

**BEFORE THE INDEPENDENT HEARING PANEL APPOINTED BY THE
QUEENSTOWN LAKES DISTRICT COUNCIL**

UNDER the Resource Management Act 1991 (RMA)
IN THE MATTER of the Te Pūtahi Ladies Mile Plan Variation in accordance
with section 80B and 80C, and Part 5 of Schedule 1 of the
Resource Management Act 1991.

**STATEMENT OF REBUTTAL EVIDENCE OF JEFFREY ANDREW BROWN
10 November 2023**

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Introduction

1. My full name is Jeffrey Andrew Brown. I am a Planner and Director at Brown & Company Planning Group.
2. I prepared the section 42A Hearing Report for Queenstown Lakes District Council (**QLDC** or **Council**) dated 29 September 2023 on the proposed plan change variation request, submissions and further submissions to the Te Pūtahi Ladies Mile Plan Variation (**TPLM Variation**).
3. I have the qualifications and experience as set out at paragraphs 2.2 to 2.4 of the section 42A Hearing Report for QLDC dated 29 September 2023.
4. I repeat the confirmation given in my evidence that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023, and that my evidence has been prepared in compliance with that Code.

Scope of rebuttal evidence

5. In preparing this rebuttal statement, I have reviewed and considered the evidence filed on behalf of submitters as that evidence relates to the s42A report, as follows:
 - (a) Evidence of Megan Justice (Planning) and Kristan Stalker (Layperson) on behalf of Maryhill Ltd (Submitter #105) dated 20 October 2023;
 - (b) Evidence of Erin Stagg (Planning) and Jared Baronian (Developer) on behalf of the Sanderson Group & Queenstown Commercial Ltd (#93) dated 20 October 2023;
 - (c) Evidence of Werner Murray (Planning), Tim Church (Urban Design), Tony Milne (Landscape), Bruce Weir (Urban Design), Jason Bartlett and Don McKenzie (Transport), Phil Osborne (Economic), Julie Scott (Queenstown Lakes Housing Trust), Richard Regan (Civil Engineering), Tim Heath (Economic), Warren Ladbrook (Stormwater) on behalf of the Anna Hutchinson Family Trust (#107) dated 20 October 2023;
 - (d) Evidence of Alex Dunn (Planning) on behalf of Doolytle & Son Ltd (#81) dated 20 October 2023;
 - (e) Evidence of Alex Dunn (Planning) on behalf of the Roman Catholic Bishop of Dunedin (#82) dated 20 October 2023;

- (f) Evidence of Brett Giddens (Planning), Greg Wensley (Developer), Leo Hills (Transport) on behalf of Winter Miles Airstream Ltd (#94) dated 20 October 2023;
- (g) Evidence of Brett Giddens (Planning), and Wendy Moginie (Landscape) on behalf of the Corona Trust (#99) dated 20 October 2023;
- (h) Evidence of Scott Freeman (Planning) and Andy Carr (Transport) on behalf of Ladies Mile Pet Lodge (#78) dated 20 October 2023 and K P and R G F C Lemaire-Sicre on behalf of Ladies Mile Pet Lodge (#78) dated 24 October 2023;
- (i) Evidence of Nick Geddes (Planning) on behalf of Neil McDonald & Clark Fortune McDonald (#55), Graeme Rodwell (FS #143), Dot and Hans Arnestedt (FS #144), Les and Lesley Huckins (FS #145), Robert and Joy Oakes (FS #146), Dan and Mitzi Cole-Bailey (FS #147), Graham & Lynne Sim (FS #149) and Grant & Sharyn Stalker (FS #150), all dated 20 October 2023;
- (j) Evidence of Blair Devlin (Planning) on behalf of J&M Dobb (#37) dated 20 October 2023;
- (k) Evidence of Blair Devlin (Planning), David Compton-Moen (Landscape), Tim Allen (developer) on behalf of Koko Ridge (#80) and Tim Allan (#103) dated 20 October 2023;
- (l) Evidence of Michael Bathgate (Planning) and Jana Davis (Cultural) on behalf of Kai Tahu (#100) dated 20 October 2023;
- (m) Evidence of Hannah Hoogeveen (Planning), John Parlane (Transport), Tamba Carleton (Economic), Hamish Anderson (Corporate), Cameron Wallace (Urban Design / Residential Density) on behalf of Ladies Mile Property Syndicate (#77) dated 20 October 2023;
- (n) Evidence of Ben Farrell (Planning), James Bentley (Landscape), Jane Rennie (Urban Design) on behalf of Queenstown Country Club (106) dated 20 October 2023;
- (o) Evidence of Werner Murray (Planning), Adam Thompson (Economic), Bruce Weir (Urban Design), Callum Wood (Civil Infrastructure), Jason Bartlett (Transport), Warren Ladbrook (Stormwater), Mark Tylden (Developer) on behalf of Glenpanel Development (#73) dated 20 October 2023;

- (p) Evidence of Dave Smith (Transport) on behalf of Waka Kotahi NZTA (#104), dated 20 October 2023;
 - (q) Evidence of Roy McEwan, on behalf of the Airways Corporation of New Zealand Limited (#69) dated 20 October 2023;
 - (r) Evidence of John Hilhorst on behalf of FlightPlan2050 (#84) dated 20 October 2023;
 - (s) Evidence of Jon Newson on behalf of Threepwood Farm Residents Association (#33) dated 20 October 2023;
 - (t) Evidence of Mike Hanff on behalf of Friends of Lake Hayes Incorporated (#39) dated 20 October 2023;
 - (u) Evidence of Stuart Victor (#89) dated 20 October 2023; and
 - (v) Evidence of Rob Burnell for the Lake Hayes Estate Shotover Country Community Association (#79) dated 27 October 2023.
6. I have also read and considered:
- (a) The traffic experts' joint witness statement dated 30 October 2023 (the **Traffic JWS**);
 - (b) The landscape experts' joint witness statement dated 2 November 2023 (the **Landscape JWS**);
 - (c) The ONF landscape experts' joint witness statement dated 18 October 2023 (the **ONF Landscape JWS**);
 - (d) The economics experts' joint witness statement dated 2 November 2023 (the **Economics JWS**);
 - (e) The stormwater and infrastructure experts' joint witness statement dated 2 November 2023 (the **Stormwater and Infrastructure JWS**);
 - (f) The urban design experts' joint witness statement dated 1 November 2023 (the **Urban Design JWS**);
 - (g) The planning experts' joint witness statement dated 6 November 2023 (the **Planning JWS**). I attended the expert conferencing session on 2 and 3 November 2023.

7. Where I do not respond to a particular evidence statement, or general theme, this does not mean I have not considered the subject matter, but that I have nothing further to add and my views remain as expressed in the s42A report.
8. Rather than responding individually to each matter raised in the individual expert witnesses' evidence, I respond on a topic by topic basis and, for convenience, generally in the order that the topics were addressed in the Planning JWS, which is as follows:
 - Appropriateness of the TPLM Variation area for urban development, and TPLM Variation objectives and policies;
 - Is the Ladies Mile State Highway 6 (**SH6**) corridor becoming a Rapid Transit Service as part of TPLM Variation;
 - Stormwater;
 - Traffic and reduction of SH6 speed limit to 60km/hour;
 - Unformed legal roads;
 - Timing of transport infrastructure staging triggers;
 - Visitor Accommodation and Residential Visitor Accommodation;
 - Ladies Mile Pet Lodge;
 - Queenstown Country Club;
 - Roman Catholic Bishop of Dunedin;
 - Commercial land – general issues;
 - Doolytle & Son;
 - Koko Ridge – issues other than Corona Trust boundary issues;
 - Koko Ridge / Corona Trust issues;
 - J and M Dobb;
 - Maryhill – area for a storage facility;
 - Residential density / density minima in the MDR and HDR Precincts;

- Retirement Villages – inclusion in the TPLM Zone;
- Building heights;
- Conformity with the Structure Plan;
- Anna Hutchison Family Trust – western extension area (**Hutchinson land**);
- Glenpanel Developments Limited;

9. I then address matters raised in the non-expert evidence.
10. I include at **Appendix A** the “Rebuttal Version” of the TPLM Provisions. This version reflects matters agreed in the conferencing and other matters that have arisen in the preparation of the rebuttal evidence.

Appropriateness of TPLM Variation area for urban development, and TPLM Variation objectives and policies

11. It will be clear from the s42A report that I consider the TPLM Variation area is suitable for the urban development promoted in the TPLM Variation provisions. All planners adopted a similar position in their evidence and in the Planning JWS. Moreover, it was agreed that the wider Eastern Corridor (the TPLM Variation area and expansion proposals such as the Anna Hutchison Family Trust (**Hutchinson land**), is appropriate for urbanisation¹.
12. I address the Hutchison land and the other expansion proposals later in this rebuttal, suffice to say here that the timing of further rezoning is a significant consideration.
13. I note that the Planning JWS recorded agreement that the objectives and policies of TPLM are appropriate, subject to minor wording changes and some site specific issues. I address these site specific issues in this rebuttal evidence.

Is the LM SH6 corridor becoming a Rapid Transit Service as part of TPLM

14. The Rapid Transit Service (**RTS**) issue was raised in Werner Murray’s evidence on the Hutchison land². It was discussed at the planning conferencing and

¹ Planning JWS, Thursday 2 November, Attachment A, page 1

² Evidence of Werner Murray dated 20 October 2023, para 31-34

agreed that the State Highway 6 (**SH6**) corridor through Ladies Mile, with the upgrades required by the TPLM Provisions and the intentions for public transport, will be a Rapid Transit Service (**RTS**) under the NPS-UD. An RTS is defined as

Rapid Transit Service means any existing or planned frequent, quick, reliable and high-capacity public transport service that operates on a permanent route (road or rail) that is largely separated from other traffic.

15. I agree that the SH6 corridor between the eastern roundabout at Ladies Mile (adjacent to the eastern boundary of the TPLM Variation area) through to the Frankton Corner would qualify as an RTS because of the dedicated bus lanes (except on the Shotover Bridge) and the Way2Go partners' intent for a frequent, reliable and high capacity public transport service on a permanent roading route that is (largely, other than on the bridge) separated from other traffic.
16. The situation of the TPLM – Frankton RTS route has the same basic components as, for example, the Northern Expressway in Auckland's North Shore, but on a considerably smaller scale and capacity.
17. No particular implications for the TPLM Variation provisions arise from this RTS issue, in my view.

Stormwater

18. I addressed this topic in Section 11, Theme I of the s42A report, where I agreed with the submission of Aukaha and Te Ao Marama (#100) (and others) and concluded that the TPLM Provisions should require an integrated, centralised stormwater management system rather than comprising potentially dispersed, *ad hoc* individual systems. The s42A version of the provisions reflected this intent.
19. Mr Bathgate in his evidence³ set out various relevant provisions of the national and regional instruments relating to water quality that had not been listed in one or other of the s32 evaluation and the s42A report, and I concur with his list. Regardless of that, Mr Bathgate generally supports the s42A version of TPLM Provisions as they relate to stormwater management but seeks that a new rule be added requiring non-complying consent for any subdivision proposal that is not part of an integrated stormwater management system⁴.

³ Evidence of Michael Bathgate dated 20 October 2023, Appendices 1, 2 and 3

⁴ *ibid*, paragraph 60

20. Erin Stagg⁵ and Brett Giddens⁶ comment on the stormwater management issue and their central message is that enabling developers to address stormwater attenuation on a site-by-site or communal basis is more efficient and flexible. Ms Stagg considers that it will be challenging to implement a centralised integrated stormwater management system due to the various land owners, different timelines and intentions.
21. Megan Justice⁷ raises concerns about how the cost of providing infrastructure services and shared community assets will be equally shared by all those making use of the facility, and that, while not opposing the coordination across all development blocks for services and other amenities notes that some landowners will be burdened to a greater extent and it is not clear how the costs incurred will be equally shared across the developable land. She considers that the methodology for managing the fair and equitable locating of assets should be clearly set out as part of the Variation documentation.
22. Werner Murray⁸ considers that there is a suitable stormwater methodology (already designed) for the Glenpanel land and refers to the Flints Park Stormwater Concept Design which he considers demonstrates the feasibility of consolidating devices into four corridors along roads with green space (greenways), and the possibility of a more integrated system in general alignment with neighbouring properties could enhance stormwater management efficiency.
23. In the Planning JWS the planners all generally agreed that an integrated and co-ordinated approach to stormwater management system is necessary, and, broadly, the s42A version of the stormwater provisions were accepted with some modifications based on the agreed position of the stormwater experts as expressed in the Stormwater and Infrastructure JWS.
24. The planners also acknowledged that some developers may wish to advance their proposals sooner than other developers nearby, and that this may necessitate a temporary stormwater solution provided that any temporary system would either become part of the integrated system or would not compromise the integrated system.

⁵ Evidence of Erin Stagg dated 20 October 2023, paragraphs 48 – 53

⁶ Evidence of Brett Giddens dated 20 October 2023, paragraphs 6.54 – 6.57

⁷ Evidence of Megan Justice dated 20 October 2023, paragraphs 45 – 52

⁸ Evidence of Werner Murray (for Glenpanel Developments Ltd), paragraphs 55 – 57

25. An integrated stormwater management system will pass through many properties and straddle many property boundaries as it makes its way to, through and beyond the TPLM Variation area. This will necessitate co-ordination and co-operation between the parties, and the provisions need to require this. An alternative to Mr Bathgate's non-complying rule would be provisions that:
- Require, as part of the information to be submitted with a subdivision application (Rule 27.7.28.1 – Information requirement (b), for stormwater), demonstration of meaningful consultation with affected landowners (being those upstream and downstream to the extent that the stormwater runoff from their land would influence or be influenced by the stormwater system being proposed by the developer) about stormwater management; and
 - Indicate in the Non-notification clauses (at Rule 49.6 and Rule 27.10) that written approval of the affected landowners and the Iwi is required for proposals that include a stormwater management component, and that limited notification to these parties would ensue if the written approvals are not forthcoming.
26. These changes are set out under paragraph 29 below.
27. The Stormwater and Infrastructure JWS included some proposed additional wording of provisions. The planners (including myself) are comfortable with these proposed wordings, including the use of an "integrated" rather than a "centralised" stormwater management system, on the basis that the word "centralised" implies a geographically central form of system which is not the intention. "Integrated" better captures the overall intent of the system.
28. The one wording change proposed by the stormwater experts that some of the planners (myself included) have concerns about is the loosening the words around the number of devices from "4" to "as few as possible" in Rule 27.7.28.1(b), and our preference is for wording along the lines of "minimising the number of devices within the integrated system".
29. The modifications to the Chapter 27 subdivision provisions are set out below. The black wording is the notified wording, the blue wording is the s42A report version, and the red wording is the current "Rebuttal Version" wording proposed by the stormwater experts and as subsequently modified by the planners (and subject to my further comments in paragraphs 32 – 34 below).

Zone		Activity Status
27.7.28	<p><u>Te Pūtahi Ladies Mile Zone</u></p> <p><u>27.7.28.1 Subdivision of land within the Te Pūtahi Ladies Mile Zone</u></p> <p>Discretion is restricted to:</p> <p>...</p> <p>j. <u>How the stormwater management proposed for the subdivision will be managed as part of a centralised, integrated stormwater management system for the TPLM Zone north of SH6, including management of secondary flow paths and levels of ground surfaces to facilitate the system integration.</u></p> <p>k. <u>How a fully integrated stormwater management solution for Slope Hill is to be coordinated via swales for conveyance and soakage to capture and dispose of stormwater on the Slope Hill side of the collector road, including co-ordinated overland flow paths to ensure no adverse effects on downstream properties.</u></p> <p>Information requirements:</p> <p>...</p> <p>b. <u>A statement and supporting plans and specifications with a level of detail as necessary to demonstrate how the stormwater management proposed will be managed as part of an centralised, integrated stormwater management system for the TPLM Zone north of SH6, including:</u></p> <p>i. <u>the manner by which the system within the land subject to the application will integrate with the system on adjoining or nearby land within the same catchment or sub-catchment, and where stormwater management devices can be shared for development across multiple properties;</u></p> <p>ii. <u>the manner by which a fully integrated stormwater management solution for Slope Hill and the TPLM Zone north of SH6 (including treatment) is to be co-ordinated across development blocks, with reference to the Stormwater Management Guidelines to provide between 1 and 4 minimise the number of stormwater facilities (detention basins, and/or soakage devices and / or including underground chambers) across the TPLM Zone north of SH6, including co-ordinated overland flow paths through the developments to ensure no adverse effects on upstream or downstream properties;</u></p> <p>iii. <u>demonstration of meaningful consultation with affected landowners (being those upstream and downstream to the extent that the stormwater runoff from their land would influence or be influenced by the</u></p>	RD

Zone		Activity Status
	<p style="text-align: center;"><u>stormwater system being proposed) about stormwater management and the effects on those parties:</u></p> <p style="text-align: center;">...</p>	

27.9 Rules – Non-Notification of Applications

Applications for all controlled and restricted discretionary activities shall not require the written approval of other persons and shall not be notified or limited notified except:

...

a. For applications within Te Pūtahi Ladies Mile Zone:

Note: any application for subdivision that involves any stormwater management component shall require the written approval of Kāi Tahu and affected landowners in the catchment, and limited notification to these parties is required to any of these parties who do not provide written approval.

30. The modifications to the Chapter 49 land use provisions would be⁹:

49.6 Rules – Non-notification of Applications

The following Restricted Discretionary activities shall not require the written approval of affected persons and shall not be notified or limited notified (except where the application involves any stormwater component):

49.1.1 Residential units pursuant to Rule 49.4.4, that comply with all standards.

49.1.2 Buildings for non-residential activities pursuant to Rule 49.4.17, that comply with all standards.

Note: any application that involves any stormwater management component shall require the written approval of Kāi Tahu and affected landowners in the catchment, and limited notification to these parties is required to any of these parties who do not provide written approval.

31. The Rebuttal Version of the TPLM Provisions, at [Appendix A](#), sets out the above wording changes and additions.

⁹ The wording is suggested but I welcome further suggestions and refinements from the other planners

32. The stormwater experts in their JWS referred to “stormwater management guidelines” and inserted reference to these guidelines in their proposed wording changes, as above. The planners in their conferencing questioned whether the guidelines, that would presumably sit outside the District Plan, were needed or not, given the s42A Version new framework of District Plan provisions (policies, matters of discretion, assessment matters, and notification clauses) which collectively give considerable guidance to developers, Council officers and other plan users). The planners also questioned, if guidelines are to be included, how they would be formulated, and the planners asked that the stormwater experts consider these questions further. Mr Gardiner has addressed this in his rebuttal¹⁰. He considers that the guidelines could be done in consultation with affected landowners and stakeholders and address both engineering matters to ensure integration, along with potential other matters relevant to stormwater design.
33. The planners also considered that if guidelines are necessary, they could be based on existing resource material such as the *Te Ao Maori and Water Sensitive Urban Design*¹¹ potentially adapted to a specific Ladies Mile stormwater guidance document.
34. The modifications to Chapter 27 would necessitate changes to Chapter 49 also, as stormwater management will be a factor to consider in land use consents as well as subdivision consents. This would include:
- an additional matter of discretion in Rules 49.4.4 (residential units in the MDR and HDR Precincts) and Rule 49.4.18 (buildings for non-residential activities) that would cross-reference to the matters of discretion and information requirements in Rule 27.7.28.1;
 - an additional assessment matter in 49.7(f) (assessment matter for sustainability and resilience) cross-referencing to the assessment matters in 27.9.8.1; and
 - the additions to the Non-notification clause which I discussed in paragraph 30 above.
35. These changes are set out in the Rebuttal Version of provisions at [Appendix A](#).

¹⁰ Rebuttal evidence of John Gardener, paragraph 10.

¹¹ *Te Ao Maori and Water Sensitive Urban Design*, Natural Science Challenges, September 2019 - [\(link\)](#)

Traffic and reduction of SH6 speed limit to 60km/hour

36. The traffic experts agree that the speed limit on SH6 should reduce to 60km/h, that the Howards Drive and Stalker Road intersections should be signalised, and that there is no need for a pedestrian underpass.
37. This has the following implications for the TPLM Structure Plan and provisions:
- (a) Policy 49.2.6.4(b) (regarding the pedestrian underpass) can be deleted;
 - (b) The Key Crossing east of Howards Drive would be an at-grade signalised crossing, likely a four-way crossing;
 - (c) There is no need for the Crossing Curtilage Area on either side of the Key Crossing;
 - (d) Other at-grade SH6 pedestrian crossings are more simply facilitated.
38. At conferencing the planners questioned the implications of the speed limit reduction for the Amenity Access Area and setbacks shown on the Structure Plan and the SH6 cross-section diagram which is a part of the Structure Plan. The planners sent questions to the urban designers on this matter.
39. Stu Dun in his rebuttal evidence has addressed this point¹². He considers that the Amenity Access Area should remain as it is currently promoted, as the designers always intended that SH6 would become a slower speed environment serving a role as a gateway, with the Amenity Access Area serving as a buffer for living adjacent to the busy road corridor.

