ferguson	Shirley	Christine and David Benjamin	3223.41	Oppose	That the Flood Zone at the south end of Glenorchy be refined to more accurately identify the sites that are subject to flood risk.	Reject
3223	Ferguson	Shirley	Christine and David Benjamin	3223.42	Oppose	That the Building Restriction Area on both sides of Oban Street be removed; or, delete the building restriction area from the western side of Oban Street between the unformed legal road an Invincible Drive; or, if a Building Restriction Area is retained, reduce the width to 10m on both sides of Oban Street and change the non-compliance status from non-complying to controlled within rule 20.5.18.	Reject
3232	Fyfe	Jo		3232.1	Support	That the Lower Density Suburban Residential zoning for Albert Town be retained as notified.	Accept
3232	Fyfe	Jo		3232.2	Oppose	That any additional or consequential relief required to provide the relief sought in the submission be made.	Reject
3233	White	Robert	Marovid Trust	3233.1	Support	That the Lower Density Suburban Residential Zone within the Hawea Urban Growth Boundary be retained as notified.	Accept
3233	White	Robert	Marovid Trust	3233.2	Support	That the Urban Growth Boundary at Hawea be retained as notified.	Accept
3248	Hill	Rosie	Universal Developments Hawea Limited	3248.1	Oppose	That an area of land approximately 140 hectares in area, including the Universal Development Hawea land and land owned by others, adjacent to Hawea township on the south side of Cemetery Road, bounded by Domain Road to the south-west and the Lake Hawea Dam Burst Flood Hazard area to the east, and with the southern boundary being aligned with the recent subdivision consent RM181232, as shown in submission 3248 Appendix A, be rezoned any one of the following zones: Settlement; Low, Medium and/or High Density Residential; Local Shopping Centre; Mixed Business Use; Industrial, and or any other development zone within the Proposed District Plan which is considered appropriate for the site. Alternatively, that the area be rezoned a bespoke zone for the comprehensive development, which anticipates mixed use and residential urban development, and provides a structure plan approach, or any additional zoning that may not already be included in the Proposed District Plan, including a deferred or future urban zone.	Reject

3248	Hill	Rosie	Universal Developments Hawea Limited	3248.2	Oppose	That an area of land approximately 170 hectares in area, including the Universal Development Hawea land and land owned by others, adjacent to Hawea township on the south side of Cemetery Road, bounded by Domain Road to the south-west and the Lake Hawea Dam Burst Flood Hazard area to the east, and with the southern boundary being aligned with the current boundary of Lot 3 DP 3438555, as shown in submission 3248 Appendix B be rezoned any one of the following zones: Settlement; Low, Medium and/or High Density Residential; Local Shopping Centre; Mixed Business Use; Industrial, and or any other development zone within the Proposed District Plan which is considered appropriate for the site. Alternatively, that the area be rezoned a bespoke zone for the comprehensive development, which anticipates mixed use and residential urban development, and provides a structure plan approach, or any additional zoning that may not already be included in the Proposed District Plan, including a deferred or future urban zone.		Reject
3248	Hill	Rosie	Universal Developments Hawea Limited	3248.3	Oppose	That the area of land requested to be rezoned in submission points 3248.1 and 3248.2 be included within the Urban Growth Boundary for Hawea.		Reject
3248	Hill	Rosie	Universal Developments Hawea Limited	3248.4	Oppose	That any text of the zoning chapters of the Proposed District Plan be amended to provide for site-specific requirements for rezoning of the area of land identified in submission points 3248.1 and 3248.2, including the requirement for any minimum development capacity for the site.		Reject