Unformed legal roads

40. The planners addressed this topic at conferencing, and agreed that there needs to be some indication on the Structure Plan that the “legended” features of the Structure Plan are those that must be adhered to as land is developed, and “un-legended” features like unformed legal roads and property boundaries are not required to be adhered to.
41. My preference is for the “un-legended” items to be removed from the Structure Plan. These items still exist, however, and would be dealt with in any case at subdivision stage.

¹² Evidence of Stu Dun, paragraph 25

42. For unformed legal roads (such as the legal road at the northeastern part of the Zone) if they are not to be formed as part of a subdivision then they would need to be closed, and the road closure is a separate legal process. There is nothing unusual about this, and I do not consider that any mechanism needs to be built into the TPLM Zone provisions to address how unformed legal roads are dealt with.

Timing of infrastructure triggers

43. Erin Stagg¹³ proposes amendments to Rules 49.5.33 and 49.5.50 so that breaching the transport infrastructure staging rules would default to Restricted Discretionary not Non-complying, and lists matters of discretion including effects on transport network, private vehicle trips, and occupation of buildings. Brett Giddens has some general concerns with the transport infrastructure staging provisions¹⁴, and other planners (Werner Murray¹⁵, Scott Freeman¹⁶ and Hannah Hoogeven¹⁷) have suggestions about, or propose modifications to, the transport infrastructure staging rules.
44. The current wording of the traffic infrastructure staging rules (Rules 49.5.10, 49.5.33, 49.5.50, and 49.5.56) requires that “*Development ... shall not occur prior to all the corresponding transport infrastructural works listed below being completed*”. Non-complying consent would be required for any development that precedes completion of the corresponding transport works. The issue is what “development” means in this context, and hence what is non-complying.
45. The traffic experts considered this in relation to development in Sub-Area B (and I understand this was because the traffic witness for the owner of Sub-Area B raised it in relation to that Sub-Area only). The traffic witnesses agreed¹⁸ that:

... in terms of timing to have the transport infrastructure in place before progressing Sub-Area B this should relate to the ‘occupation’ of the first development. By occupation this means as soon as the first development is placing demand on transport infrastructure then it is important that the transport infrastructure is in place before that demand occurs.

¹³ Evidence of Erin Stagg, paragraph 45

¹⁴ Evidence of Brett Giddens, paragraphs 6.35 – 6.45

¹⁵ Evidence of Werner Murray, paragraph 53

¹⁶ Evidence of Scott Freeman, paragraphs 61 – 64

¹⁷ Evidence of Hannah Hoogeven, paragraphs 6.1 – 6.3

¹⁸ Traffic JWS, Attachment A, page 9, points b. and c.

46. The meaning of “occupation” was also questioned.
47. The planners (including myself) at conferencing agreed that:
- the rules should allow development (including consenting and construction) to proceed in parallel with the traffic infrastructural works but that occupation of the development is not to occur until the corresponding traffic infrastructure works are in place; and
 - there needs to be very clear direction – using “avoid” language and non-complying status to ensure this – to avoid the adverse effects of new development on the roading network if the infrastructural works are not in place; and
 - there does not appear to be any reason why this should be confined to just Sub-Area B, when it is an issue in all Sub-Areas.
48. Some mechanism around “occupation” is necessary. My preference is that the rules tie the completion of the building back to the Code Compliance Certificate (CCC) under ss92 – 95 of the Building Act 2004. The CCC must be applied for by the building owner, and the Council would not issue it until it is satisfied that all of the building work has been completed in accordance with the building consent. The suggested wording change to each of the traffic staging rules is set out below.
49. The planners also addressed the question as to whether Rules 49.5.10, 49.5.33, 49.5.50, and 49.5.56 require that all of the transport infrastructural works listed under each rule need to be completed, regardless of the Sub-Area involved, or if only the works listed for each Sub-Area are required. The intention is that it is only the works listed for each Sub-Area that need to be completed. Hannah Hoogeven addressed this in her evidence¹⁹ and provided a straightforward wording change (addition of the words “... *for the Sub-Area* ...”) that I support. The wording is included in the modifications set out below.
50. The changes to the transport infrastructure staging rules discussed above are as follows (in red underlined):

Table (2, 3 or 4)	Standards ...	Non-compliance status
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¹⁹ Evidence of Hannah Hoogeven dated 20 October 2023, paragraphs 6.1 – 6.3

...		
49.5.XX	<p>Staging development to integrate with transport infrastructure Development (except for utilities, the specified transport infrastructural works and other physical infrastructure) within the Sub-Areas shown on the Structure Plan shall not occur prior to all the corresponding transport infrastructural works for the Sub-Area listed below being completed.</p> <p>For the purposes of this rule, “completed” means when the works are physically completed and are able to be used for the intended purpose.</p> <p>For the purposes of this rule, “development” means a building for which a Code Compliance Certificate has been issued by the Council. Any application under Rules 49.4.X [for buildings in the respective Precincts] shall include a condition requiring that a Code Compliance Certificate under s92 of the Building Act 2004 shall not be applied for in respect of that building before the corresponding transport infrastructural works for the Sub-Area are completed.</p> <p>...</p>	NC
...		

51. This would be accompanied by a new activity rule in Table 1, as follows:

Table 2	Standards for activities located in the Medium Density Residential Precinct and High Density Residential Precinct	Non-compliance status
...		
49.5.XX	Resource consents for any building shall include a condition requiring that a Code Compliance Certificate under s25 of the Building Act 2004 shall not be applied for in respect of that building before the corresponding transport infrastructural works for the Sub-Area are completed.	NC

52. This is appropriate for all Precincts other than the LDR Precinct, in which buildings are permitted. Land use development in the LDR would need to be preceded by subdivision, which captures the transport staging works under Rule 27.7.8.1(h). A rule will be required to manage this.

53. These changes are set out in the Rebuttal Version of provisions at [Appendix A](#).

Visitor Accommodation and Residential Visitor Accommodation

54. I addressed Visitor Accommodation (**VA**) and Residential Visitor Accommodation (**RVA**) at Section 11, Theme J of the s42A report and recommended that RVA (short-stay accommodation in residential units, such as through Air BnB) continue to be avoided in the TPLM Zone, as the Zone is intended to provide for the needs

of local residents and RVA is already well supplied in other zones. I also recommended providing for VA (hotels, motels) in the Commercial and Glenpanel Precinct through a Discretionary status.

55. Megan Justice²⁰ and Erin Stagg²¹ support the s42A recommendations for VA in the Commercial and Glenpanel Precincts.
56. Hannah Hoogeveen²² and Brett Giddens²³ oppose the restriction of RVA in the TPLM Zone and seek that some allowance is provided for this activity.
57. This was addressed in the Planning JWS. The issue of challenging feasibilities for higher density development was discussed. Based on the Economics JWS, Ms Hoogeveen interprets the evidence of Ms Carleton and Ms Fairgray that feasibility of higher density development depends on being attractive to both owner-occupiers and investors; and that that RVA is attractive to investors because it gives them flexibility to rent units short-term as well as long-term.
58. The Economic JWS records that most²⁴ experts support RVA in the higher density typologies in the HDR Precinct given that it increases development feasibility and may support realisation of high-density apartment developments.
59. The Planning JWS agreed (in relation to the notified non-complying status for RVA) that a level of regulation is required to achieve affordable housing and long-term residential density; but accepted that a portion of RVA could aim to assist investment and development of high-density areas. The planners agreed that RVA may be permitted in high density areas for larger buildings (4 levels or over) to a 90-day limit; and potentially up to 30-days in buildings of up to 3 levels. There were differing views on the status if the limit is exceeded.
60. My view is that the status of RVA beyond the 90 or 30-day limits above should be non-complying, to continue to discourage units being used for other than longer-term permanent accommodation.
61. It was agreed (including by myself) that RVA should not be allowed in the MDR Precinct.

²⁰ Evidence of Megan Justice, paragraph 13

²¹ Evidence of Erin Stagg, paragraph 89

²² Evidence of Hannah Hoogeveen, paragraph 5.7

²³ Evidence of Brett Giddens, paragraph 6.21

²⁴ Other than Adam Thompson, who opposes mainly on amenity grounds

62. As I understand the economics experts there is not expected to be any market feasibility problems for buildings up to three levels. My rationale for accepting a 30-day RVA limit on these buildings is that this period equates to a normal 4-week annual leave period, and residents may wish to rent their units for short term accommodation while they are away on leave, which may assist with the affordability of the units for some families.
63. Ms Fairgray considers this matter further in her rebuttal. She considers that some provision for RVA will improve the viability of apartment buildings, and encourage the initial construction of buildings through improving the ability for development funding via presales. She considers that enabling a portion of units (50%)²⁵ within a building to be utilised for RVA, while retaining the remainder for permanent living and long term rentals, may provide sufficient incentive for high density apartment development and to improve feasibility.
64. Considering these opinions, I consider that a new rule allowing RVA as a permitted activity in the HDR Precinct, for buildings of four + storeys in height and up to 90 nights per year, with non-complying status to exceed 90 nights, for 25% percent of the units in the building; and up to 30 nights per year for buildings up to and including three storeys, with Non-complying status to exceed 30 nights.
65. I recognise that allowing too many units to be used for RVA could have adverse effects not only in relation to retention of units for permanent living but also on the amenity values of occupants of other units in the building and the potential for there to be too many transient visitors for a “community” spirit of long term residents to establish. Adam Thompson recognised this²⁶. These effects are a factor in settling a lower percentage of units that are enabled for RVA than Ms Fairgray’s quantum, and the total RVA nights per year per unit.
66. Enabling RVA in this manner requires a modification to provisions. My suggested modifications to Policy 49.2.5.5 are:

Policy 49.2.5.5 Avoid Visitor Accommodation in all residential precincts, and avoid Residential Visitor Accommodation in the Low Density Residential and Medium Density Residential precincts, consistent with the role of the Zone in providing for the needs of local residents.

Policy 49.2.5.5A Limit Residential Visitor Accommodation in the High Density Residential Precinct, consistent with enhancing market attractiveness of and affordability within high density residential developments.

²⁵ Rebuttal evidence of Susan Fairgray, paragraph 107

²⁶ Economics JWS, Attachment A, page 3

67. The suggested additional rules are as follows:

	Activities located in the Te Putahi Ladies Mile Zone	Activity Status
...		
49.4.5	Residential Visitor Accommodation <u>in the Low Density Residential, Medium Density Residential, Commercial Centre, Glenpanel and Open Space Precincts</u>	NC
<u>49.4.5A</u>	<u>Residential Visitor Accommodation in the High Density Residential Precinct</u>	<u>P</u>

Table 2	Standards for activities located in the Medium Density Residential Precinct and the High Density Residential Precinct	Non-compliance status
...		
<u>49.5.37</u>	<p><u>Residential Visitor Accommodation in the High Density Residential Precinct where:</u></p> <p><u>49.5.37.1 The activity is within a building of at least four storeys.</u></p> <p><u>49.5.37.2 A maximum of 25% of the units within a building are allowed to be available for Residential Visitor Accommodation.</u></p> <p><u>49.5.37.3 The total nights of occupation by paying guests within a unit does not exceed a cumulative total of 90 nights per annum from the date of initial registration.</u></p> <p><u>49.5.37.3 The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed:</u></p> <ul style="list-style-type: none"> <u>• 3 in a one-bedroom residential unit;</u> <u>• 6 in a two-bedroom residential unit;</u> <u>and</u> <u>• 9 in a three-bedroom or more residential unit.</u> <p><u>49.5.37.4 No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</u></p> <p><u>Notes:</u></p> <p><u>(a) The activity is registered with Council prior to commencement.</u></p> <p><u>(b) Up to date records of the Residential Visitor Accommodation activity must be kept including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made</u></p>	<u>NC</u>

	<p><u>available for inspection by Council with 24 hours' notice.</u></p> <p><u>(c) The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 49.5.37.1 to 49.5.37.4.</u></p>	
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Pet Lodge

68. Scott Freeman in his evidence addressed the Pet Lodge property and the implications of the Key Crossing and the Crossing Curtilage area on the basis that the Howards Drive / SH6 intersection would be formed as a roundabout. Andy Carr addressed this from a traffic perspective, for the Pet Lodge.
69. The change in the intended speed limit along SH6 from 80km/h to 60 km/h, and the (now) preference for a signalised intersection rather than a roundabout at Howards Drive / SH6, has implications for the Pet Lodge and consequently for the TPLM provisions and Structure Plan. The signalised intersection would include pedestrian crossings at grade, in both directions (north-south and east-west) removing the need for an underpass in the Key Crossing location (or thereabouts) shown on the Structure Plan. Policy 49.2.6.4(b) (which indicates that an underpass is the preferred form of pedestrian crossing) is no longer necessary, as the at grade pedestrian crossing would fulfil the Key Crossing's purpose of providing a convenient and direct pedestrian link between the south and north sides of SH6, close to the open space precinct and the Commercial Precinct.
70. The Key Crossing notation on the Structure Plan is still desirable, however, to signify that this is a preferred and necessary location for a cross-highway pedestrian linkage. The final location of the Key Crossing is flexible.
71. The Crossing Curtilage area, however, is no longer necessary, as the design of development on private land adjacent to the Key Crossing will in all likelihood take into account the 10m Amenity Access area (on the north side) and the SH6 intersection frontage location.
72. Mr Freeman and I are agreed on these matters. I have amended the provisions by deleting the Crossing Curtilage Overlay from the Structure Plan and the references to it in the provisions. These changes are in the Rebuttal Version of the provisions at [Appendix A](#).

Queenstown Country Club (QCC)

73. Mr Farrell in his evidence for QCC²⁷ indicates that the submitter is now primarily focussed on the relief sought for the reduction of the building restriction area (**BRA**) on the QCC site on the southern side of SH6 from 75m to 25m; with associated amendments to provisions to enable buildings as controlled activities and standards to ensure appropriate provision for good urban design outcomes. Mr Farrell also considers that the site could be otherwise be zoned to TPLM – LDR Precinct, which would better enable a set of bespoke provisions to be established for the site.
74. I addressed this submission in the s42A report at Section 12 (Rezoning and Mapping Changes), and in relying on the Council's landscape and urban design evidence I recommended that the 75m BRA should be retained, due to this being an important element of the desired gateway arrival sequence and its function in enabling views towards the mountains beyond.
75. Mr Farrell, James Bentley²⁸ (landscape) and Jane Rennie²⁹ (urban design) do not support the 75m BRA; and consider it is untested and has limited justification. They indicate that the original intent of the setback was to add to the sense of rural character, amenity and openness along the Ladies Mile; but that intent is no longer relevant as the highway corridor is now within a different contextual environment – i.e urban, not rural.
76. Ms Rennie considers that reducing the BRA to 25m will enable the development of a high amenity character along the QCC frontage that will enable a "softer" filtered view of the built form, support greater visual connectivity, and support a change in the look and feel of the road corridor by enabling buildings in closer proximity to the road which is more conducive to a reduction in speeds limits.
77. I also note that the Transport JWS records that the experts consider generally that a reduction and / or removal of the setbacks along the highway would be a better outcome in supporting the desired reduction to a 60km/hr speed environment³⁰.
78. The setback has been considered further at landscape, urban design and planning conferencing sessions. The landscape experts agreed that the

²⁷ Evidence of Ben Farrell dated 20 October 2023

²⁸ Evidence of James Bentley dated 20 October 2023

²⁹ Evidence of Jane Rennie dated 20 October 2023

³⁰ Transport JWS, Attachment A, page 3.

“gateway” to Queenstown with the development of TPLM would ultimately be further east in the vicinity of Strains Road/Walnut Lane³¹. They agreed that there is room for reduction of the 75m BRA to 25m (being at the approximate location of existing post & rail fence), provided that it is replaced/accompanied with a specific design/policy response. They also agreed that a continuous built form comprising 8m building height located at a 25m setback would have adverse effect on views to surrounding ONLs.

79. The urban design experts did not agree on an appropriate setback, noting the southern setback from SH6 balances a number of considerations including mitigation of the loss of rural and open character across the zone generally.
80. The Planning JWS recorded acceptance of the Landscape JWS recommendations for the reduction of the BRA to 25m but that a typical 8m height limit would have an adverse effect. Mr Farrell indicated willingness to accept a reduced height, and following conferencing he provided revised amendments to provisions including a height limit of 6m³².
81. Ms Palmer in her rebuttal evidence notes that the 75m setback provides potential bird foraging habitat and that South Island Pied Oystercatchers were observed to forage on this strip of land within the 75m setback on 18 October 2023. She also acknowledges however the transport experts findings in seeking to create a lower speed environment, and that this may reduce bird road kills.
82. Mr Dun in his rebuttal evidence³³, relies on the landscape experts’ agreement that views to The Remarkables and wider landscape would still be retained with a reduced setback (to 25m with building height and other controls) and that the wider landscape intent of the ‘gateway’ approach to the southern side of SH6 can be maintained within this smaller setback. He considers that minimum restrictions should be imposed on height, separation between buildings to enable long views and to avoid a long building line fronting the highway, and fencing/boundary treatment. He also considers a no build area in front of the existing QCC community building should be retained for a sense of openness.
83. Based on the expert opinions as discussed above, I consider that the BRA should be reduced from 75m to 25m, provided that specific standards and design controls are imposed. While I acknowledge the potential bird foraging habitat of

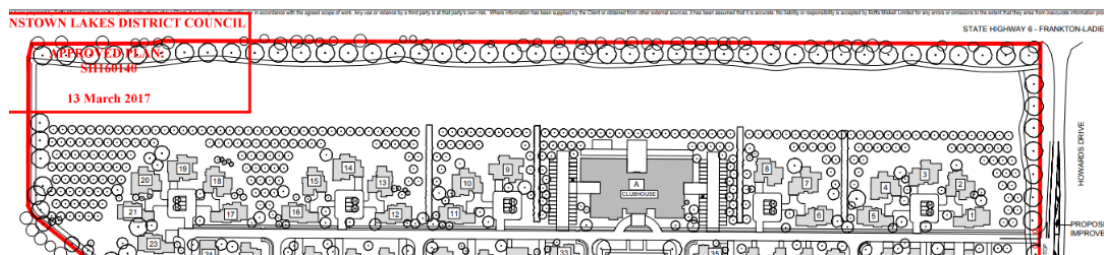
³¹ Landscape JWS, Attachment A, page 5

³² Planning JWS, page 5

³³ Rebuttal evidence of Stu Dun, paragraph 16 – 17

this land, I consider that irrespective of the setback applied the land is within an urban environment which is anticipated to become more urbanised over time, and that there will be large open space areas within the TPLM Zone (including those to be created as part of the stormwater regime, and the required open space areas on the Structure Plan, and the Open Space Precinct adjacent to the QCC land).