3248	Hill	Rosie	Universal Developments Hawea Limited	3248.5	Oppose	That rezoning occur or the Urban Growth Boundary for Hawea be moved to incorporate adjacent rural land to the Universal Development Hawea land which is not specifically identified, but which might be required in order to provide an appropriate rural-urban transition.		Reject
3259	Martin	Daniel	Daniel Martin	3259.1	Oppose	That Grandview Road, Hawea, be re-zoned to a higher density zone.		Reject
3259	Martin	Daniel	Daniel Martin	3259.2	Oppose	That subdivision to 1000m ² should be enabled for the Grandview Road area, Hawea.		Reject
3261	Ford	Aaron and Sally	Sally and Aaron Ford	3261.1	Oppose	That the Hawea Urban Growth Boundary be moved to include the 16.8 hectare block known as Domain Acres (Lot 1 DP 304937), located on the southern side of the Lake Hawea settlement between the western end of Cemetery Road and Domain Road, as shown on the attachments to submission 3221.		Reject
3261	Ford	Aaron and Sally	Sally and Aaron Ford	3261.2	Oppose	That the 16.8 hectare block known as Domain Acres (Lot 1 DP 304937), located on the southern side of the Lake Hawea settlement between the western end of Cemetery Road and Domain Road, be rezoned from Rural Residential to Settlement Zone, as shown on the attachments to submission 3221, or in the alternative a residential zone that provides for low density residential subdivision and development.		Reject
3261	Ford	Aaron and Sally	Sally and Aaron Ford	3261.3	Oppose	That if the 16.8 hectare block known as Domain Acres (Lot 1 DP 304937), located on the southern side of the Lake Hawea settlement between the western end of Cemetery Road and Domain Road, is rezoned as requested in the submission, then the southern triangle of the site be re-zoned open space as shown on the attachments to submission 3221.		Reject
3271	Murray	Allan Robert		3271.1	Support	That the proposed Lower Density Suburban Residential Zone within the existing Urban Growth Boundary at Hawea be retained as notified.		Accept
3272	Murray	Amanda		3272.1	Support	That the proposed Lower Density Suburban Residential Zone within the existing Urban Growth Boundary at Hawea be retained as notified.		Accept
3285	Justice	Megan	H W Richardson Group	3285.1	Oppose	That a portion of the land at 114-126 Main Road Luggate be zoned Business Mixed Use with a 12m height limit.		Reject
3285	Justice	Megan	H W Richardson Group	3285.2	Oppose	That in the event of Upper Clutha Transport is relocated to Church Road, that a portion of 114-126 Main Road Luggate and 132 Main Road Luggate retain the Settlement Zone as notified with the addition of a commercial precinct overlay.		Accept
3285	Justice	Megan	H W Richardson Group	3285.3	Oppose	That any further amendments or consequential changes be made to meet submission 3285, or if not implemented that Stage 3 be withdrawn.		Reject
3287	Association Inc	Hawea Community		3287.7	Support	That the proposed Lower Density Suburban Zone in Hawea be retained as notified.		Accept
3287	Association Inc	Hawea Community		3287.11	Oppose	That the urban growth boundary as introduced in Stage 1 of the Proposed District Plan review be retained in it's current location.		Accept

3296	White	Robert	Marovid Trust	3296.3	Support	That the Lower Density Suburban Residential zone within the Hawea Urban Growth Boundary and the Urban Growth Boundary location is retained as notified.	2.1-20.1 Purpose	Accept
3297	Grace	Tim	Kingston Lifestyle Properties Ltd	3297.1	Oppose	That the Kingston Settlement Zone be applied over the Kingston Flyer land (Kingston Flyer railway corridor) identified as Section 2 SO10898, Section 1 SO 10898, Lot 6 DP 306647, Section 1 SO 7617, Lot 2 DP 318661 and Lot 1 DP 318661.		Accept in part