84. The most appropriate zone type for the QCC site was not specifically discussed at the planning conferencing, however I consider that the site could be retained as PDP LDSR Zone; and that this zone is appropriate to retain the existing QCC's residential character, subject to the kind of provisions being anticipated by the landscape and urban design experts.
85. Mr Farrell (at Appendix 2 of his evidence) has proposed a set of bespoke provisions for the site to be inserted into Chapter 7 of the PDP. These promote a Controlled Activity approach for buildings and retirement villages on the site. While I can support a retirement village (activity only) being controlled on this site, I do not consider the Controlled Activity status to be sufficiently stringent enough for buildings within the reduced setback area, to ensure quality design outcomes, given the acknowledged importance of this area by the landscape and urban design experts; and the fact there are no existing resource consent conditions to rely on for this area. The provisions of Chapter 7 of the PDP also do not place sufficient weight on urban design outcomes, for the QCC context, in my view, and a bespoke regime is therefore necessary.
86. I consider that to retain landscape views through and over buildings, the built form outcome within the reduced setback area should be consistent with the nature and density of the existing QCC development. Accordingly I have reviewed the QCC's consent decision (SH160140) and the design controls that were imposed on the villas. These include:
- A total of 21 units only within the area between 120m-75m to the state highway (condition 47) (shown on the extract of the approved plan below):



- All villas shall have a maximum height of 5.8m above finished ground level (condition 50);
 - Maximum footprint of any villa shall be 310m² (including conservatories).
87. I consider these same conditions would be reasonable to replicate for development within the reduced setback area between 75m to 25m of the state highway boundary. I also consider that buildings within this area should be a restricted discretionary activity, with matters of discretion including how the design integrates with the existing pattern of development; and consider that a specific objective and policy are necessary to ensure a high-quality design outcome to avoid villas having their 'back' to the highway road frontage.
88. In summary, I have not accepted Mr Farrell's amendments and instead recommend the following amendments to Chapter 7 of the PDP:

Rules - Activities		
7.4.11	Retirement Villages <u>Except this rule shall not apply to buildings that are Restricted Discretionary activities under Rule 7.4.24.</u>	D
<u>7.4.24</u>	<u>Queenstown Country Club (west of Howards Drive, Ladies Mile)</u> <u>7.4.X.1 Buildings within 120m of the boundary with the highway and outside the Building Restriction Area</u> <u>7.4.X.2 Buildings within 20m of the Howards Drive Road Boundary</u> <u>Discretion is restricted to:</u> <u>a. Location, external appearance, site layout and design of buildings and how the development addresses its context to contribute positively to the character of the area and the highway frontage;</u> <u>b. Scale, form, density and separation between buildings to maintain a sense of spaciousness when viewed from the highway and to maintain views to the wider ONLs from the highway;</u> <u>c. The activation of the highway frontage and avoidance of the rear of buildings facing the highway;</u> <u>d. Design and integration of landscaping and fencing, including existing vegetation;</u> <u>e. Infrastructure, access and parking design: including the avoidance of parking areas visible from the the highway;</u> <u>f. Stormwater management.</u> <u>Information requirements:</u> <u>a. Applications for resource consent shall contain a design statement describing how the proposed building location and appearance achieves the matters of discretion and is commensurate with existing buildings within the Queenstown</u>	<u>RD</u>

	<u>Country Club and the approved development plan of SH160140.</u>	
7.5 Rules - Standards		
7.5.X	<p>Building Height (for flat sites)</p> <p>7.5.1.1 Wānaka and Hāwea: Maximum of 7 metres.</p> <p>7.5.1.2 Arrowtown: Maximum of 6.5 metres.</p> <p>7.5.1.3 Kawarau Heights: Maximum of 4.5m and 6m as identified on the Structure Plan in 27.13.15.</p> <p><u>7.5.1.4 Queenstown Country Club within 120m of the boundary with SH6: Maximum of 6m</u></p> <p>7.5.1.45 All other locations: Maximum of 8 metres.</p>	NC
7.5.X	<p>Density</p> <p>The maximum site density shall be:</p> <p>i. one residential unit or dwelling per 300m² net site area, or</p> <p>ii. one residential unit or dwelling per 800m² net site area at Lake Hāwea South within Area B as identified in the Structure Plan in 27.13.19.</p> <p><u>Except this rule does not apply to the Queenstown Country Club.</u></p>	NC
<u>7.5.X</u>	<p><u>Maximum number of residential units</u></p> <p><u>7.5.X.1 Queenstown Country Club within 120m of the boundary of SH6 – A maximum of 42 units.</u></p>	<u>NC</u>
<u>7.5.X</u>	<p><u>Maximum Floor Area</u></p> <p><u>7.5.X.1 Queenstown Country Club within 120m setback from the boundary with the highway – individual buildings shall have a maximum floor area of 310m².</u></p>	<u>D</u>

89. I note that this proposed reduction to the BRA along the QCC frontage to SH6 may also require a change to the BRA at the Shotover Country Limited (#46) site to the west, at the corner of Stalker Road and SH6, for consistency in approach, however that may require further site specific consideration based on the particular landscape attributes of that site and the outcomes of the previous resource consent decision.

Roman Catholic Bishop of Dunedin

90. Alex Dunn in his evidence³⁴ for the Roman Catholic Bishop of Dunedin considers that any non-residential activity would be non-complying because it would not be able to be in accordance with the Structure Plan and would fail to meet the residential density standards.

³⁴ Evidence of Alex Dunn (for the Roman Catholic Bishop) dated 20 October 2023, from paragraph 74

91. This is not the intention of the TPLM Provisions, but I consider that the provisions should be modified slightly, as follows:

- Relocate the Te Putahi Ladies Mile Zoning Plan so that it is not physically part of the Structure Plan, and thereby ensuring that the Precincts (MDR Precinct etc), are not part of the Structure Plan;
- Modify Rule 49.5.16 to further specify that the residential density standard applies only to residential developments, as follows:

Table 2	Standards for activities located in the Medium Density Residential Precinct and the High Density Residential Precinct	Non-compliance status
...		
49.5.16	<p>Residential Density</p> <p>49.5.16.1 In the Medium Density Residential Precinct, residential development shall achieve a density of ...</p> <p>49.5.16.2 In the High Density Residential Precinct, residential development shall achieve a density of ...</p>	NC

92. These are set out in the Rebuttal Version of provisions at [Appendix A](#).

93. The modifications ensure that there is no ambiguity that non-residential activities are not inconsistent with the Structure Plan and therefore do not trigger Rule 49.5.15, which requires development to be consistent with the Structure Plan.

94. Mr Dunn also proposes a new Precinct or overlay for the activities the submitter seeks (church and school) on a specific site within the Zone³⁵. Under the TPLM Provisions Educational Activities are a Restricted Discretionary activity and Community Activities are a Discretionary activity, therefore there is an appropriate consenting pathway for such activities.

95. I do not agree that any further changes are necessary, and do not agree with Mr Dunn that a site-specific precinct or overlay is warranted.

Commercial land – general

³⁵ *ibid*, paragraphs 21 – 53

96. Erin Stagg³⁶ states that the Commercial Precinct should be expanded in size. The Planning JWS records that the planners (myself included) agree that the size of the notified Commercial Precinct may need to be increased given the allowance for Visitor Accommodation (**VA**) within it and the expansion of the allowable supermarket floor area (from 2000m² to 4000m²).
97. Natalie Hampson has addressed this in her rebuttal statement³⁷. She considers that, in addition to the above factors (supermarket floor area and opportunity for VA, as discussed in the s42A report at Section 11, Theme J³⁸) the following factors are relevant:
- The possibility that the Pet Lodge could remain in situ for the foreseeable future;
 - The likelihood that a road will traverse through the Commercial Precinct and take up land area;
 - The possibility of a service station within the Commercial Precinct.
98. Ms Hampson considers that some increase in the overall area of the Commercial Precinct is therefore justified. She considers that an increase from 2.17ha to 3.2 ha is appropriate and that this increase would not have adverse retail distributional effects on higher order centres³⁹. Mr Dun supports the increase also, from his urban design perspective⁴⁰.
99. I rely on Ms Hampson and rely on her expertise in this regard, and therefore agree with Ms Stagg that an increase to the area of the Commercial Precinct is justified. A change to the zoning plan will be needed to show this area of land. I understand from Mr Dun that the most appropriate location for the extension is a strip of land east of the current Commercial Precinct, approximately 38m wide, for the length of the Precinct⁴¹.
100. Brett Giddens proposes a 2500m² commercial centre on the Winter Miles Airstream Ltd land in the eastern part of the TPLM Variation area. Ms Hampson

³⁶ Evidence of Erin Stagg dated 20 October 2023, paragraphs 54 – 62

³⁷ Rebuttal evidence of Natalie Hampson dated 10 November 2023, paragraphs 45 – 53

³⁸ S42A report, Section 11, paragraphs 11.242 – 11.245

³⁹ Natalie Hampson's rebuttal, paragraphs 62 – 63

⁴⁰ Stu Dun's rebuttal, paragraph 52

⁴¹ Stu Dun's rebuttal, paragraph 53

has also addressed that proposal in her rebuttal⁴². She considers that a centre of that size would be a neighbourhood centre and that in this location it would be an inefficient use of land given its proximity to the Commercial Precinct.

101. Ms Hampson also states that the ~1ha increase in the Commercial Precinct area (that I discussed above) should be to the Commercial Precinct and not dispersed in other locations within the TPLM Variation area.
102. I rely on Ms Hampson's expertise and on that basis I disagree with Mr Giddens.

Doolytle & Son

103. Mr Dunn⁴³ proposes that the Doolytle site, on Howards Drive southwest of the Open Space Precinct and opposite the QCC land, should be zoned TPLM Commercial Precinct, to enable large format retail.
104. I note that all of the economics experts do not support this proposal because the site is too close to the existing and proposed centres; that it would compete with the proposed Commercial Precinct; and that there is no economics evidence to support the proposal⁴⁴. Ms Hampson further enunciates these points in her rebuttal statement⁴⁵.
105. For these reasons I disagree with Mr Dunn.
106. The Planning JWS records that the general agreement that the Low Density Suburban Residential Zone does not appear to be efficient use of the land, and other potential uses were suggested, including some form of mixed use/commercial (but not retail) or high density residential, both subject to appropriate landscape and amenity / built form controls. However, there was no economics or traffic evidence to guide the planners on the appropriateness of these activities.
107. Ms Hampson addressed this in her evidence in chief and considers that the Doolytle site is not suitable for commercial activities.
108. Stu Dun (urban design) and Colin Shields (traffic) concur that higher density residential is appropriate on the site. The most appropriate zoning would be the

⁴² *ibid*, paragraphs 33 – 37

⁴³ Evidence of Alex Dunn (for Doolytle) dated 20 October 2023, from paragraph 24

⁴⁴ Economics JWS dated 2 November 2023, section 8

⁴⁵ Natalie Hampson's rebuttal, paragraphs 31 – 32

PDP's High Density Residential Zone, which applies a 12m height limit, which Mr Dun considers is acceptable on this site.⁴⁶

109. I accept these opinions and consider that the change from low to high density is a more efficient use of the land in this central location. No changes are required to the TPLM Zone provisions in this regard, other than a change to the zoning plan.

Koko Ridge – issues other than in relation to Corona Trust boundary issues

110. Various issues about the Koko Ridge land are raised in the evidence of Tim Allan and Blair Devlin. I address these as follows.

Maximum number of residential units

111. In my s42A, I recommended that the notified maximum number of 60 residential units be retained for Sub Area H2 on the basis of the transport evidence of Mr Shields, which considered that increasing density on this site would be too far from the intended location of community facilities and bus stops and may result in increased traffic effects.
112. Tim Allan⁴⁷ and Blair Devlin⁴⁸ state that the maximum density of 60 units appears to be an error, as the yield per hectare for the H2 Sub-Area is considerably lower than the yield in Sub-Areas H1 and I (which are also in the LDR Precinct). Mr Devlin identifies that the H2 yield is 7.23 residential units per hectare compared to 12.66 residential units per hectare for the adjoining Sub Area H1, and questions the justification for this. He states that the appropriate density is 13 residential units per hectare (normal for a low density suburban residential environment), giving a maximum of 108 units in Sub Area H2.
113. I cannot see a reason why the Sub Area H2 maximum yield per area should be any different to that of Sub Area H1 and I therefore I agree with Mr Devlin and Mr Allan, and consider that the Sub Area H2 maximum should be increased to 108 units. On reflection, the land is in reasonable proximity to the future bus stops that are required to be established on the highway west of the Stalker Road intersection, with Sub Area H2 being required to provide an active travel link to these. Additionally, bus priority on Stalker Road is included in the QLDC 'Minor

⁴⁶ Stu Dun's rebuttal, paragraph 44

⁴⁷ Evidence of Tim Allan, paragraph 30

⁴⁸ Evidence of Blair Devlin, paragraph 27

Improvements Programme' (as discussed in the rebuttal evidence of Mr Shields⁴⁹) and bus priority on SH6 is included in the NZUP programme and required by the TPLM transport staging triggers.

114. I therefore recommend that Rule 49.5.11 be amended to increase the maximum number of residential units for Sub Area H2 to 108. This recommendation is subject to the inclusion of grandfathering provisions set out below, and mitigation being provided to the boundary with the Corona Trust site (as discussed below).

“Grandfathering” clauses

115. Mr Devlin discusses the more intensive rezoning is conflicting with an approved subdivision scheme which has larger lots of 2000m² in size, which is the minimum lot size in the Large Lot Residential (A) (**LLR (A)**) Zone. This is a relevant issue, as the TPLM Zone's LDR Precinct, although of increased density than the LLR(A) Zone, in some respects is more restrictive than the LLR(A) Zone, such as imposing car parking maximums, and restrictions on RVA.
116. Mr Devlin suggests that one solution is to “grandfather” the LLR(A) Zone's bulk and location controls, so that they apply to new development on the existing or consented lots over 2000m². This would enable the more spacious setbacks and lower site coverage rules to apply to larger lots. I agree with Mr Devlin that if the lots are retained at their current size, they should remain able to utilise the bulk and location controls which were developed with this lower density layout in mind. Mr Devlin presents proposed amended provisions as copied below, relating to Chapters 49 (TPLM Zone) and 29 (Transport). I agree with these provisions and recommend they be included.

Rule	Standards for activities in the Low Density Residential Precinct	Non-compliance Status
49.5.X	New residential units on sites greater than 2000m² within the H2 Sub-Area shall be subject to the bulk and location controls specified in the Large Lot Residential (A) zone provisions 11.5.1 – 11.5.14.	As required by Rules 11.5.1 – 11.5.14

Rule	Table 29.3 – Standards for activities outside roads	Non-compliance Status
29.5.12A	Maximum Parking Requirements	RD ...

⁴⁹ Rebuttal evidence of Colin Shields, paragraph 27

	<p><u>On land located in the Te Pūtahi Ladies Mile Zone, the number of parking spaces shall not exceed the following rates:</u></p> <p>...</p> <p><u>For sites of 2000m² or more in the LDR Precinct (Sub-Area H2 only) – no maximum parking requirements.</u></p>	
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117. With the proposed grandfathering approach, if the land is subdivided and lots less than 2000m² are created, those smaller lots would be subject to maximum parking numbers and all other TPLM Zone standards.

Koko Ridge – Corona Trust issues

118. Brett Giddens (planning) and Wendy Moginie (Landscape), for Corona Trust are concerned with the effects of development near the part of the southern boundary of Sub Area H2 which adjoins the Corona Trust land to the south (53 Maxs Way), on a lower terrace. Mr Giddens⁵⁰ states that Corona Trust is seeking:
- a 20m setback from the southern boundary of Sub Area H2, adjoining 53 Maxs Way; and
 - a building height restriction of 5.5m in Sub Area H2.
119. I acknowledge that there is competing landscape and urban design evidence on this matter, and competing planning opinions based on that evidence.
120. The Koko Ridge land is currently zoned LLR-A, which has a building setback standard of 4m. I consider that such a setback, being the expected setback under the operative zone, would be sufficient and should be rolled into the TPLM Zone, and that a 5.5m height limit within 20m of the southern boundary adjacent to the Corona Trust boundary, would adequately manage effects on the neighbouring property to the south. This would also, in my view, achieve Policy 49.2.7.8 by maintaining amenity values enjoyed by users of neighbouring properties, in particularly for privacy and sunlight access.
121. I consider that taking the 4m setback and the 20m distance (for 5.5m height) from the “top of the escarpment” (as preferred by Mr Skelton) is more problematic than taking the setback from the cadastral boundary (which is several metres away from the top of the escarpment). If taken from the top of the escarpment it could mean that buildings would be possibly on or very close to the property boundary

⁵⁰ Evidence of Brett Giddens, paragraph 23

which may not be practical and which may have amenity effects on immediate neighbours.

122. I note there is some discussion by Mr Allan⁵¹ about the location of the terrace edge and the title boundary. Irrespective of this, my s42A recommendation of the 4m setback was simply imposing what the LLR-A Zone provisions already stipulate, in addition to what I interpret from the approved subdivision plans of RM211276, and these apply from the lot boundary.
123. Mr Allan also considers that such a setback rule should not have been imposed along the entire southern boundary of Sub Area H2, however, as above, the scope of the original submission does extend across the entire Sub Area H2 and there is the potential for similar effects along the length of this boundary.
124. I have also considered the entire southern boundary of Sub Area H2 in the context of the recommended increase the maximum number of residential units to 108, and the s42A recommended increase to density of 1 unit per 300m² for the LDR Precinct. Along Maxs Way, the topography of the land in relation to the zone and lot boundary varies considerably. At the eastern extent of Sub Area H2, numbers 1 – 11 Kahiwi Drive (within Koko Ridge) contain a steep bank along the southern boundary. Under the existing LLR-A zoning this is not a concern given the land is already subdivided to the maximum densities. However, there could potentially be a desire by landowners to undertake infill development under the more intensive TPLM Zone provisions, and the possible development of this steep bank could result in poor and unanticipated urban design outcomes and adverse effects on landowners on the lower terrace at Maxs Way.
125. The steep area is shown outlined in orange on the aerial photo below.

⁵¹ Evidence of Tim Allan, paragraph 61



126. I do acknowledge however that geotechnical conditions of this area are not known, and may restrict development in any case. However, the problem I have raised would be remedied by imposing a setback control from the top of the bank. I will leave it to Mr Devlin and Mr Allan to respond on that point.
127. Currently there are four ~2000m² lots consented within the Koko Ridge land adjoining the common boundary with Corona Trust. Some very large dwellings could be built within these lots. The increase in potential yield within Sub Area H2 could mean that more residential properties are located on the terrace adjacent to the Corona Trust boundary. A minimum required length of individual lot boundary would serve to ensure that, at the increased lot numbers and potential density of 300m² (as discussed in the s42A Report at Section 12, in relation to Koko Ridge), the development on the Koko Ridge land adjacent to the Corona Trust lot would remain typically low density suburban residential. Mr Lowe suggests⁵² a minimum lot width of 20 – 25m for any residential lot along the common boundary adjoining Corona Trust.
128. These changes to provisions are set out in the Rebuttal Version at [Appendix A](#).

J and M Dobb

129. Blair Devlin in his evidence⁵³ sets out his reasons for rezoning the Dobb land (submitter #37) at 13 Ada Place which is east of the eastern end of the TPLM Variation area south of SH6, from Rural to TPLM Zone MDR Precinct or the PDP LDSRZ.

⁵² Rebuttal evidence of Michael Lowe, paragraph 36

⁵³ Evidence of Blair Devlin (for Dobb Family) dated 19 October 2023

130. As discussed in the Planning JWS, the Dobb site forms part of the Eastern approach to the Variation area and is likely to be affected as part of the road requirements and approach to the eastern edge of the TPLM Zone, as reflected in the treatment of the eastern roundabout and Collector Type B road at the TPLM's eastern end. This is addressed in detail in the s42A report's response to the D Finlin submission⁵⁴. The outcome of that analysis is that the eastern roundabout will shift eastwards, and this will affect the Dobb property to a greater degree than was shown in the notified TPLM Structure Plan.
131. Until that design is undertaken, it is not possible to assess the residual land availability for residential activities within the upper terrace of the Dobb property, taking into account the topography and the limited extent of land on the upper terrace. Mr Skelton maintains that the upper terrace is significant as part of an open character area and that retention of the open character on this part of the site is necessary.⁵⁵

Maryhill – area for a storage facility

132. Megan Justice's evidence⁵⁶ addresses Maryhill's proposal for an overlay on a specific part of the Maryhill property (that I understand is in a shady location) that would be appropriate for a storage facility to serve the needs of residents in the TPLM area particularly those in the high density residential area.
133. While Michael's Lowe's rebuttal evidence raises some concerns from an urban design perspective⁵⁷, the Economics JWS supports such an activity as it would meet the day to day needs and supports high density living⁵⁸. Ms Justice proposed a suitable Controlled activity rule⁵⁹ which I set out below and which on balance I support subject to additional matters of control, as follows (including those recommendations made by Mr Lowe):

	Activities located in the Te Putahi Ladies Mile Zone	Activity Status
...		

⁵⁴ S42A report at Section 12, paragraphs 12.71 – 12.83

⁵⁵ Steven Skelton's rebuttal evidence, paragraphs 36

⁵⁶ Evidence of Megan Justice dated 20 October 2023, paragraphs 39 – 44

⁵⁷ Michael Lowe's rebuttal evidence, paragraph 29

⁵⁸ Economics JWS dated 2 November 2023, Attachment A, Section 13

⁵⁹ Megan Justice's evidence, paragraph 44

<u>49.4.XX</u>	<p><u>Commercial storage facilities (including outdoor storage and buildings for the storage of commercial and residential goods) within the Storage Overlay shown on the Structure Plan.</u></p> <p><u>Control is reserved to:</u></p> <p><u>a. hours of operation;</u></p> <p><u>b. parking, traffic and access;</u></p> <p><u>c. noise;</u></p> <p><u>d. external visual appearance and form and scale of buildings, and outdoor storage areas;</u></p> <p><u>e. fencing;</u></p> <p><u>f. building and landscape frontage, and activation to streets and public spaces</u></p> <p><u>g. landscaping;</u></p> <p><u>h. lighting.</u></p>	<u>C</u>
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134. Aside from the support from the economists, a key reason for my support of this activity is the potential contribution it would have to kick-start higher density development in the TPLM Zone, by enhancing the marketability of and hence investment in higher density living developments.

Residential density / density minima

135. In their evidence the planners for the various landowners in broad summary support medium and high density development but consider that the minimum required density ranges as notified are too high and the non-complying status for development outside the ranges would stymy residential development at least in the short-medium term.
136. The economics witnesses appear either to generally agree that the higher densities are too high for current market but may be feasible in the longer term, or that the higher densities are not and will not be feasible at all.
137. The traffic witnesses do not agree that a minimum density of 60 d/ha is required for the TPLM transport strategy. Colin Shields' view as recorded in the JWS is that 40-60 d/ha gross is required for effective mode shift, while Mr Parlane's evidence is that at densities higher than 40 d/ha there are diminishing returns for modal shift.
138. The planners grappled with this issue in the Planning JWS, and agreed (myself included) that a planning mechanism that facilitates high density that is feasible in the short-medium term is desirable, provided that this does not foreclose

achieving the higher densities in the longer term. I further address these two issues as follows.

High density that is feasible in the short-medium term

139. Development in the HDR Precinct at the notified density range of 60 – 72 units per hectare across the gross developable area of the site, with non-complying status for development outside this range (Rule 49.5.16)) is seen as being too high for the short-medium term and should be lowered. Ms Hoogeven’s suggestion is to change the rule by replacing “gross” with “net”⁶⁰, with other changes to ensure that vested roads are excluded from the equation, and with a consequential change to the upper limit of the range from 72 to 90⁶¹.
140. I understand from Ms Fairgray’s rebuttal evidence⁶² that 60 units per hectare (gross) would equate to 40 – 45 dwellings per hectare (net) depending on development efficiency. This is therefore a density at the lower end of the high density scale, in this context.
141. As is clear from the s42A Report (Section 11, Theme G, paragraphs 11.185 – 11.201) my view is that density minima are an essential component of the TPLM Provisions because they provide the mechanism to ensure that the TPLM accommodates as great a population as possible and that the land is used as efficiently as possible. However, taking on board the expert evidence of the various technical disciplines and the planners’ responses to those, I consider that there is merit in an approach that allows, in the short – medium term – higher densities but at a lesser density than promoted in the notified provisions provided that the opportunity for attaining greater densities is not foreclosed by developers building out the available land at the lesser densities. Hence my comment in the Planning JWS⁶³:

Jeff considers that the higher densities in the longer term are required, but is open to discussions as to how to structure provisions that will allow densities at the lower end of the range in shorter term to get development started, provided higher density was not only not built out, but was required to be achieved in medium to long term.

⁶⁰ Evidence of Hannah Hoogeven, paragraph 3.7

⁶¹ *ibid*, paragraph 3.9

⁶² Evidence of Susan Fairgray, paragraph 27

⁶³ Planning JWS Friday 3 November 2023, page 11

142. The Planning JWS also records that the planners agree that it is possible to find a mechanism to enable lower end of density range in initial build, but that requires evidence of how later builds on same site/same developer will achieve the higher density. It was also agreed that I would seek expert advice and consider possible mechanisms to incentivise rapid development with densities at the lower end of the range, while still achieving later densities at higher end of range⁶⁴.
143. I have discussed the issue with the Council's experts and reviewed their rebuttal statements. The possible options are:
- A. Show on the Structure Plan (by way of an overlay) areas of the HDR Precinct which are required to be preserved for "higher" high density development and which are not to be developed in "lower" high density development. This would apply to 10 – 20% of the HDR Precinct (based on Ms Fairgray's analysis⁶⁵). Rules would require that:
- Outside the overlay: Allow any density in the range, including the "lower" density high density, at any time, but not any lower density than that;
 - Inside the overlay: Unless the developer has already developed their share of the 10-20% of the "higher" high density, do not allow the "lower" density high density until the non-overlay areas are built out, and then require the "higher" density unless the developer can prove that the market will not take it up.
- B. Rules that allow the developer to develop in stages, starting with stage(s) at the lower end of the high density range but with later stages at the higher end of the high density range, with a percentage land area requirement for the higher density stages (say 10 – 20%) without identifying a specific location but governed and enforced by a covenant that the Council would be a party to;
- C. A variation on B. above, rules that allow the developer to develop any density within the HDR range provided they provide a mechanism, to be locked in by covenant, that shows the commitment to developing the higher densities sometime later. If the Council is party to the covenant then it is in the Council's hands if the covenant is later cancelled or softened.

⁶⁴ *ibid*, page 11

⁶⁵ Evidence of Susan Fairgray, paragraph 36

- D. Rules that require the whole development to be designed, including the lower and higher high density components, with staging conditions allowing the higher high density to be constructed at a (possibly much) later date.
- E. Rules that require a spatial plan of development, such as an “Outline Development Plan” mechanism that requires densities to be shown and adhered to.
144. All of the options would have the benefit of retaining some land and protecting it for the highest densities (lifted apartments) at some later date (and in that respect would be analogous to a “future urban” type zoning mechanism) while enabling development that is attractive to the market (walk-ups, terraces, duplexes) in the short term. However, all of the options also have the cost of the loss of opportunity cost for that land while it sits vacant waiting for the market conditions to be favourable for the highest densities.
145. All the options are efficient and effective in the sense that they would facilitate high density to achieve the overall goals for modal shift and critical mass for social amenities, and would allow development to get underway in the short term, but at the same time would be inefficient in that some land would sit vacant for an undetermined period of time.
146. I address the further costs and benefits of these options in the table below:

Option	Costs and benefits (in addition to those identified in paragraph 106 above)	
	Costs	Benefits
A	<ul style="list-style-type: none"> • Would pre-determine the location of the highest density areas, which may not be where a developer would choose to locate the highest densities; • May require a masterplanning-type consultative exercise to best determine where the highest densities should be; • May lack scope because the highest density areas would be delineated on the structure plan and have not been notified or sought by submission; 	<ul style="list-style-type: none"> • May ensure that land close to the Commercial Precinct is available and retained for the highest densities, if that was the desired outcome from an urban design and economics perspective;
B	<ul style="list-style-type: none"> • May not promote the highest densities in close proximity to the Commercial Precinct (but noting that 	<ul style="list-style-type: none"> • Would allow the developer to choose the location of the highest density areas within their landholding, and therefore likely promote a more

	<p>the TPLM Variation does not endeavour to do this anyway);</p> <ul style="list-style-type: none"> • Costs of creating and, if necessary as development progresses, cancelling a covenant; 	<p>diverse mix of typologies throughout the HDR Precinct;</p> <ul style="list-style-type: none"> • The mechanism is locked in to the certificate of title and therefore binding on subsequent owners;
C	Same as Option B	Same as Option B
D	<ul style="list-style-type: none"> • Would require design and consenting of a whole development at all densities within the allowable range, including the highest densities, which would be costly, and given the uncertainty about whether the highest densities would get constructed in the longer term; • Would require consents to include conditions that would allow the later stages of the consent to not lapse under s125; • Would require a Discretionary activity consent to change conditions to enable a lower density in the highest density area – this may be seen as an easy loophole; 	<ul style="list-style-type: none"> • Would allow the developer to choose the location of the highest density areas within their landholding, and therefore likely promote a more diverse mix of typologies throughout the HDR Precinct; • The mechanism is locked in to the consent conditions and therefore offers some certainty;
E	<ul style="list-style-type: none"> • Same as B above; • As a resource consent, an ODP type mechanism would not be able to prescribe what later consents can or cannot do, and would therefore likely be ultra vires; 	<ul style="list-style-type: none"> • Same as B above; • Would allow the developer to choose the location of the highest density areas within their landholding, and therefore likely promote a more diverse mix of typologies throughout the HDR Precinct.

147. My conclusions from this brief evaluation are:

- Option E is discounted because would (in all likelihood) be an ultra vires mechanism;
- Option D is discounted because of the costs of designing and consenting a likely larger development when there is a large time lag (potentially 10 – 20 years) before it would be constructed;
- Option A would require pre-determination and mapping of areas for the highest densities which would require a masterplanning exercise, and may lack scope, therefore this is not favoured but at the same time not discounted;

- Options B and C offer the most flexibility for the developer and would likely enable a diversity of housing product throughout the HDR Precinct, and are therefore my preferred options.
148. I have not further attempted to draft the provisions for either Options B and C as I would like to confer with the other planners about the mechanism and the wording, prior to the hearing.
149. In relation to the density ranges, the Council's experts have discussed the options of retaining the "gross" element versus changing to "net"; or retaining the "gross" element and lowering the lower point of the ranges. Based on the advice of Susan Fairgray and Michael Lowe, the Council's experts are satisfied that:
- For the HDR Precinct, retaining the "gross" element and reducing the required density range to 50 – 72 units is appropriate; and
 - For the MDR Precinct, retaining the rule as notified (i.e. no changes).
150. Ms Fairgray states⁶⁶:

78 *I am also able to support a reduction in the minimum density of the HDR precinct to 50 dwellings per gross hectare. I consider this range (50 to 60 dwellings per gross hectare) would also produce a mix of dwellings that are well-suited to long-term community demand and would be within a reasonable range of potential long-term feasible dwelling development patterns.*

79 *I consider that a density minima of 50 dwellings per gross hectare would be likely to produce a similar mixture of medium density dwellings to the originally proposed 60 dwellings per gross hectare across the land areas which are developed at a medium-density scale. The likely medium density dwelling mix corresponds to patterns of development feasibility and housing demand. I note also that Mr Thompson (at paragraph 19 of his EIC) has supported a higher density minima of 55 dwellings per gross hectare in the HDR precinct area.*

151. Mr Lowe in his rebuttal evidence supports the densities and explains the urban design rationale for them, including to ensure density is maximised around and supports the local centre and schools, and to ensure land is used efficiently in the longer term as sought through the Grow Well Spatial Plan⁶⁷. He considers that it

⁶⁶ Susan Fairgray's rebuttal evidence, paragraphs 78-79

⁶⁷ Michael Lowe's rebuttal evidence, paragraph 17

is important to consider the long term outcomes of the project, and notes the difficulties of densifying medium density land retrospectively⁶⁸.

152. The revised approach to achieving desirable densities in the short, medium and long terms in the HDR Precinct is therefore two-pronged:
- (a) A reduction in the minima of the HDR density range at Rule 49.5.16, from 60 – 72 to 50 – 72 (gross developable area); and
 - (b) The introduction of a rules mechanism that would allow a developer to develop at the lower end of the HDR density range in the short and medium term, while preserving a quantum of land within the HDR Precinct for higher densities and not foreclosing the opportunity for higher densities in the medium and long term.
153. As I stated above, the details of the rules mechanism would be worked through, possibly with conferencing, prior to the hearing.
154. I consider that this approach is consistent with the agreed position of the planners in conferencing.

Retirement Villages – inclusion in the TPLM Zone

155. At the planners’ conferencing we discussed whether Retirement Villages – an existing defined term in the PDP – should be included in the activity mix for the TPLM Zone. I note that many new retirement villages in Auckland are in vertical-rise apartment style typologies (3 – 4 storeys) and I have been working on a higher rise apartment-style retirement village (buildings up to 5 storeys) in this District also.
156. In my view Retirement Villages should be enabled in the TPLM Zone, and this was generally agreed in the Planning JWS⁶⁹. Retirement Villages are listed as a Discretionary activity in the PDP’s residential zones, and I therefore suggest that the following rule be added to the TPLM Zone provisions:

	Activities located in the Te Putahi Ladies Mile Zone	Activity Status
...		
49.4.XX	Retirement Villages.	D

⁶⁸ Michael Lowe’s rebuttal evidence, paragraph 33

⁶⁹ Noting that there is scope for this change from the Queenstown Country Club submission

Building heights

157. The building height rule in the MDR and HDR Precincts, Rule 49.5.17.1 as notified requires Non-complying consent for buildings in excess of certain levels (as shown on the Building Heights plan layer of the Structure Plan) but requires Restricted Discretionary consent for exceeding the actual height limits shown on the Building Heights plan.
158. Erin Stagg in her evidence raised this apparent inconsistency⁷⁰.
159. I agree that these rules should be consistent in terms of activity status and matters of discretion/assessment, and to reduce consenting impediments to higher rise developments which may facilitate achievement of the highest densities.
160. The change is recorded in the Rebuttal Version of provisions at [Appendix A](#).
161. Building height is also an issue in the Glenpanel Precinct, as raised by Werner Murray⁷¹. I understand that Bruce Weir and Robin Millar are conferencing on this issue and other Glenpanel related issues on 10 November. I will await the outcome of that engagement before reaching any conclusions, which I will do through a supplementary statement if necessary.

General Accordance with Structure Plans

162. The notified and s42A versions of provisions require that subdivision and development is consistent with the Structure Plan, with Non-complying default status. Megan Justice⁷² acknowledges that the prescriptive approach is to ensure an environmental outcome that aligns with the masterplan, however she considers there is a risk it will prevent development and that the provisions and Structure Plan are too prescriptive. She seeks that the rules require development to be “in general accordance with” the Structure Plan, and that the default status is amended to Discretionary. Brett Giddens also prefers the wording “in general accordance with” the Structure Plan⁷³.
163. In the Planning JWS it is agreed that minor deviations from the Structure Plan items, with good reasons, should not force a development that achieves the wider objectives down the Non-complying route, and there is a need to allow a level of

⁷⁰ Evidence of Erin Stagg, paragraphs 63 – 70

⁷¹ Evidence of Werner Murray (for Glenpanel Developments Limited), paragraphs 19 – 21

⁷² Evidence of Meg Justice, paragraphs 28 – 32

⁷³ Evidence of Brett Giddens, paragraph 6.2

tolerance for minor deviations given the level of uncertainty around future detailed designs.

164. I undertook to investigate possible mechanisms to allow further tolerance and to describe an appropriate degree of flexibility.
165. Some Structure Plan items should be “locked in” with minimal (if any) tolerance for shifting, in my view, because they affect many properties within the Structure Plan and there is more certainty for all parties if the precise location of the item is fixed. The Collector Type A Road (the main east-west road through the northern part of the TPLM Zone) is one of those key items. The Non-complying status would achieve this level of certainty, in my view.
166. I note that many other structure plans in the PDP (and Operative District Plan) are accompanied by rules requiring that development is “in accordance with” or “consistent with” the structure plan, with Non-complying status to breach that rule. The TPLM Zone provisions in this regard are therefore not at all unusual in the Queenstown context.
167. I have discussed the issue with the Council's urban designers. We agree that there are some Structure Plan items that need to be locked in, for the reasons I discussed above. However, there are also some items that can be addressed by way of wording such as “in general accordance with” or a Discretionary default status, because they are flexible to a certain extent.
168. An example is the Community Park, north of the Howards Drive northern extension, which is shown on the Structure Plan as being 1.5 – 2ha in area (which in itself signals some flexibility) and which needs to be in the general location provided that it fulfils some key urban design principles including the role as a view shaft at the northern end of Howards Drive, towards Slope Hill; the need for it to be adjacent to Collector Road A for (in all likelihood) stormwater management integration and its role in active travel. The location of the other open space areas can be flexible, to a small degree, also.
169. One method for distinguishing between the “fixed” items and the “flexible (within reason) items on the Structure Plan would be to annotate on the Structure Plan legend those items that are “fixed” with a *, and apply the non-complying default status to those items, and apply the Discretionary default status to the other items. I do not consider that any change to Policy 49.2.1.1 is necessary.
170. The relevant changes to the provisions are set out in [Appendix A](#).

Anna Hutchison Family Trust

171. Werner Murray⁷⁴ supports the extension to the notified TPLM Zone to include the Hutchison land at the western end of the Zone, to be zoned as a combination of TPLM MDR Precinct and TPLM LDR Precinct.
172. I addressed this submission within Section 12 (Rezoning and Mapping Changes) of the s42A Report, and recommended that the Hutchison submission be rejected on the basis of Council's expert evidence, all of which opposed the relief sought (and noting possible scope issues, which will be addressed in legal submissions).
173. The submitter's witnesses have now provided considerable evidence in support of the proposal which has been discussed at the expert conferencing sessions.
174. I summarise the outcomes recorded by the various JWSs and rebuttal statements:
- (a) Transport⁷⁵: no agreement was reached in the Transport JWS. Mr Shields for the Council continues to oppose the relief on the basis that the site is too far removed from the commercial and community facilities within the Zone.
 - (b) Economics⁷⁶: the experts broadly recognise that the land may be suitable for urbanisation, and that if included there is merit in including a neighbourhood centre (i.e. a few shops) at the western end of the notified TPLM variation area;
 - (c) Landscape⁷⁷: no agreement by the experts in the JWS, and Mr Skelton for the Council maintains his opposition in his rebuttal evidence to the extension and considers that the extent and scale proposed by the submission cannot be absorbed within the landscape.⁷⁸
 - (d) Urban design⁷⁹: the Council's experts maintain their opposition to the extension however all experts agreed that it would be a lost opportunity if

⁷⁴ Evidence of Werner Murray (for the Anna Hutchison Family Trust), paragraphs 60-62

⁷⁵ Transport JWS, dated 30 October 2023, page 3

⁷⁶ Economics JWS, dated 2 November 2023, Attachment A, issue 10(a)

⁷⁷ Landscape JWS, dated 2 November 2023, Attachment A, issue 3

⁷⁸ Steve Skelton rebuttal evidence, paragraphs 8 – 23

⁷⁹ Urban Design JWS, dated 1 November 2023, page 15

the extension land was developed for lifestyle / low density development; and Mr Harland acknowledged that the land may be suitable to include if there were no density caps or transport imperatives;

- (e) Planning⁸⁰: the experts acknowledged the scope issue, and it was agreed the terrace edges are important and should be treated with care. I noted that Council's position also needs to consider the opinions of the other experts.
- (f) Retail Economic Rebuttal⁸¹: Ms Hampson considers both low and medium density outcomes for the site, as well as the suggested local neighbourhood centre. She discusses costs and benefits associated with both outcomes. She considers that:

... only if the Extension Area is included, that a small neighbourhood centre in sub-area A of the TPLM Structure Plan would improve access to convenience retail (and complementary activity) for future residents of the Extension Area, with the benefit of enhancing the access and amenity of sub-area A residents (and further supporting the realisation of medium density intensification¹⁶ in the area adjoining the centre) relative to the notified Structure Plan. The other economic experts support this outcome.

- (g) Residential Economic Rebuttal⁸²: Ms Fairgray states that she broadly agrees with the reasons for urbanisation of this area set out by Mr Heath and Mr Osborne, for reasons including:

... the location relative to the extent of the urban edge in the eastern corridor and to the large employment hub of Frankton. I also agree that, due to its location, urbanisation of this area is likely to form a more efficient outcome than development at rural lifestyle densities. I note that there may be other factors affecting the appropriateness of urbanisation at this location.

She states however that she disagrees with the proposed density, and is more supportive of a lower density outcome as she considers that medium density development within the proposed extension area may dilute the

⁸⁰ Planning JWS, dated Friday 3 November 2023, Attachment B, page 7

⁸¹ Rebuttal evidence of Natalie Hampson, paragraph 21

⁸² Rebuttal evidence of Susan Fairgray, paragraph 94

intensification occurring in parts of the catchment that are closer to the TPLM's Commercial Precinct.