3297	Grace	Tim	Kingston Lifestyle Properties Ltd	3297.2	Oppose	That the Kingston Settlement Zone be applied to Crown Land Lot 4 DP 318631.		Reject
3297	Grace	Tim	Kingston Lifestyle Properties Ltd	3297.3	Oppose	That Kingston Flyer Land identified as Section 2 SO 10898, Section, 1 SO 10898, Lot 1 DP 12130, Lot 9 DP 306647, Lot 1 DP 306647, Lot 6 DP 306647, Section 1 SO 7617, Lot 2 DP 318661 and Lot 1 DP 318661 be included in the Commercial precinct overlay in the Kingston Settlement Zone.		Accept in part
3297	Grace	Tim	Kingston Lifestyle Properties Ltd	3297.4	Oppose	That the land identified as Sections 1 – 5, 22 – 24 Block 1 Town of Kingston, Section 1 Block XIX, Town of Kingston, Part Section 12 Block 1 Town of Kingston, Part Section 13 Block 1 Town of Kingston and Lot 4 DP 318631 be included in the Commercial precinct overlay in the Kingston Settlement Zone.		Accept in part
3301	Porter	Tim		3301.1	Support	That the zoning of Hawea to Lower Density Suburban Residential be retained as notified.		Accept
3306	Justice	Megan	Kingston Village Ltd	3306.1	Oppose	That Kingston Landscape Classification Line be amended to exclude Kingston Special Zone.		Reject
3306	Justice	Megan	Kingston Village Ltd	3306.2	Oppose	That the Landscape Classification Line surrounding Kingston be rejected.		Reject
3306	Justice	Megan	Kingston Village Ltd	3306.3	Oppose	That any Landscape Classification line provisions be deleted.		Reject
3307	Freeman	Scott	Pounamu Holdings 2014 Limited	3307.5	Support	That the Visitor Accommodation Sub-Zone over Camp Glenorchy (Lot 2 DP 435250, Lot 3 DP 501488 and Lot 1 DP 435250) be retained as notified.		Accept
3307	Freeman	Scott	Pounamu Holdings 2014 Limited	3307.6	Oppose	That the Visitor Accommodation Sub-Zone be extended over entire extent of the Mrs Woolly's site (Lot 1 DP 26928, Lot 3 DP 26928 and Lot 2 DP 26928).		Accept
3307	Freeman	Scott	Pounamu Holdings 2014 Limited	3307.7	Oppose	That the portion of Mrs Woolly's site that currently contains the notified Visitor Accommodation Sub-Zone also imposes a Commercial Precinct.		Reject
3307	Freeman	Scott	Pounamu Holdings 2014 Limited	3307.35	Oppose	That the Building Restriction Area on Oban Street be deleted, or a 10m Building Setback should apply for the land affected by the Building Restriction Area.		Accept
3308	Freeman	Scott	Dart River Safaris Limited	3308.1	Support	That Lot 2 DP 8985, Lot 3 DP 8985 and Lot 4 DP 8985 retain the Commercial Precinct and Visitor Accommodation Sub-Zone as notified.		Accept
3310	Dent	Sean	Glenorchy Trustee Limited	3310.1	Support	That the Visitor Accommodation Sub-Zone over Lot 1 DP 430468 be retained as notified.		Accept
3310	Dent	Sean	Glenorchy Trustee Limited	3310.6	Oppose	That the Building Restriction Area over Lot 1 DP 430468 (Bible Face) be rejected.		Accept in part
3310	Dent	Sean	Glenorchy Trustee Limited	3310.7	Oppose	That the Building Restriction Area on the Oban Street frontage be rejected.		Accept
3310	Dent	Sean	Glenorchy Trustee Limited	3310.10	Support	That the Visitor Accommodation Sub-Zone along the east and west sides of Oban Street and the north-western corner of Lot 1 DP 430468 be retained as notified.		Accept
3315	Vining	Melissa	D.M. & M.E. Bryce Limited	3315.2	Oppose	That 107 - 109 & 112 Hampshire Street, Kingston is rezoned as Commercial Precinct.		Accept in part
3328	Gresson	Ben	Quartz Commercial Group Limited	3328.1	Oppose	That a Visitor Accommodation Subzone be extended to apply to all of the submitter's Capell Avenue, Lake Hawea property (Lot 1 DP 27336).		Accept
3328	Gresson	Ben	Quartz Commercial Group Limited	3328.15	Oppose	That the zoning of the submitter's property at Lot 1 DP 27336 Capell Avenue, Wanaka as LDSR is retained.	2.7.1-Variation to Chapter 7 - Lower Density Suburban Residential	Accept