175. The Councils' s42A urban design and transport experts do not support the extension in part due to being too far from the TPLM Commercial Precinct. In response to this, Mr Murray and Mr Church both note that the site has good proximity to Five Mile and Frankton commercial and mixed-use centres; and suggest that an additional local neighbourhood centre, potentially combined with a public transport hub at the western extent of the TPLM zone could be incorporated⁸³.
176. I consider that the addition of these elements at the western end of the notified TPLM Zone would raise similar scope issues and have not had the benefit of proper integrated consideration with the remainder of the TPLM Zone. The inclusion of a commercial node, or changes to other parts of the TPLM Zone and Structure Plan were not part of AHFT's original submission.
177. Further, the need for these elements suggest that the rezoning may not be appropriate in its own right, yet. Mr Church's view is that the TPLM Variation over-emphasises the TPLM Commercial Precinct and does not adequately consider other centres as part of a "well-rounded centre strategy"⁸⁴. In my view other potential centres are not ignored, but the TPLM Zone seeks to ensure the feasibility, viability and vitality of the notified Commercial Precinct and the role of existing centres, and that any further commercial zoning would have the potential to undermine this.
178. This matter is traversed in detail by Ms Hampson in her and rebuttal⁸⁵.
179. In reliance on the Council's experts' opinions, the Hutchison extension area if zoned now:
- has the significant potential to dilute density and rate of development uptake from the remainder of the TPLM Zone; and
 - being physically separated from the intended amenities which are concentrated towards the central part of the TPLM Zone, and will not be

⁸³ This western neighbourhood centre is illustrated on the 'optimised option' presented in Mr Church's evidence

⁸⁴ Evidence of Tim Church dated 20 October 2023, paragraph 64

⁸⁵ Rebuttal evidence of Natalie Hampson, paragraphs 16 – 22

an efficient contributor to the TPLM transport strategy because more people in Ladies Mile will be dependent on private vehicles.

180. I have underlined the word “now” above. I consider that the Hutchison land is appropriate for urban development at some point, but not yet, because first the greater TPLM Zoning needs to get underway and established, the densities need to not be diluted by expansion of the land available to accommodate the 2400 maximum unit capacity, the critical mass of population close to the Commercial Precinct needs to be given the best chance to establish quickly and at the highest densities, and the population needs to become less reliant on private vehicles by not spreading development further away from the public transport stops.
181. However, I consider that once the TPLM Zone is better established and the market can more fulsomely reveal what the density make-up within the Zone will be, within the overall development envelope created by the provisions, the Hutchison land should be reconsidered and potentially brought into the TPLM Zone through a plan change process. This would inevitably require a masterplanning exercise to determine the appropriate layout, form, density, setbacks, boundary treatment, integration with the existing urban form, and location of any new non-residential activities.
182. An interim holding pattern zoning should be locked in – this would logically be in the form of a future urban zone, or via inclusion within Council’s Spatial Plan 2024 Gen 2.0, which I understand is to be formally notified in 2024.

Glenpanel Developments Limited

183. I understand that the location of the ONF boundary is not within scope of the TPLM Variation, and therefore I support the position that Bridget Gilbert has taken in her evidence in chief⁸⁶, and in the ONF Landscape JWS⁸⁷.
184. Further, from the Environment Court’s decision in the *Bridesdale* case⁸⁸ (which sought urban development within an ONL) it is clear that the PDP’s higher order policy framework does not anticipate urban development within ONLs or ONFs.

⁸⁶ Evidence of Bridget Gilbert dated 29 September 2023, paragraphs 23 and 46

⁸⁷ ONF Landscape JWS, pages 8 – 9

⁸⁸ *Bridesdale Developments Limited v Queenstown Lakes District Council* [2021] NZEnvC 189

185. At the planning conferencing the issue of the water tanks within the ONF was raised and I committed to further investigating the consenting pathway(s) for the water tanks.
186. Werner Murray⁸⁹ discusses the water tanks within the ONF on the Glenpanel land and the UGB boundary. He considers that the UGB would restrict infrastructure such as water reservoirs from being located outside the UGB, referring to the PDP provisions that require avoidance of urban development outside the UGB, and therefore proposes to extend the UGB line further up Slope Hill to allow for the potential for the water tank infrastructure in this location.
187. I disagree with this line of reasoning. The water tanks would in my view be “utilities” by definition (they are “*storage facilities, pipes and necessary incidental structures and equipment for the supply and drainage of water or sewage*” and are subject to the provisions in Chapter 30 (Utilities). This would allow for the water tanks as permitted, controlled or discretionary activities, depending on their final design.
188. I disagree with Mr Murray that the tanks would in their own right be “Urban Development” and that it is not uncommon for utilities to be located in ONL/Fs. On that point I note the Landscape JWS experts agree that it is not uncommon that infrastructure of this nature needs to be located within ONF/Ls in the District; and that they do not consider that water tanks in their own right read as urban development.
189. I consider that there will be various factors to consider when designing and locating any reservoirs or other infrastructure, and that a reservoir location cannot necessarily be specifically determined now. I therefore do not agree with shifting the UGB to accommodate the utility infrastructure.

Evidence of lay witnesses

Philip Blakely

190. Mr Blakely is an experienced expert landscape architect. He raises various concerns regarding the NPS-HPL, Mr Skelton’s and Ms Gilbert’s evidence, building heights, and setbacks from SH6.

⁸⁹ Evidence of Werner Murray, paragraphs 22 – 30

191. Mr Skelton has addressed these points⁹⁰, and the issues are largely as I addressed in the s42A report at Section 11, Theme D, in relation to effects on landscape and rural character. Having reviewed the competing landscape evidence I do not have any further comments on Mr Blakely's evidence and I continue to rely on Mr Skelton and Ms Gilbert's evidence.
192. On Mr Blakely's point about the NPS-HPL, I addressed this in the s42A report at Section 7⁹¹, and concluded that the NPS-HPL does not apply to the TPLM Variation land. That position has not changed.

Stuart Victor

193. Stuart Victor's evidence⁹² raises traffic concerns, and addresses Mr Shields' and Mr Pickard's evidence. Mr Victor considers that the traffic situation is worse than what Mr Shields and Mr Pickard say; that modal shift is unrealistic; and that infrastructure works need to be proven to function. Mr Victor also considers that the existing high density land at Frankton should be utilised ahead of the Ladies Mile land.
194. Mr Shields has responded to Mr Victor's concerns about traffic issues⁹³, and I rely on Mr Shields' expertise in this regard.
195. In the s42A report at Section 11, Theme B and Theme E I addressed the submissions that existing urban zones, including the Frankton urban zones, should be utilised before further rezoning. I will not repeat that analysis but concluded that the Spatial Plan intends the Frankton locations along with the Eastern Corridor (including TPLM) to complement one another in accommodating growth and creating well-functioning urban environments. I therefore disagree with Mr Victor on this point.

John Hilhorst

196. John Hilhorst for FlightPlan205094 considers that the S42A report grossly undervalues the emergency risk and fails to appreciate resilience planning and the scale of the crisis we will face in the earthquake; that Queenstown Airport will

⁹⁰ Rebuttal evidence of Steve Skelton, paragraphs 32 – 34

⁹¹ S42A report, Section 7, paragraphs 7.27 – 7.35

⁹² Evidence of Stuart Victor dated 20 October 2023

⁹³ Rebuttal evidence of Colin Shields, paragraphs 41 – 46

⁹⁴ Evidence of John Hilhorst dated 20 October 2023

close if Tarras Airport is built and will therefore be available for urban expansion; and that there is immense value in retaining an 80m building restriction area straddling SH6 and preventing new tree planting.

197. I disagree with Mr Hilhorst and consider that the reasons for my opposition to the FlightPlan 2050 submission are valid. My position as recorded in the s42A (Section 11, Theme M) has therefore not changed.

Roy McEwan

198. Roy McEwan for Airways Corporation of New Zealand reiterates the submission to retain the enabling of access to the Navaid on Slope Hill⁹⁵.
199. In response to the Corporation's submission in the s42A report I modified the Chapter 29 provision (Rule 29.5.24.1) to ensure that the existing access to the Navaid is protected (see Section 11, Theme M). The matters addressed by Mr McEwan are therefore adequately addressed, and I note that no other party in evidence has opposed the updated wording of the rule.

Jon Newson

200. Jon Newson for the Threepwood Farm Residents' Association⁹⁶ outlines how the Threepwood farm works and is operated; sets out the concerns with developing the unformed legal road and needing to install fencing and gates, and needing to cross over this road with tractors etc multiple times a day; and comments on the risk to the viability of farming as the most economical way of maintaining the ONF of Slopehill.
201. I addressed these points in the S42A report at Section 11, Theme D (from paragraph 11.75) and do not agree with Mr Newson's evidence in this regard. The use of the unformed legal road, with the right control mechanisms for pedestrian and farm crossings, is not an uncommon feature in New Zealand walkways and I consider it should be able to function adequately in the TPLM / Threepwood context.

⁹⁵ Evidence of Roy McEwan dated 20 October 2023

⁹⁶ Evidence of Jon Newson dated 20 October 2023

Keri and Roland Lemaire-Sicre

202. Keri and Roland Lemaire-Sicre submitted evidence for Ladies Mile Pet Lodge⁹⁷, which outlines the current Pet Lodge operations; addresses the lack of suitable sites elsewhere in the Wakatipu Basin to re-establish a pet lodge; sets out their views about the unsuitability of intensive commercial and residential development around the Pet Lodge; discusses the consultation; and comments on the key infrastructure and the location of the Pet Lodge land.
203. I note that the evidence Andy Carr and Scott Freeman is in relation to the state highway treatment adjacent to the Pet Lodge and that those issues are resolved (as recorded in the Planning JWS).
204. I broadly accept the Lemaire-Sicre's points about the likely general lack of compatibility of the Pet Lodge and intensive urban commercial activities in the immediate vicinity, and reiterate the s42A report (Section 11, Theme D) that the consents and covenants that favour the Pet Lodge will allow the operation to remain indefinitely, and that developers of new land uses will need to factor the presence of the Pet Lodge – and potential longevity of it on the site – into their forward planning.

Mike Hanff

205. Mike Hanff for the Friends of Lake Hayes (**FOLH**)⁹⁸ attaches the report *Lake Hayes State of Environment* (which the author will be present at the hearing to speak about) and makes the following points:
- The stormwater experts now agree that runoff will reach Lake Hayes;
 - He is disappointed that no expert advice was provided or mentioned in the s42A report outlining potential impacts of additional nutrients arriving through run off or groundwater;
 - He seeks relief to remove the risk of run off or groundwater contaminants by diverting stormwater under SH6 (out of Lake Hayes) where it would have run prior to construction of SH6;

⁹⁷ Evidence of Keri and Roland Lemaire-Sicre dated 24 October 2023

⁹⁸ Evidence of Mike Hanff dated 20 October 2023

- He believes the risk to the Lake is too great to accept event overflows as they increase sediment and nutrients to the Lake;
- He seeks relief that Policy 24.2.4.2 is implemented for the TPLM Zone, and that the Council shows how it intends to improve water quality commensurate with the scale of the project and the close proximity to Lake Hayes;
- If the Wai Whakaata Management Group agree that more improvement can be achieved off site then this will be considered.

206. Amy Prestidge and John Gardiner have responded extensively to Mr Hanff's evidence points, and I defer to their expertise on this subject matter. I have nothing further to add from my planner's perspective, except in relation to Policy 24.2.4.2 which Mr Hanff refers to.

207. Policy 24.2.4.2 is within the Wakatipu Basin Rural Amenity Zone (**WBRAZ**) and in summary it requires water quality improvement in the Lake Hayes catchment commensurate with the scale of any project within the catchment. The implementation of that policy can comprise physical works, mitigation, remediation, riparian planting, nutrient management; or, for projects that cannot in any way improve water quality in a physical sense (while at the same time not worsening water quality) the ability to make a financial contribution to funds for bodies involved in water improvement initiatives.

208. The stormwater experts address water quality improvement in the catchment in a physical sense, and the provisions for stormwater, which are agreed by the planners and the stormwater experts, promote a high degree of attention to stormwater management and downstream effects. For these reasons, at this point in time, I am not satisfied that a further policy framework is required along the lines of the WBRAZ's Policy 24.2.4.2.

Rob Burnell

209. Rob Burnell on behalf of Lake Hayes Estate Shotover Country Community Association (LHESCCA) raises concerns regarding traffic, modal shift, traffic modelling and traffic peer review; the implications of land banking and the land not being developed; the uncertainty around whether schools will eventuate; and is critical of my comment in the s42A report at paragraph 11.6 in relation to submissions seeking that growth in the District is slowed or stopped and the social justice implications.

210. On the latter of Mr Burnell's points first, this comment at paragraph 11.6 was only directed at the submitters who were expressing the view along the lines that population growth should be stopped or slowed, and these submitters did not include the LHSCCA. My comment was therefore not directed at the LHESCCA, and I appreciate that Mr Burnell has recorded in evidence the Association's opposition to the sentiment in those submissions.
211. Colin Shields has addressed Mr Burnell's points in relation to the traffic issues, and I defer to Mr Shields' expertise on these matters, and also to Mr Smith for Waka Kotahi, and the common ground among all of the traffic experts in relation to the transport strategy.
212. On the issue of a peer review, the Council did engage David McGonigal (Flow New Zealand – traffic consultants) to act as an independent reviewer of the traffic modelling and transport strategy. I understand Mr McGonigal had numerous engagements with Mr Shields and Mr Pickard, and offered various thoughts and opinions, that (I understand) related to the traffic modelling, mode share and public transport routing. Waka Kotahi had also engaged an independent expert – Mr Smith – who extensively peer reviewed the Council's transport strategy and who had a significant role in the various modelling exercises thereafter.
213. I therefore consider that there has been adequate independent expert assessment of the Council's transport strategy for the Variation.
214. On Mr Burnell's points about land banking and the uncertainty of schools, I addressed these in the s42A report at Section 11, Theme F (uncertainty, robustness and outcomes of the provisions), and will reiterate that there are many aspects of land development that are out of the Council's hands. The Council can only really have a role in creating the opportunity and showing direction for good land use outcomes to emerge, but those outcomes rely on many other stakeholders, both now and well into the future.

Conclusion

215. Having reviewed the evidence for other parties I consider that some modifications to the provisions are necessary, and these are set out in [Appendix A](#). I have discussed these modifications in this rebuttal evidence.
216. Some of the key modifications have resulted from the evidence about whether the highest high density residential development will be achieved in the TPM Zone. The modifications promote mechanisms to better incentivise and facilitate

the highest densities, in recognition that that there is likely to be a delay before the market provides the high density product. These mechanisms are:

- introduction of limited opportunity for RVA to make the market more attractive for investment in the highest densities in the HDR Precinct;
- relaxation of status for breaching height limits; and
- introduction of the overlay to enable storage facilities for the high density development.

217. I re-emphasise my conclusion (from Part 14 of the s42A report) that the TPLM Variation meets the s32 tests and I continue to support it.

Jeffrey Andrew Brown

10 November 2023

Appendix A

Rebuttal Version of TPLM Provisions

Appendix A

The modifications to the provisions are set out below. The black wording is the notified wording, the blue wording is the s42A report version, and the red wording is the current “Rebuttal Version” suggested wording for discussion.

49 Te Pūtahi Ladies Mile Zone

49.1 Zone Purpose

~~The~~ Te Pūtahi Ladies Mile Zone implements the Spatial Plan and Te Pūtahi Ladies Mile Masterplan by providing a planning framework designed to achieve an integrated urban environment. The purpose of the Zone is to ensure efficient use of land for the provision of housing and supporting community and commercial facilities, within an integrated, well- functioning, and self-sustaining urban community that integrates with nearby zones, that is inclusive of communities in nearby zones.

Commented [MF1]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

Commented [MF2]: #105 Maryhill Limited

The planning framework is informed by the key Kāi Tahu values including whanaukataka, haere whakamua and mauri of water. These values support family and community focused development (whanaukataka) which contributes to whānau whakaruruhau, the practice of sheltering and protecting. The values also support future focused sustainable development that recognises the needs of future generations (haere whakamua), and development that recognises the life force in land, water and the natural environment (mauri).

The Structure Plan guides subdivision and development within the Zone and sets out key roading connections, well connected and legible walking and cycling routes, and an open space network for recreation and enhancement of ecological values.

Commented [MF3]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

The Zone enables high a range of residential densities, including high densities, to ensure the most efficient use of the land, while promoting reduction in reliance on private vehicle trips and emissions through the provision, within the Zone, of commercial, recreational, education and other activities for residents within the Zone as well as residents in nearby zones.

Commented [MF4]: #105 Maryhill Limited

Commented [MF5]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

Access to State Highway 6 is limited to key points, for safety and efficiency of the highway, and the access links with the south side of the highway promotes integration with the nearby established residential communities. The provision of transport infrastructural works, including public transport infrastructure, prior to development is key to avoiding adverse effects from increased private vehicle trips on State Highway 6 through shifts to other transport modes. Private vehicle ownership is discouraged by maximum carparking rates.

Appropriate management of stormwater is a key consideration in developing Te Pūtahi Ladies Mile Zone. This must include stormwater management solutions that are integrated across the Zone, that mimic the natural water cycle, and that give effect to Te Mana o te Wai. These solutions must include attenuation and treatment and avoid direct discharges to Waiwhakaata Lake Hayes, and avoid adverse effects of discharges to Kīmiākau/Shotover River or the Kawarau River.

Commented [MF6]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

To achieve the Zone purpose, the Zone provides for a range of residential densities and land use activities across six Precincts identified on the Planning Maps. The purpose of each Precinct is:

- The Low Density Residential Precinct, on the south side of State Highway 6, supports integration with the adjoining lower density residential communities of Shotover Country, Lake Hayes Estate and the Queenstown Country Club, while acknowledging the transport limitations;
- The Medium Density Residential Precinct provides for a range of housing typologies including terrace, semi-detached, duplex, and townhouses on the north side of State Highway 6, to a density of at least 40 units per hectare, within easy walking distance to facilities;
- The High Density Residential Precinct provides for multi-unit accommodation, to a density of at least 60 units per hectare, in locations close to areas of public open space, future transportation links, and facilities;

- The Commercial Precinct is centrally located within the Zone and provides a focal point for commercial activities and amenities to serve the resident community while not undermining the role of the commercial areas at Frankton or the Queenstown Town Centre;
- The Glenpanel Precinct provides for commercial activities and community activities where these are compatible with the heritage values of the Glenpanel Homestead and supports open space and a sense of community; and
- The Open Space Precinct covers the Council-owned land on the south side of State Highway 6 and provides for community activities centred around a sports hub.
- The above statements do not limit proposals for community, education or recreation activities in any precinct.

Commented [MF7]: #108 Milstead Trust

Commented [JB8]: #82 Roman Catholic Bishop of Dunedin

49.2 Objectives and policies

49.2.1 Objective – Development complements and integrates with adjoining urban development at Te Pūtahī Ladies Mile and development south of State Highway 6.

Policies

49.2.1.1 Require that development is consistent with the Structure Plan to ensure the integrated, efficient and co-ordinated location of activities, primary roading, key intersections, open spaces, green networks, and walkway / cycleway routes.

49.2.2 Objective – Development achieves a range of residential intensity and diversity of housing choice to promote affordable homes, a self-sustaining community, and efficient use of urban land.

Policies

49.2.2.1 Within the Medium and High Density Residential Precincts:

- a. Promote affordability and diversity of housing by maximising choice for residents through encouraging a range of residential typologies, unit sizes and bedroom numbers.
- b. Avoiding residential development that does not achieve the residential densities required in each Precinct, and avoiding low density housing typologies including single detached residential units.

49.2.2.2 Within the High Density Residential Precinct, require a high density of residential units that are well designed for terraced housing, multi-storey townhouses and apartment living typologies, set within attractive landscaped sites, along with key parks and open spaces, and public transport routes.

49.2.2.3 Within the Medium Density Residential Precinct, require residential development to achieve a density, including by multi-storey townhouses, semi-detached, duplexes and similar typologies, that is distinct from the adjoining lower and medium densities available in the developments south of the State Highway and the higher density available in other areas within the Zone.

49.2.2.4 Within the Low Density Residential Precinct, manage the total number of residential units provided for within the Zone to avoid significantly increasing vehicle trips and adverse effects on the safe and efficient operation of State Highway 6.

49.2.3 Objective - The Commercial Precinct is compact, convenient and accessible for meeting the needs of local residents

Policies

49.2.3.1 Provide for a range of office and small-scale retail, office and other commercial activities that meet the needs of local residents, other than one medium-sized supermarket.

49.2.3.2 Limit the establishment of Service Stations and aAvoid the establishment of Service Stations, and business activities that would undermine the function and role of other centres, including Industrial, Service, Large Format Retail activities and large office spaces.

49.2.3.3 Enable residential activities above ground level while acknowledging that there will be a lower level of residential amenity due to the mix of activities in the Commercial Precinct.

49.2.3.4 Enable development of a scale up to 6 storeys to provide for an intensity to accommodate the Precinct's core range of activities while maximising the land area available for surrounding residential development and public spaces.

49.2.3.5 Require higher floor to ceiling heights at ground floor level in buildings to provide for flexible use for a range of activities.

Commented [JB9]: #82 Roman Catholic Bishop of Dunedin

Commented [MF10]: #93 Sanderson Group and Queenstown Commercial Limited

Commented [MF11]: #45 Caithness Development Limited, #46 Shotover Country Limited, #105 Maryhill Limited, #108 Milstead Trust

49.2.3.6 Require acoustic insulation for Critical Listening Environments to limit the impact of town centre noise on occupants.

49.2.4 Objective - The Glenpanel Precinct provides for non-residential activities that complement the role of the Commercial Precinct with development which responds to the character of the area.

49.2.4.1 Enable small-scale commercial and community activities to serve the day-to-day needs of the local community.

49.2.4.2 Require development within the Glenpanel Precinct to manage adverse effects of development on the historic heritage values of Glenpanel Homestead and its setting.

49.2.5 Objective – A range of compatible activities are provided for within the Zone.

49.2.5.1 Enable education activities throughout the Zone and ensure that any potential adverse effects of the education activities, including buildings, on neighbourhood amenity are minimised by:

- a. promoting a high standard of building and site design including the location of open space and setbacks;
- b. the efficient provision and design of vehicle access and carparking.

49.2.5.2 Limit commercial activities in the residential precincts to a scale that maintains the primacy of the Commercial Precinct for these activities, supports the social and economic well-being of the local community, and avoids or mitigates adverse effects on residential amenity.

49.2.5.3 Provide for community activities in the Zone where these support the health and safety and the social and economic well-being of the local community and adverse effects on the residential Precincts are minimised.

49.2.5.4 Avoid the establishment of activities that are not consistent with the amenity values of the Zone, cause inappropriate environmental effects, and are more appropriately located in other zones.

49.2.5.5 Avoid Visitor Accommodation in all residential precincts, and avoid Residential Visitor Accommodation in the Low and Medium Density residential precincts, consistent with the role of the Zone in providing for the needs of local residents.

49.2.5.5A Limit Residential Visitor Accommodation in the High Density Residential Precinct, consistent with enhancing market attractiveness of and affordability within high density residential developments.

49.2.5.6 Limit Residential Visitor Accommodation in the High Density Residential Precinct, consistent with enhancing market attractiveness of and affordability within high density residential developments.

49.2.5.7 Provide for Visitor Accommodation within the Commercial Precinct and the Glenpanel Precinct provided that this activity is consistent with the objectives and policies for those Precincts.

49.2.6 Objective - Development in the Zone minimises the generation of additional vehicle trips along State Highway 6, and reduces, as far as practicable, vehicle trips along State Highway 6 generated by the adjoining residential areas at Ladies Mile.

49.2.6.1 Provide for a range of activities to serve residents of the Zone and residents within adjoining Ladies Mile residential areas (including areas on the south side of State Highway 6 and Threepwood) that reduce the need for travel along State Highway 6, including:

- a. Educational facilities;
- b. A variety of commercial activities to provide for the day-to-day needs of the Ladies Mile communities;
- c. Recreational and open space areas; and
- d. Other community facilities including sportsgrounds and buildings for community uses.

49.2.6.2 Require the integration of the Zone with the adjoining residential areas at Ladies Mile and State Highway

Commented [MF12]: #94 Winter Miles Airstream Limited

Commented [MF13]: #36 Fire and Emergency New Zealand

Commented [JB14]: #77 Ladies Mile Property Syndicate, #94 Winter Miles Airstream Ltd

Commented [JB15]: #77 Ladies Mile Property Syndicate, #94 Winter Miles Airstream

Commented [MF16]: #73 (Glenpanel Developments Limited), #77 (Ladies Mile Property Syndicate), #80 (Koko Ridge Limited and W Foley), #93 (Sanderson Group and Queenstown Commercial Limited), #94 (Winter Miles Airstream Limited), #105 (Maryhill Limited)

6 by:

- a. Strategically locating intersections at key points on State Highway 6 and Lower Shotover Road;
- b.
- c. Requiring multiple pedestrian and cycle crossings of State Highway 6, Lower Shotover Road and Howards Drive at locations that support integration with public transport within walking distance of residential areas; and
- d. Providing for new road connections that enable access to bus services.

49.2.6.3 Provide for efficient and effective public transport through:

- a. Requiring higher residential densities within the Zone north of State Highway 6;
- b. Ensuring road widths and configurations are consistent with their efficient utilisation as bus routes;
- c. Discouraging private vehicle ownership and use by limiting onsite carparking via maximum rates for residential, office, retail and education activities;
- d. Limiting on-street parking; and
- e. Requiring transport infrastructural works related to public transportation to be in place prior to development.

49.2.6.4 Encourage the use of pedestrian and cycling modes by:

- a. Requiring high-quality, well connected, integrated and legible walking and cycling routes and linking to existing routes outside the Zone;
- ~~b. Preferring the provision of an underpass for the Key Crossing indicated on the Structure Plan;~~
- c. Discouraging private vehicle ownership and use by limiting onsite carparking via maximum rates for residential office and retail activities;
- d. Requiring minimum cycle parking to be provided onsite for commercial, educational and residential activities; and
- e. Enhancing active travel experiences by requiring adjacent development to integrate with the Key Crossing shown on the Structure Plan and by providing high-quality recreation spaces along routes.

49.2.6.5 Avoid development where specific transport infrastructural works have not been completed, ~~unless it can be demonstrated that development will avoid future and cumulative adverse effects from additional traffic movements, particularly at weekday daily peak periods, on State Highway 6.~~

49.2.6.6 Require Workplace and School Travel Plans that will demonstrate how private vehicle trips will be reduced and to promote greater reliance on public and active transport.

49.2.7 Objective – An attractive built environment that positively responds to streets and open spaces, provides a high level of residential and neighbourhood amenity, achieves high quality urban design and ecological outcomes and incorporates indigenous biodiversity in design.

Policies

In all Precincts

49.2.7.1 Encourage building design that integrates with public spaces and provides for a pedestrian-friendly environment including active street frontages.

49.2.7.2 Minimise opportunities for criminal activity through incorporating Crime Prevention Through Environmental Design (CPTED) principles as appropriate in the design of building layout, public and semi-public spaces, and landscaping.

49.2.7.3 Acknowledge and celebrate the area's cultural heritage, including incorporating indigenous vegetation and reference to [tangata whenua](#) [Manawhenua](#) values, in the design of public and private spaces, where appropriate.

Commented [JB17]: #78 Ladies Mile Pet Lodge

Commented [MF18]: #104 Waka Kotahi

Commented [MF19]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

Commented [MF20]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

- 49.2.7.4 Ensure that the location and direction of lights does not cause significant glare to other sites, roads, and public places and promote lighting design that mitigates adverse effects on views of the night sky.
- 49.2.7.5 Ensure that outdoor storage areas and any carparking areas are appropriately located and or screened to limit adverse visual effects and to be consistent with the amenity values of the Zone or those of any adjacent zone.
- 49.2.7.6 Require all new buildings, relocated buildings and additions and alterations to existing buildings that contain as Activity Sensitive to Road Noise located adjacent to a State Highway to be designed to maintain internal residential amenity values and, in particular provide protection to sleeping occupants from road noise.
- 49.2.7.7 Encourage accessibility through universal design of spaces, to enable ease of use by all potential users.
- 49.2.7.8 In the Low Density Residential Precinct, ensure that the height, bulk and location of development maintains a low density suburban character and maintains the amenity values enjoyed by users of neighbouring properties, in particular, privacy and access to sunlight.

Commented [MF21]: #105 Maryhill Limited

Commented [MF22]: #99 Corona Trust

All Precincts north of State Highway 6

- 49.2.7.9 Require high quality building and site design that promotes and supports neighbourhood amenity values, reflects the highly visible location close to the state highway, and that is appropriate in the setting adjacent to the outstanding natural feature of Slope Hill.
- 49.2.7.10 In the Medium and High Density Residential Precincts and the Commercial Precinct, require that development responds to its context, with a particular emphasis on the following essential built form outcomes:
- a. achieving high levels of visual interest and avoiding blank or unarticulated walls or facades;
 - b. achieving well-overlooked, activated streets and public open spaces, including by not dominating street edges with garaging, parking or access ways;
 - c. achieving a variation and modulation in building mass, facades, materials and roof forms;
 - d. using well-designed landscaped areas to add to the visual amenity values of the development for residents or visitors, neighbours, and the wider public.

Medium and High Density Residential Precincts

- 49.2.7.11 Apply recession plane, building height, yard setback and site coverage controls as the primary means of ensuring a minimum level of outlook, sunshine and light access, while acknowledging that through an application for land use consent an outcome superior to that likely to result from strict compliance with the controls may well be identified.
- 49.2.7.12 Ensure built form achieves reasonable levels of privacy for occupants of the subject site and neighbouring residential sites and units, including through the use of building setbacks, offsetting windows from one another, screening, or other means.
- 49.2.7.13 Require a high level of landscape amenity which:
- a. uses indigenous planting to increase ecological values, preferring vegetation that naturally occurs and/or previously occurred in the area; and
 - b. uses exotic planting to maintain local character where appropriate.
- 49.2.8 Objective – Development that supports resilience to, and mitigation of, the current and future effects of climate change and contributes to an integrated approach to stormwater management.**
- 49.2.8.1 Encourage site layout and building design that promote sustainability, including design that conserves

Commented [MF23]: #93 Sanderson Group and Queenstown Commercial Limited, #105 Maryhill Limited

Commented [MF24]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

energy, reduces waste and reduces emissions.

- 49.2.8.2 Require a minimum level of permeable surface on a site for stormwater management and landscape amenity.
- 49.2.8.3 Subject to the limit on the maximum number of storeys, allow greater building height only where development is designed to achieve an improved standard of quality, including its environmental sustainability.

49.3 Other Provisions and Rules

49.3.1 District Wide

Attention is drawn to the following District Wide chapters.

1. Introduction	2. Definitions	3. Strategic Direction
4. Urban Development	5. Tangata Whenua	25. Earthworks
26. Historic Heritage	27. Subdivision	28. Natural hazards
29. Transport	30. Energy and Utilities	31. Signs
32. Protected Trees	33. Indigenous Vegetation and Biodiversity	34. Wilding Exotic Trees
35. Temporary Activities and Relocatable Buildings	36. Noise	37. Designations
38. Open Space and Recreation	39. Wahi Tupuna	Planning Maps

49.3.2 Interpreting and Applying the Rules

49.3.2.1 A permitted activity must comply with all rules listed in the Activity and Standards tables, and any relevant district wide rules.

49.3.2.2 Where an activity does not comply with a standard listed in the standards tables, the activity status identified by the "Non-Compliance Status" column shall apply. Where an activity breaches more than one standard, the most restrictive status shall apply to the activity.

49.3.2.3 Within the Open Space Precinct, all provisions of Chapter 38 (Open Space and Recreation) relating to the Community Purposes Zone apply with the exception of the rules in Table 4 below.

49.3.2.4 The following abbreviations are used within this chapter:

P	Permitted	C	Controlled
RD	Restricted Discretionary	D	Discretionary
NC	Non Complying	PR	Prohibited

49.4 Rules - Activities

	Activities located in the Te Pūtahi Ladies Mile Zone	Activity Status
	Residential Activities	
49.4.1	Residential Activity on the ground floor of the Commercial Precinct	NC
49.4.x	Residential Activity not otherwise listed	P
49.4.2	Homestay	P
49.4.3	Home occupation	P

Commented [JB25]: Evidence of Natalie Hampson 27 September 2023

Commented [JB26]: Evidence of Natalie Hampson 27 September 2023

	Activities located in the Te Pūtahi Ladies Mile Zone	Activity Status
49.4.4	<p>Two or more residential units per site in the Medium Density Residential Precinct and High Density Residential Precinct</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> location, external appearance, site layout and design of buildings and how the development addresses its context to contribute positively to the character of the area; how the design advances housing diversity, including the range of unit types to achieve a diverse range of choice including size, typology and affordability; promotion of sustainability and accessibility, either through construction methods, design or function; street activation; parking and access layout: safety, efficiency and impacts on on-street parking and travel management; design and integration of landscaping, including existing vegetation; The spatial layout of the development, and its relationship to and integration with other sites and development, taking into account the location of: <ol style="list-style-type: none"> Roads, walkways and cycleways throughout the Sub-Area including Indicative Roads as shown on the Structure Plan and where these will connect to adjoining sites and (where relevant) neighbouring Sub-Areas and (where relevant) State Highway 6, including intersection layout and design; Open spaces, and their intended function(s), including those open spaces required by the Structure Plan, Indicative Parks as shown on the Structure Plan, and any additional open spaces necessary to serve the future needs of the site and the wider Sub-Area; Three waters infrastructure, including the retention and treatment of stormwater, and integration with the stormwater network within the Zone. within Sub-Areas B and C, the impact of development on existing established trees identified on the Structure Plan; within Sub-Area A the establishment of the "Landscape Buffer Area" shown on the Structure Plan, and the methods to ensure it is maintained in perpetuity; The information requirements for stormwater management specified by Rule 27.7.28.1 <p>Note that this rule also applies to attached and semi-attached residential units within a site, or across more than one site.</p>	RD
49.4.5	Residential Visitor Accommodation in the Low Density Residential, Medium Density Residential, Commercial Centre, Glenpanel and Open Space Precincts	NC
49.4.5A	Residential Visitor Accommodation in the High Density Residential Precinct	P
49.4.6	One residential unit per site within the Medium Density Residential Precinct and the High Density Residential Precinct, except that this rule shall not apply to a residential unit that is attached to residential units on other sites.	NC
49.4.7	Residential Flats	NC
49.4.7	Retirement Villages	D
	Non-residential activities	

Commented [JB27]: Stormwater and infrastructure JWS

Commented [MF28]: #105 Maryhill Limited

Commented [JB29]: #77 Ladies Mile Property Syndicate, #94 Winter Miles Airstream Ltd

Commented [JB30]: #77 Ladies Mile Property Syndicate, #94 Winter Miles Airstream Ltd

Commented [MF31]: #45 Caithness Development Limited, #46 Shotover Country Limited, #80 Koko Ridge Limited and Wayne Foley, #94 Winter Miles Airstream Limited, #105 Maryhill Limited

Commented [JB32]: #106 Queenstown Country Club

49.4.8	Commercial Activities comprising no more than 100m ² of gross floor area per site in the High Density Residential Precinct	P
49.4.9	Office Activity in the Commercial Precinct	P
49.4.10	Education Activities in the Commercial Precinct	P
49.4.11	Retail activity in the Commercial Precinct and Glenpanel Precinct, except where provided for elsewhere in this table	P
49.4.12	Community Activities in the Commercial Precinct and Glenpanel Precinct	P
49.4.13	Commercial Activity in the Commercial Precinct, except where provided for elsewhere in this table	P
49.4.14	One Large Format Retail tenancy retailing grocery products within the Commercial Precinct	P
49.4.15	Licensed Premises in the Glenpanel Precinct and the Commercial Precinct Premises licensed for the consumption of alcohol on the premises between the hours of 11pm and 8am, provided that this rule shall not apply to the sale of liquor: a. to any person who is residing (permanently or temporarily) on the premises; and/or b. to any person who is present on the premises for the purpose of dining up until 12am. Control is reserved to: a. the scale of the activity; b. effects on amenity (including that of adjacent residential precincts and reserves); c. noise and hours of operation.	C
49.4.16	Commercial Activities comprising no more than 100m ² of gross floor area per site in the Low Density Suburban Residential Precinct or the Medium Density Residential Precinct. Discretion is restricted to: a. benefits of the commercial activity in servicing the day-to-day needs of local residents; b. hours of operation; c. parking, traffic and access; d. noise	RD
49.4.17	Education Activities within the Low, Medium or High Density Precincts and within the Open Space Precinct for Ministry of Education (or equivalent) operations only Discretion is restricted to: a. Traffic generation, access and parking; b. Provision for walkways, cycleways and pedestrian linkages; c. Infrastructure and servicing; and d. Noise effects.	RD

Commented [MF33]: #86 Ministry of Education

49.4.18	<p>Buildings for non-residential activities</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Scale, design and external appearance; b. Signage platforms; c. Lighting; d. Spatial layout of the development, including interrelationship with the street, surrounding buildings and open spaces; e. how the design promotes sustainability and accessibility, either through site layout, construction methods, design or function; f. In the Commercial Precinct, the opportunity to establish an anchor building on the corner with State Highway 6. g. Street activation; h. Parking and access layout: safety, sufficiency for emergency access, efficiency and impacts on on-street parking and travel management; i. Design and integration of landscaping, including existing vegetation; j. The spatial layout of the development, and its relationship to and integration with other sites and development, taking into account the location of: <ul style="list-style-type: none"> i. Roads, walkways and cycleways throughout the Sub-Area including Indicative Roads as shown on the Structure Plan and where these will connect to adjoining sites and (where relevant) neighbouring Sub- Areas and (where relevant) State Highway 6, including intersection layout and design; ii. Open spaces, and their intended function(s), including those open spaces required by the Structure Plan, Indicative Parks as shown on the Structure Plan, and any additional open spaces necessary to serve the future needs of the site and the wider Sub-Area; iii. Three waters infrastructure, including the retention and treatment of stormwater, and integration with the stormwater network within the Zone. k. The information requirements for stormwater management specified by Rule 27.7.28.1 	RD
49.4.19	<p>Development within the Crossing Curtilage Overlay area shown on the Structure Plan</p> <p>For the purpose of this rule, development means new buildings and structures, earthworks requiring consent under Chapter 25, and car parking areas.</p> <p>Discretion is restricted to the effects of the proposed development on the provision of the Key Crossing, including consideration of the integration of the development with the design, legibility, and safety of the crossing.</p>	RD
49.4.20	Commercial Recreation	D
49.4.21	Community Activities not otherwise listed	D
49.4.22	Activities not otherwise listed	NC
49.4.23	Restaurants with drive-through facilities	NC
49.4.24	Large Format Retail tenancy other than as provided for under Rule 49.4.14.	NC
49.4.25	Buildings within the Building Restriction Area on the planning maps	NC
49.4.26	Service Activity	NC
49.4.27	Industrial Activity	NC
49.4.28	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building	NC

Commented [MF34]: #35 Fire and Emergency New Zealand

Commented [JB35]: Stormwater and infrastructure JWS

Commented [JB36]: #78 Ladies Mile Pet Lodge

49.4.29	Bulk material storage (except temporary storage during construction of subdivision or buildings)	NC
49.4.30	Factory farming	NC
49.4.31	Fish or meat processing (excluding that which is ancillary to a retail premises)	NC
49.4.32	Forestry	NC
49.4.33	Visitor Accommodation <u>in the Glenpanel Precinct; and</u> <u>in the Commercial Precinct (above ground floor only)</u>	NC-D
49.4.34	Mining	PR
49.4.35	Airports	PR
49.4.36	Any activity requiring an Offensive Trade Licence under the Health Act 1956	PR
49.4.37	Cemeteries and Crematoria	PR
49.4.38	Service Stations <u>not otherwise listed</u>	PR
49.4.39	<u>Service Stations in the Commercial Precinct</u>	NC
49.4.XX	<u>Commercial storage facilities (including outdoor storage and buildings for the storage of commercial and residential goods) within the Storage Overlay shown on the Structure Plan.</u> <u>Control is reserved to:</u> <u>a. hours of operation;</u> <u>b. parking, traffic and access;</u> <u>c. noise;</u> <u>d. external visual appearance and form and scale of buildings and outdoor storage areas;</u> <u>e. fencing;</u> <u>f. building and landscape frontage, and activation to streets and public spaces</u> <u>g. landscaping;</u> <u>h. lighting</u>	C

Commented [MF37]: #93 Sanderson Group and Queenstown Commercial Limited; #105 Maryhill, #73 Glenpanel

Commented [MF38]: #45 Caithness Development Limited, #46 Shotover Country Limited, #73 Glenpanel Development Limited, #105 Maryhill Limited. #108 Milstead Trust

Commented [JB39]: #105 Maryhill

49.5 Rules – Standards

Table 1	Standards for activities located in the Low Density Residential Precinct	Non-compliance status
49.5.1	Residential Density Maximum residential density of one residential unit per 450 <u>300</u> m ²	NC
49.5.2	Building Height A maximum of 8m, <u>except that within 20m of the common boundary of Lot XXX [Corona Trust property] the maximum height shall be 5.5m</u>	NC
49.5.3	Building Coverage A maximum of 40%.	D
49.5.4	Landscape permeable surface coverage At least 30% of the site area shall comprised landscaped (permeable) surface	NC

Commented [MF40]: #80 Koko Ridge Limited and W Foley; #103 T Allen

Commented [JB41]: #99 Corona Trust

49.5.5	<p>Recession plane</p> <p>The following recession planes apply to all buildings:</p> <ul style="list-style-type: none"> a. Northern boundary: 2.5m and 55 degrees b. Western and eastern boundaries: 2.5m and 45 degrees c. Southern boundaries: 2.5m and 35 degrees. <p>Except that:</p> <ul style="list-style-type: none"> a. gable ends roofs may penetrate the building recession plane by no more than one third of the gable height. b. recession planes will not apply on boundaries with roads. 	<p>RD</p> <p>Discretion is restricted to any sunlight, shading or privacy effects created by the proposal on adjacent sites.</p>
49.5.6	<p>Minimum Building Setbacks</p> <ul style="list-style-type: none"> 49.5.6.1 Minimum setback from road boundary: 4.5m 49.5.6.2 Setback from waterbodies: 7m 49.5.6.3 All other boundaries: 2m 49.5.6.4 In Sub-Area H1: Minimum setback from boundary with Sub-Area H2: 6m 49.5.6.5 In Sub-Area H2: Minimum setback from southern boundary: 4m <p>Except that:</p> <ul style="list-style-type: none"> a. eaves may be located up to 600mm into any boundary setback along eastern, western and southern boundaries and up to 1m into any boundary setback along northern boundaries. b. accessory buildings for residential activities may be located within the boundary setback distances (other than from road boundaries), where they do not exceed 7.5m in length, there are no windows or openings (other than for carports) along any walls within 1.5m of an internal boundary, and they comply with rules for Building Height and Recession Plane. 	<p>D</p>
49.5.7	<p>Building length</p> <p>The length of any building elevation above the ground floor level shall not exceed 16m.</p>	<p>RD</p> <p>Discretion is restricted to the external appearance, location and visual dominance of the building(s) as viewed from the streets(s) and adjacent sites.</p>
49.5.8	<p>Waste and Recycling Storage Space</p> <ul style="list-style-type: none"> 49.5.8.1 Residential activities shall provide, sufficient space for waste, green waste and recycling bins per residential unit 49.5.8.2 Waste, green waste and recycling bins shall be: <ul style="list-style-type: none"> a. located where it is easy to manoeuvre for kerbside collections and avoid impeding vehicle movements within and through the site; and b. not directly visible from adjacent sites, roads and public spaces; or c. screened with materials that are in keeping with the design of the building. 	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Effects on amenity values; b. Size, location and access of waste and recycling storage space.