3339	Leckie	Joshua	Blackthorn Limited	3339.1	Support	That the Visitor Accommodation Sub-Zone on the submitter's property as indicated in the submission be retained as notified.		Accept
3339	Leckie	Joshua	Blackthorn Limited	3339.2	Oppose	That the Commercial Precinct be extended over the submitter's property at 1 Benmore Place (Lot 1 DP 12016 BLK I Glenorchy TN) fronting Mull Street and 13, 15 and 19 Mull Street as shown in Schedule 4 of the submission.		Reject

3339	Leckie	Joshua	Blackthorn Limited	3339.17	Oppose	That the Visitor Accommodation Sub-Zone be extended over the submitter's property, being proposed Lots 43, 45, and 46 of the subdivision of Lot 1 DP 430468 (as identified at Schedule 1 of the submission) approved by Resource Consent RM171428.	Accept
31019	Grace	Tim	Cardrona Village Ltd	31019.1	Support	That the inclusion of those parts of the submitter's land (Lot 4 DP 507227, Lots 7-17 DP 440230, Lot 1 DP 310692, Section 47 Block I Cardrona SD) at Cardrona within the Settlement Zone and the associated Commercial Precinct or the associated Visitor Accommodation Sub-zone is retained.	Accept
31019	Grace	Tim	Cardrona Village Ltd	31019.2	Oppose	That the land and riverbed that is to be transferred to the Submitter from the Crown and shown on the Scheme Plan attached as Appendix 1 to the submission be included within the Settlement Zone and have the Visitor Accommodation Sub-zone applied to the land.	Reject
31019	Grace	Tim	Cardrona Village Ltd	31019.3	Oppose	That the boundary between the Settlement Zone (and the associated Visitor Accommodation Sub-zone) and the Rural Zone on the land described as Section 47 Block I Cardrona SD be realigned to the new boundary to be created as a result of the land exchange between the submitter and the Crown as detailed on the Scheme Plan attached as Appendix 1 to the submission.	Reject
31019	Grace	Tim	Cardrona Village Ltd	31019.4	Oppose	That the Outstanding Natural Landscape classification be removed from all the land located within the proposed Settlement Zone at Cardrona.	Reject
31019	Grace	Tim	Cardrona Village Ltd	31019.5	Oppose	That the land within Lots 7, 16 and 17 DP 440230 and Lot 4 DP 507227 located 30 metres from the boundary with Soho Street be included within the Commercial Precinct.	Reject
31027	Lee	Michael and Louise	airey consultants ltd	31027.1	Oppose	That Cardrona is zoned Rural Visitor Zone.	Reject
31027	Lee	Michael and Louise	airey consultants ltd	31027.10	Oppose	That the Cardrona Settlement zone be rejected.	Reject
31027	Lee	Michael and Louise	airey consultants ltd	31027.14	Oppose	That an equivalent amount of land that has been rezoned Rural Zone at the northwestern end of the eastern side of the Cardrona River be added to the western side of the actual river location to balance the Rural Visitor Zone and the Rural areas to those under the current District Plan.	Reject
31027	Lee	Michael and Louise	airey consultants ltd	31027.16	Oppose	That the commercial precinct extent along Soho Street to Rivergold Way or that commercial activities become a restricted discretionary or discretionary activity within the Cardrona Settlement Zone.	Reject
31036	Butson	Mark		31036.1	Oppose	That the Settlement Zone and Visitor Accommodation Sub-Zone are extended to cover all of Lot 2 DP 411508, with an area of 2.6ha that fronts the western side of Cardrona Valley Road, approximately 140m north of Soho Street.	Reject
31046	Brown	Judith & Russell		31046.1	Oppose	That 2347 Cardrona Valley Road, Cardrona being Lot 1 DP 26402 with an area of 0.6ha, located on the eastern side of the road approximately 80m south of the intersection with Rivergold Way, be rezoned as Cardrona Settlement Zone.	Reject
31046	Brown	Judith & Russell		31046.2	Oppose	That 2347 Cardrona Valley Road, Cardrona being Lot 1 DP 26402 be excluded from the Outstanding Natural Landscape classification.	Reject