Commented [MF42]: #99 Corona Trust

49.5.9	<p>Road noise – State Highway</p> <p>Any new residential building or buildings containing Activities Sensitive to Road Noise located within</p> <ol style="list-style-type: none"> 80 metres of the boundary of a State Highway with a speed limit of 70km/h or greater; or 40 metres of the boundary of a State Highway with a speed limit less than 70 km/h <p>Shall be designed, constructed and maintained to ensure that the internal noise levels do not exceed 40 dB LAeq(24h) for all habitable spaces including bedrooms.</p>	NC								
49.5.10	<p>Staging development to integrate with transport infrastructure</p> <p>Development (except for utilities, the specified transport infrastructural works and other physical infrastructure) within the Sub-Areas shown on the Structure Plan shall not occur prior to all the corresponding transport infrastructural works for the Sub-Area listed below being completed.</p> <p>For the purposes of this rule, "completed" means when the works are physically completed and are able to be used for the intended purpose.</p> <p>For the purposes of this rule, "development" means a building for which a Code Compliance Certificate has been issued by the Council. Any application under Rules 49.4.4, 49.4.18, and any other application involving a building shall include a condition requiring that a Code Compliance Certificate under s92 of the Building Act 2004 shall not be applied for in respect of that building before the corresponding transport infrastructural works for the Sub-Area are completed.</p> <table border="1" data-bbox="228 968 873 1192"> <tr> <td data-bbox="228 968 380 1083">H1 & H2</td> <td data-bbox="384 968 873 1083">Active Travel link to State Highway 6 bus stops</td> </tr> <tr> <td data-bbox="228 1089 380 1192">H2</td> <td data-bbox="384 1089 873 1192"> Bus stops on State Highway 6, west of the Stalker Road intersection (one on each side of the State Highway 6) Pedestrian/ cycle crossing across State Highway 6 west of Stalker Road intersection </td> </tr> </table>	H1 & H2	Active Travel link to State Highway 6 bus stops	H2	Bus stops on State Highway 6, west of the Stalker Road intersection (one on each side of the State Highway 6) Pedestrian/ cycle crossing across State Highway 6 west of Stalker Road intersection	NC				
H1 & H2	Active Travel link to State Highway 6 bus stops									
H2	Bus stops on State Highway 6, west of the Stalker Road intersection (one on each side of the State Highway 6) Pedestrian/ cycle crossing across State Highway 6 west of Stalker Road intersection									
49.5.11	<p>Maximum number of Residential Units</p> <p>The total number of residential units shall not exceed the maximums in the table below:</p> <table border="1" data-bbox="228 1314 873 1472"> <thead> <tr> <th data-bbox="228 1314 667 1367">Sub Area (as shown on the Structure Plan)</th> <th data-bbox="672 1314 873 1367">Maximum number of residential units</th> </tr> </thead> <tbody> <tr> <td data-bbox="228 1373 667 1404">Sub-Area H1</td> <td data-bbox="672 1373 873 1404">38</td> </tr> <tr> <td data-bbox="228 1411 667 1442">Sub-Area H2</td> <td data-bbox="672 1411 873 1442">108</td> </tr> <tr> <td data-bbox="228 1449 667 1472">Sub-Area I</td> <td data-bbox="672 1449 873 1472">30</td> </tr> </tbody> </table>	Sub Area (as shown on the Structure Plan)	Maximum number of residential units	Sub-Area H1	38	Sub-Area H2	108	Sub-Area I	30	NC
Sub Area (as shown on the Structure Plan)	Maximum number of residential units									
Sub-Area H1	38									
Sub-Area H2	108									
Sub-Area I	30									
49.5.12	<p>Lighting and Glare</p> <p>49.5.12.1 All exterior lighting shall be directed downward and away from adjacent sites and roads.</p> <p>49.5.12.2 No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.</p>	RD Discretion is restricted to effects of light and glare on amenity values, the transportation network, ecological health , and the night sky								

Commented [MF43]: #51 G Erving, #55 Neil McDonald and Clarke Fortune McDonald & Associates, #80 Koko Ridge Limited & W Foley, #103 T Allen, #104 Waka Kotahi, #108 Milstead Trust

Commented [JB44]: #77 Ladies Mile Property Syndicate

Commented [JB45]: Wording in response to Planning JWS discussion

Commented [JB46]: #80 Koko Ridge Limited & W Foley, #103 T Allen

Commented [MF47]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

49.5.13	<p>Homestay</p> <p>49.5.13.1 Shall not exceed 5 paying guests on a site per night</p> <p>49.5.13.2 Shall not generate any vehicle movements by heavy vehicles, coaches or buses to or from the site.</p> <p>49.5.13.3 The Council shall be notified in writing prior to the commencement of the Homestay Activity</p> <p>49.5.13.4 Up to date records of the Homestay Activity shall be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours notice.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. The nature of the surrounding residential context, including its residential amenity values and character, and the effects of the activity on the neighbourhood; b. The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood; c. The scale and frequency of the activity, including the number of nights per year; d. The management of noise, use of outdoor areas, rubbish and recycling; and e. The location and screening of any parking and access.
49.5.14	<p>Home Occupation</p> <p>49.5.14.1 No more than 1 full time equivalent person from outside the household shall be employed in the home occupation activity.</p> <p>49.5.14.2 The maximum number of two-way vehicle trips shall be:</p> <ol style="list-style-type: none"> a. heavy vehicles: none permitted; b. other vehicles: 10 per day. <p>49.5.14.3 Maximum net floor area of 60m².</p> <p>49.5.14.4 Activities and storage of materials shall be indoors.</p>	D
49.5.XX	<p>Residential Visitor Accommodation in Sub-Area H2</p> <p>49.5.X.X The activity is on a lot greater than 2000m² in Sub-Area H2 only.</p> <p>49.5.X.X The activity complies with the standards specified in 11.5.13 of the Large Lot Residential (A) Zone.</p>	NC

Commented [JB48]: #77 Ladies Mile Property Syndicate, #94 Winter Miles Airstream Ltd

49.5.XX	New residential units on sites greater than 2000m ² within the H2 Sub-Area shall be subject to the bulk and location controls specified in the Large Lot Residential (A) Zone provisions (11.5.1 – 11.5.14).	As required by Rules 11.5.1 – 11.5.4
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Commented [JB49]: #80 Koko Ridge Limited & Wayne Foley, #103 Tim Allan

Table 2	Standards for activities located in the Medium Density Residential Precinct and the High Density Residential Precinct	Non-compliance status
49.5.15	<p>Development shall be consistent with the Structure Plan at 49.8, except that</p> <ol style="list-style-type: none"> The location where Collector Road Types A and B intersect with State Highway 6 or Lower Shotover Road may be varied by up to 10m where required to achieve integration with these intersections. The location of Collector Road Type C may be varied by up to 20m to integrate with the intersection with State Highway 6. The location of the Key Crossing shown on the Structure Plan may be varied by up to 30m. 	NC
49.5.16	<p><u>Residential</u> Density</p> <p>49.5.16.1 In the Medium Density Residential Precinct, <u>residential</u> development shall achieve a density of 40 – 48 residential units per hectare across the gross developable area of the site.</p> <p>49.5.16.2 In the High Density Residential Precinct, <u>residential</u> development shall achieve a density of 60 – 72 50 – 72 residential units per hectare across the gross developable area of the site.</p> <p>For the purpose of this rule, gross developable area of a site means the land within the site shown on the Structure Plan, excluding the following:</p> <ol style="list-style-type: none"> Building Restriction areas as shown on the <u>Structure Plan and</u> planning maps; Roads, Open Space, Amenity Access Areas and Landscape Buffer as shown on the Structure Plan <u>Stormwater management areas</u> <p>But including any vested or private roads, reserves, accesses and walkways not shown on the Structure Plan.</p>	NC

Commented [MF50]: #82 Roman Catholic Bishop of Dunedin

Commented [JB51]: #82 Roman Catholic Bishop of Dunedin

Commented [JB52]: #82 Roman Catholic Bishop of Dunedin

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49.5.17	<p>Building Height</p> <p>49.5.17.1 Buildings shall not exceed the maximum number of storeys shown on the Te Pūtahi Ladies Mile Structure Plan – Building Heights.</p> <p>49.5.17.2 Buildings shall achieve the minimum number of storeys where specified on the Structure Plan – Building Heights.</p> <p>49.5.17.3 Building height shall not exceed the maximum heights shown on the Te Pūtahi Ladies Mile Structure Plan – Building Heights.</p>	<p>NG RD</p> <p>Discretion is restricted to the effects on the ability to achieve the residential density required.</p> <p>RD</p> <p>Discretion is restricted to:</p> <p>a. the effects on the ability to achieve the residential density required.</p> <p>b. Any sunlight, shading or privacy effects;</p> <p>c. External appearance, location and visual dominance of the building;</p> <p>d. Provision of sustainable design responses.</p> <p>e. <u>interface between building height requirements outlined in Schedule 49.8 Te Putahi Ladies Mile Structure Plan – Building Heights.</u></p> <p>f. <u>Heritage values of the Glenpanel Precinct</u></p>
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Commented [JB55]: #93 Sanderson Group & Queenstown Commercial Limited

Commented [MF56]: #108 Milstead Trust

Commented [MF57]: Evidence of Mr Millar - subject to scope determination

<p>49.5.18</p>	<p>Recession Plane</p> <p>Buildings shall not project beyond the following:</p> <p>49.5.18.1 In the Medium Density Residential Precinct, the following:</p> <ul style="list-style-type: none"> a. Northern boundary: A 55-degree recession plane measured 2.5m <u>4m</u> above the boundary; b. Western and Eastern boundaries: A 45-degree recession plane measured 2.5m <u>4m</u> above the boundary; c. Southern boundary: A 35-degree recession plane measured 2.5m <u>4m</u> above the boundary. <p>49.5.18.2 In the High Density Residential Precinct, a 45-degree recession plane measured 7m above the boundary, except on the northern boundary of the site a 55-degree recession plane measured 7m above the boundary applies.</p> <p>Exclusions:</p> <ul style="list-style-type: none"> a. Gable end roofs may penetrate the building recession plane by no more than one third of the gable height; b. Recession planes do not apply to site boundaries adjoining the Commercial Precinct, fronting a road, swale, or adjoining a park or reserve; c. Recession planes do not apply to site boundaries where a common or party wall is proposed between two buildings on adjacent sites. 	<p>RD</p> <p>Discretion is restricted to any visual dominance, sunlight, shading or privacy effects created by the proposal on adjacent sites, including effects on the heritage values of the Glenpanel Precinct.</p>
<p>49.5.19</p>	<p>Landscaped permeable surface</p> <p>49.5.19.1 In the Medium Density Residential Precinct, at least 25% of the site area shall comprise permeable surface.</p> <p>49.5.19.2 In the High Density Residential Precinct, at least 20% of the site area shall comprise permeable surface.</p> <p>49.5.19.3 Each residential unit located on the ground floor shall include a minimum of 1 specimen tree (45L) and 3m² of soft landscaping located between the road boundary and the front elevation of any building</p>	<p>NC</p> <p>NC</p> <p>RD</p> <p>Discretion is restricted to external appearance and visual dominance of the building when viewed from the street.</p>
<p>49.5.20</p>	<p>Roof colour</p> <p>The roof of any new building or any building alterations that result in a change in roofing material, shall be coloured within the range of browns, greens, greys blacks and blue greys with a Light Reflectance Value (LRV) of less than 20%.</p>	<p>RD</p> <p>Discretion is restricted to visual effects on Slope Hill when viewed from above</p>

Commented [MF58]: #73 Glenpanel Developments Limited, #93 Sanderson Group and Queenstown Commercial Limited, #94 Winter Miles Airstream Limited, #101 Dave Finlin, #108 Milstead Trust

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Commented [MF60]: #93 Sanderson Group and Queenstown Commercial Limited

<p>49.5.21</p>	<p>Building Coverage</p> <p>49.5.21.1 In the Medium Density Residential Precinct, a maximum of 45%.</p> <p>49.5.21.2 In the High Density Residential Precinct, a maximum of 70%.</p>	<p>RD</p> <p>Discretion is restricted to the following:</p> <p>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent sites;</p> <p>b. external amenity values for future occupants of buildings on the site.</p> <p>NC</p>
<p>49.5.22</p>	<p>Minimum boundary setbacks for buildings</p> <p>49.5.22.1 In the Medium Density Residential Precinct:</p> <p>a. Road boundaries: 3m</p> <p>b. All other boundaries: 1.5m</p> <p>c. Garages shall be setback at least 6m from a road boundary.</p> <p>49.5.22.2 In the High Density Residential Precinct:</p> <p>a. All boundaries: 3m 1.5m</p> <p>b. Garages shall be setback at least 6m from a road boundary.</p> <p>Exclusions:</p> <p>a. Setbacks do not apply to site boundaries where a common or party wall is proposed between two buildings on adjacent sites.</p> <p>b. Roof eaves, entrance awnings, window shading/screening devices and other building elements that provide shelter can extend into the road boundary setback by up to 1.5m on buildings up to a maximum of two storeys in height and up to 1m on all other boundaries.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Any privacy effects created by the proposal on adjacent sites;</p> <p>b. External appearance, location and visual dominance of the building as viewed from the street and adjacent sites; and</p> <p>c. Effects on the safety of the transportation network, including pedestrian safety.</p> <p><u>d. Heritage values of the Glenpanel Precinct</u></p>

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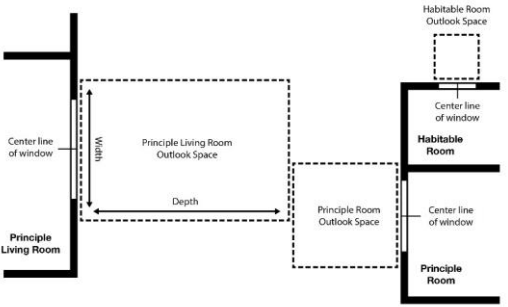
<p>49.5.23</p>	<p>Outlook Space</p> <p>An outlook space that meets the following standards shall be provided from the face of a building containing windows to a habitable room in a residential unit:</p> <p>49.5.23.1 Principal living room: 1-2 storeys: 8m in depth and 4m wide 3 storeys: 10m in depth and 4m wide 4 storeys and above: 12m in depth and 4m wide</p> <p>49.5.23.2 Principal bedroom: 3m in depth and 3m wide</p> <p>49.5.23.3 All other habitable rooms: 1m in depth and 1m wide</p> <p>Notes:</p> <p>a. Outlook spaces are to be the same height as the floor height of the building face to which it applies, with the depth to be measured at right angles from the window to which it applies.</p> <p>b. Outlook spaces from different rooms within the same residential unit or residential flat may overlap.</p> <p>c. Outlook spaces may be located within the site or over a public street, swale, or other public open space but not otherwise over another site.</p> <p>d. Outlook spaces shall be clear and unobstructed by buildings.</p> 	<p>RD</p> <p>Discretion is restricted to effects on residential amenity.</p>
<p>49.5.24</p>	<p>Outdoor living space</p> <p>Each residential unit shall have an outdoor living space that meets the following standards:</p> <p>49.5.24.1 At ground level: Minimum area of 20m², which can be comprised of ground floor and/or balcony/roof terrace space with a minimum dimension of 4m for ground level and 1.8m for above ground level.</p> <p>49.5.24.2 Above ground level: Minimum area of – 1 bedroom unit: 8m² 2 bedroom unit: 10m²</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. effects on residential amenity; b. The extent to which any common space is adequate for providing outdoor</p>

Table 2	Standards for activities located in the Medium Density Residential Precinct and the High Density Residential Precinct	Non-compliance status
	<p>3 or more-bedroom unit: 12m² with a minimum dimension of 1.5m.</p> <p>49.5.24.3 All outdoor living space shall be directly accessible from the residential unit and shall be free from buildings, parking spaces, servicing and manoeuvring areas.</p> <p>49.5.24.4 Buildings with 4 or more residential units above ground level shall provide an additional 4m² of common space per bedroom of above ground level units. Common space shall be landscaped, free of vehicles and accessible.</p> <p>Exclusions: Rule 49.5.24.4 does not apply where the primary entrance of a building is within 100m walking distance of a public park.</p>	<p>seating, landscaping, and informal play spaces and receives adequate sunlight access, and is accessible to all units it is intended to serve.</p>
49.5.25	<p>Lighting and Glare</p> <p>49.5.25.1 All exterior lighting shall be directed downward and away from adjacent sites and roads.</p> <p>49.5.25.2 No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.</p>	<p>RD</p> <p>Discretion is restricted to effects of light and glare on amenity values, the transportation network and the night sky</p>
49.5.26	<p>Building separation within sites</p> <p>The minimum separation distance between buildings containing residential units within the site shall comply with the following:</p> <p>49.5.26.1 Up to two storeys: 2m 3 storeys: 4m 4 storeys: 6m 5 or more storeys: 8m</p> <p>Except that this shall not apply to shared walls for terrace or other attached building typologies.</p> <p>49.5.26.2 Where there is a difference in the number of storeys of the two buildings, the larger separation distance shall apply.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. External appearance, location and visual dominance of the building; and</p> <p>b. Effects on residential amenity.</p>
49.5.27	<p>Fencing</p> <p>Any fencing located between any road boundary or boundary with a reserve or swale shall have a maximum height of 1.2m, except that fences may be up to 1.8m where they are visually permeable.</p>	<p>RD</p> <p>Discretion is restricted to effects on passive surveillance of the street.</p>
49.5.28	<p>Residential Storage</p> <p>Every residential unit shall have a storage space comprising at least 2m³ per one bedroom and an additional storage space of 1m³ for every bedroom thereafter.</p>	<p>RD</p> <p>Discretion is restricted to effects on residential amenity, including provision of alternative storage solutions.</p>
49.5.29	<p>Maximum building length</p> <p>49.5.29.1 In the Medium Density Residential Precinct, the length of any building elevation above the ground floor level shall not exceed 26m.</p>	<p>RD</p> <p>Discretion is restricted to external appearance, location</p>

Table 2	Standards for activities located in the Medium Density Residential Precinct and the High Density Residential Precinct	Non-compliance status
	49.5.29.2 In the High Density Residential Precinct, the length of any building elevation above the ground floor level shall not exceed 32m.	and visual dominance of the building
49.5.30	<p>Garages</p> <p>49.5.30.1 Garage doors and their supporting structures (measured parallel to the road) shall not exceed 50% of the width of the front elevation of the building which is visible from the street.</p> <p>49.5.30.2 Garages shall be setback a minimum of 0.5m from the front elevation of the building which is visible from the street.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. External appearance, location and visual dominance of the building when viewed from the street;</p> <p>b. Effects on passive surveillance of the street;</p>
49.5.31	<p>Location of mechanical plant</p> <p>Externally mounted mechanical plant shall not be visible from the street or any public place.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. External appearance, location and visual dominance of the building when viewed from the street;</p> <p>b. Effects on residential amenity.</p>
49.5.32	<p>Road noise – State Highway 6</p> <p>Any new residential buildings or buildings containing Activities Sensitive to Road Noise, located within:</p> <p>a. 80m of the boundary of State Highway 6 where the speed limit is 70kmph or greater; or</p> <p>b. 40m of the boundary of State Highway 6 where the speed limit is less than 70kmph</p> <p>shall be designed and constructed to ensure that the internal noise levels do not exceed 40dB LA_{eq(24h)} for habitable spaces.</p>	NC
49.5.33	<p>Staging development to integrate with transport infrastructure</p> <p>Development (except for utilities, the specified transport infrastructural works and other physical infrastructure) within the Te Pūtahi Ladies Mile Sub-Areas shown on the Structure Plan shall not occur prior to all the corresponding transport infrastructural works for the Sub-Area listed below being completed.</p> <p>For the purposes of this rule, “completed” means when the works are physically completed and are able to be used for the intended purpose.</p> <p>For the purposes of this rule, “development” means a building for which a Code Compliance Certificate has been issued by the Council. Any application under Rules 49.4.4, 49.4.18, and any other application involving a building shall include a condition requiring that a Code Compliance Certificate under s92 of the Building Act 2004 shall not be applied for in respect of that building before the corresponding transport infrastructural works for the Sub-Area are completed</p>	NC

Commented [MF63]: #51 G Erving, #55 Neil McDonald and Clarke Fortune McDonald & Associates

Commented [JB64]: #77 Ladies Mile Property Syndicate

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Sub-Area		Transport infrastructural works
A		Intersection on Lower Shotover Road at Spence Road
A, B		<p>Bus stops on State Highway 6, west of the Stalker Road intersection (one on each side of the State Highway 6)</p> <p><u>Safe Ppedestrian</u> cycle crossing of State Highway 6 west of Stalker Road intersection</p> <p><u>Upgrades to the existing SH6 / Stalker Road intersection.</u></p>
C		<p><u>Appropriately upgraded</u> intersection on State Highway 6 at Howards Drive</p> <p><u>Upgrades to the existing SH6 / Howards Drive intersection.</u></p> <p>Bus stops on State Highway 6, west of Howards Drive intersection (one on each side of the State Highway 6)</p> <p><u>Safe Ppedestrian</u> cycle crossing of State Highway 6 east of Howards Drive intersection at the location shown on the Structure Plan as Key Crossing (+/- 40m)</p>
E		
F		Eastern Roundabout on State Highway 6
G		<p>Bus stops on State Highway 6 west of the Eastern Roundabout (one on each side of the State Highway 6)</p> <p><u>Safe Ppedestrian</u> / cycle crossing of State Highway 6 west of the Eastern Roundabout</p>
B, C, E, F, G		<u>Dedicated westbound bus lane on State Highway 6</u>
		<u>NC</u>

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<p>49.5.34</p>	<p>Homestay</p> <p>49.5.34.1 Shall not exceed 5 paying guests on a site per night</p> <p>49.5.34.2 Shall not generate any vehicle movements by heavy vehicles, coaches or buses to or from the site.</p> <p>49.5.34.3 The Council shall be notified in writing prior to the commencement of the Homestay Activity</p> <p>49.5.34.4 Up to date records of the Homestay Activity shall be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours notice.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. The nature of the surrounding residential context, including its residential amenity values and character, and the effects of the activity on the neighbourhood;</p> <p>b. The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood;</p> <p>c. The scale and frequency of the activity, including the number of nights per year;</p> <p>d. The management of noise, use of outdoor areas and rubbish and recycling; and</p> <p>e. The location and screening of any parking and access.</p>
<p>49.5.35</p>	<p>Home Occupation</p> <p>49.5.35.1 No more than 1 full time equivalent person from outside the household shall be employed in the home occupation activity.</p> <p>49.5.35.2 The maximum number of two-way vehicle trips shall be:</p> <p>a. heavy vehicles: none permitted;</p> <p>b. other vehicles: 10 per day.</p> <p>49.5.35.3 Maximum net floor area of 60m².</p> <p>49.5.35.4 Activities and storage of materials shall be indoors.</p>	<p>D</p>
<p>49.5.36</p>	<p>Minimum size of residential units in the High Density Residential Precinct</p> <p>49.5.36.1 30m² for studio units</p> <p>49.5.36.2 45m² for one or more bedroom units</p>	<p>D</p>

49.5.37	<p>Residential Visitor Accommodation in the HDR Precinct, where:</p> <p>49.5.37.1 The activity is within a building of at least four storeys.</p> <p>49.5.37.2 A maximum of 25% of the units within a building are allowed to be available for Residential Visitor Accommodation.</p> <p>49.5.37.3 The total nights of occupation by paying guests within a unit does not exceed a cumulative total of 90 nights per annum from the date of initial registration.</p> <p>49.5.37.4 The number of guests must not exceed two adults per bedroom and the total number of adults and children must not exceed:</p> <ul style="list-style-type: none"> • 3 in a one-bedroom residential unit; • 6 in a two-bedroom residential unit; • 9 in a three-bedroom residential unit <p>49.5.37.5 No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</p> <p>Notes:</p> <p>(a) The activity is registered with Council prior to commencement.</p> <p>(b) Up to date records of the Residential Visitor Accommodation activity must be kept including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by Council with 24 hours' notice.</p> <p>(c) The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with Rules 49.5.37.1 – 49.5.37.4</p>	NC
49.5.XX	<p>Landscape buffer</p> <p>The Landscape Buffer shown on the Structure Plan within Sub Area A shall be no less than 6 meters wide along its full length and include:</p> <ul style="list-style-type: none"> • a diverse range of 70% native species with a minimum plant spacing of 1.5m to enhance biodiversity values. • no less than 30% of planting which will reach a mature height of over 10 meters. • no less than 30% of planting which shall reach a mature height of over 4 meters. • the balance of the species can be shrubs and small trees which contribute to biodiversity and amenity values. 	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Effects on, or contribution to, biodiversity and amenity b. Screening benefits or effects to adjacent properties
49.5.XX	<p>Resource consents for any building shall include a condition requiring that a Code Compliance Certificate under s95 of the Building Act 2004 shall not be applied for in respect of that building before the corresponding transport infrastructural works for the Sub-Area are completed.</p>	NC

Commented [JB70]: #77 Ladies Mile Property Syndicate, #94 Winter Miles Airstream Ltd

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Table 3	Standards for activities located in the Commercial Precinct and the Glenpanel Precinct	Non-compliance status
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49.5.37	<p>Development shall be consistent with the Structure Plan at 49.8, except that:</p> <ul style="list-style-type: none"> a. The location where Collector Road Types A and B intersect with State Highway 6 or Lower Shotover Road may be varied by up to 10m where required to achieve integration with these intersections. b. The location where Collector Road Type C intersects with State Highway 6 may be varied by up to 20m to integrate with this intersection c. the location of the Key Crossing shown on the Structure Plan may be varied by up to 30 40m. 	NC
49.5.38	<p>Retail activity</p> <ul style="list-style-type: none"> 49.5.38.1 The maximum retail floor area of a single retail tenancy shall be 300m², except as provided for by 49.5.38.2 below. 49.5.38.2 The maximum retail floor area of the single Large Format Retail tenancy retailing grocery products provided for in Rule 49.4.14 shall be 2000m². 49.5.38.3 The single retail tenancy retailing grocery products provided for in Rule 49.4.14 shall not front the State Highway. 	NC
49.5.39	<p>Office activity</p> <p>The maximum gross floor area of a single office tenancy shall be 200m². Except that this rule shall not apply to tenancies operating as a commercial coworking space.</p>	NC
49.5.40	<p>Storage</p> <p>Where a storage area does not form part of a building, the storage area shall be screened from view from all public places, adjoining sites and adjoining precincts.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the effects on visual amenity; b. consistency with the character of the locality; and c. whether the safety and efficiency of pedestrian and vehicle movement is compromised.
49.5.41	<p>Building Height</p> <p>49.5.41.1 Buildings shall not exceed the maximum number of storeys shown on the Te Pūtahi Ladies Mile Structure Plan – Building Heights.</p>	<p>NC RD</p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> a. <u>Any sunlight, shading or privacy effects;</u> b. <u>External appearance, location and visual dominance of the building;</u> c. <u>Provision of</u>

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		<p>sustainable design responses.</p> <p>d. How the proposal aligns with the overall structure plan height strategy for the TPLM Zone</p>
49.5.41.2	In the Glenpanel Precinct, building height shall not exceed 8m.	D
49.5.41.3	In the Commercial Precinct, buildings shall achieve the minimum number of storeys where specified on the shown on the Te Pūtahi Ladies Mile Structure Plan – Building Heights.	D
49.5.41.4	Building height shall not exceed the maximum heights shown on the Te Pūtahi Ladies Mile Structure Plan – Building Heights.	RD Discretion is restricted to:
		<ul style="list-style-type: none"> a. the effects of additional height on the urban form of the Precinct, including the extent to which the building design responds sensitively to the area in terms of use of materials, façade articulation and roof forms; b. the amenity of surrounding streets, lanes, footpaths and other public spaces, including the effect on sunlight access and the provision of public space; c. the protection of public views of Slope Hill and the Remarkables Range; and d. effects on residential amenity, dominance and access to sunlight. e. Heritage values of the Glenpanel Precinct

Commented [MF74]: #93 Sanderson Group and Queenstown Commercial Limited

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49.5.42	<p>Setbacks in the Glenpanel Precinct</p> <p>Buildings shall be setback at least 3m from a boundary with a residential precinct or a public open space.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the visual effects of the height, scale, location and appearance of the building, in terms of <ul style="list-style-type: none"> i. dominance; ii. loss of privacy on adjoining sites; and iii. any resultant shading effects.
49.5.43	<p>Residential Activities</p> <p>49.5.43.1 In the Commercial Precinct, all residential activities shall be restricted to first floor level and above, with the exception of foyer and stairway spaces at ground level to facilitate access to upper levels.</p> <p>49.5.43.2 All residential units shall comply with the rules relating to Outlook Space and Outdoor Living Space in Table 1.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the maintenance of an active street frontage; b. effects on residential amenity.
49.5.44	<p>Education Activities</p> <p>The maximum gross floor area of a single Education Activity shall be 300m².</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The scale of the activity, including effects on residential amenity; b. Effects on the transportation network; c. Effects on the vitality of the Commercial Precinct.
49.5.45	Acoustic Insulation	RD

Table 3	Standards for activities located in the Commercial Precinct and the Glenpanel Precinct	Non-compliance status
	<p>A mechanical ventilation system shall be installed for all critical listening environments in accordance with Table 5 in Chapter 36.</p> <p>All elements of the façade of any critical listening environment shall have an airborne sound insulation of at least 40 dB Rw + Ctr determined in accordance with ISO 10140 and ISO 717-1.</p>	<p>Discretion is restricted to:</p> <ol style="list-style-type: none"> The noise levels that will be received within the critical listening environments, with consideration including the nature and scale of the residential or visitor accommodation activity; The extent of insulation proposed; and Whether covenants exist or are being volunteered which limit noise emissions on adjacent site and/or impose no complaints covenants on the site.
49.5.46	<p>Road noise – State Highway 6</p> <p>Any new buildings containing Activities Sensitive to Road Noise, located within:</p> <ol style="list-style-type: none"> 80m of the boundary of State Highway 6 where the speed limit is 70kmph or greater; or 40m of the boundary of State Highway 6 where the speed limit is less than 70kmph <p>shall be designed and constructed to ensure that the internal noise levels do not exceed 40dB LA_{eq(24h)} for habitable spaces.</p>	NC
49.5.47	<p>Lighting and Glare</p> <p>49.5.47.1 All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the precincts shall be directed away from adjacent sites, roads and public places and directed downwards so as to limit the effects on views of the night sky.</p> <p>49.5.47.2 No activity in this zone shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any property within the precincts, measured at any point inside the boundary of any adjoining property.</p> <p>49.5.47.3 No activity shall result in a greater than 3 lux spill</p>	<p>RD</p> <p>Discretion is restricted to effects of light and glare on amenity values, the transportation network, ecological health and the night sky.</p>

Commented [MF76]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

Table 3	Standards for activities located in the Commercial Precinct and the Glenpanel Precinct	Non-compliance status						
	(horizontal or vertical) of light onto any adjoining property which is zoned Residential measured at any point more than 2m inside the boundary of the adjoining property.							
49.5.48	Minimum floor to floor height in the Commercial Precinct The minimum floor to floor height of the ground floor of buildings shall be 4m.	D						
49.5.49	Verandas in the Commercial Precinct Every new, reconstructed or altered building with frontage to the Collector Road Type C as shown on the Structure Plan area shall include a veranda or other means of weather protection that has a minimum depth of 2.5m and a height of 3.5m above the pavement.	RD Discretion is restricted to the effects on pedestrian amenity and the human scale of the built form						
49.5.50	Staging development to integrate with transport infrastructure Development (except for utilities, the specified transport infrastructural works) and other physical infrastructure) within the Sub-Areas shown on the Structure Plan shall not occur prior to all the corresponding transport infrastructural works for the Sub-Area listed below being completed. For the purposes of this rule, "completed" means when the works are physically completed and are able to be used for the intended purpose. For the purposes of this rule, "development" means a building for which a Code Compliance Certificate has been issued by the Council. Any application under Rules 49.4.4, 49.4.18, and any other application involving a building shall include a condition requiring that a Code Compliance Certificate under s92 of the Building Act 2004 shall not be applied for in respect of that building before the corresponding transport infrastructural works for the Sub-Area are completed	NC						
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	B, D Dedicated westbound bus lane on State Highway 6							
49.5.51	Building Coverage Within the Glenpanel Precinct, the maximum building coverage shall be 50%.	RD Discretion is restricted to:						

Commented [MF77]: #55 Neil McDonald and Clarke Fortune McDonald & Associates

Commented [JB78]: #77 Ladies Mile Property Syndicate

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		<ul style="list-style-type: none"> a. Building dominance; b. Design and integration of landscaping; c. The traffic effects associated with the additional building coverage.
49.5.52	<p>Landscaped permeable surface</p> <p>At least 20% of the site shall comprise permeable surface.</p>	NC

Table 4	Standards for activities located in the Open Space Precinct	Non-compliance status				
49.5.53	Development shall be consistent with the Structure Plan at 49.8.	NC				
49.5.54	<p>Building Height</p> <p>Building height shall not exceed 12m, except that the maximum height of lighting shall be 23m.</p>	D				
49.5.55	<p>Lighting and Glare</p> <p>49.5.55.1 All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the precincts shall be directed away from adjacent sites, roads and public places and directed downwards so as to limit the effects on views of the night sky.</p> <p>49.5.55.2 No activity in this zone shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any property within the precincts, measured at any point inside the boundary of any adjoining property.</p> <p>49.5.55.3 No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned Residential measured at any point more than 2m inside the boundary of the adjoining property.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Effects of lighting and glare on amenity values; b. Effects of lighting and glare on the transportation network; and c. Effects of lighting and glare on the night sky. 				
49.5.56	<p>Staging development to integrate with transport infrastructure</p> <p>Development (except for utilities, the specified transport infrastructural works and other physical infrastructure) within the Sub-Areas shown on the Structure Plan shall not occur prior to all the corresponding transport infrastructural works listed below being completed.</p> <p>For the purposes of this rule, "completed" means when the works are physically completed and are able to be used for the intended purpose.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Sub-Area</th> <th>Transport infrastructural works</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">J</td> <td> <p>Appropriately upgraded J intersection on State Highway 6 at Howards Drive</p> <p>Upgrades to the existing SH6 / Stalker Road intersection.</p> <p>Bus Stops on State Highway 6, west of Howards Drive intersection</p> </td> </tr> </tbody> </table>	Sub-Area	Transport infrastructural works	J	<p>Appropriately upgraded J intersection on State Highway 6 at Howards Drive</p> <p>Upgrades to the existing SH6 / Stalker Road intersection.</p> <p>Bus Stops on State Highway 6, west of Howards Drive intersection</p>	NC
Sub-Area	Transport infrastructural works					
J	<p>Appropriately upgraded J intersection on State Highway 6 at Howards Drive</p> <p>Upgrades to the existing SH6 / Stalker Road intersection.</p> <p>Bus Stops on State Highway 6, west of Howards Drive intersection</p>					

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	<p>Safe Ped pedestrian/ cycle crossing of State Highway 6 east of Howards Drive intersection at the location shown on the Structure Plan as Key Crossing (+/- 40m)</p>	
<p>49.5.57</p>	<p>Building Coverage The total maximum ground floor area of all buildings is 500m².</p>	<p>RD Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Building dominance; b. Design and integration of landscaping; c. The traffic effects associated with the additional building coverage.

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49.6 Rules – Non-notification of Applications

The following Restricted Discretionary activities shall not require the written approval of affected persons and shall not be notified or limited notified (except where the application involves any stormwater component):

49.6.1 Residential units pursuant to Rule 49.4.4, that comply with all standards.

49.6.2 Buildings for non-residential activities pursuant to Rule 49.4.17, that comply with all standards.

Note: any application that involves any stormwater management component shall require the written approval of Kāi Tahu and affected landowners in the catchment, and limited notification to these parties is required to any of these parties who do not provide written approval.

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49.7 Assessment Matters for Site and Building Design

49.7.1 In considering whether or not to grant consent and/or impose conditions on a resource consent, regard shall be had to the assessment matters set out below. The relevance of the considerations will vary from site to site.

a. Context and character

Whether the design of the development is in keeping with, or complements, the scale and character of development anticipated for the Te Pūtahi Ladies Mile Zone and relevant significant natural, heritage and cultural features, through consideration of the extent to which the development:

- (i) Includes, where relevant, reference to the patterns of development in and/or anticipated for the Te Pūtahi Ladies Mile Zone such as building dimensions, forms, setbacks and alignments, and secondary materials, design features and vegetation; and
- (ii) Retains or adapts features of the site that contribute significantly to local neighbourhood character, potentially including existing heritage items, site contours and mature trees and other vegetation.
- (iii) integrates with, protects and enhances the character and heritage values of the Glenpanel Precinct and wider setting.

Commented [MF90]: Evidence of Mr Millar - subject to determination of scope

b. Relationship to the street and public open spaces

Whether the development engages with and contributes to the amenity, safety, attractiveness and vitality of adjacent streets and any other adjacent public open spaces, through consideration of the extent to which the development:

- (i) Orientates building frontages including entrances and windows to habitable rooms toward the street and adjacent public open spaces;
- (ii) Designs buildings on corner sites to emphasise the prominence of these sites and the opportunity to create landmark buildings
- (iii) Encourages 3-6 storey development fronting collector roads to respond to the larger scale of these streets, and to front open spaces to maximise access to recreation and nature; and
- (iv) Avoids facades fronting streets and open spaces that are blank or dominated by garages.
- (v) Ensure that buildings respond to the interface between adjoining sites, encouraging a soft transition between building heights

Commented [MF91]: #108 Milstead Trust

c. Residential amenity

Whether the built form provides a high level of internal and external residential amenity for occupants and neighbours, through consideration of the extent to which the development:

- (i) Provides for outlook, sunlight and privacy through the site layout, and orientation and internal layout of residential units;
- (ii) Directly connects private outdoor spaces to the living spaces within the residential units;

- (iii) Ensures any communal private open spaces are accessible, usable and attractive for the residents of the residential units
 - (iv) Ensures the typologies and layouts of buildings proposed enable a balance of passive surveillance and privacy, including surveillance from ground floor level; and
 - (v) Includes tree and garden planting particularly relating to the street frontage, outlook areas, boundaries, access ways, common spaces, and parking areas.
 - (vi) [Ensure that buildings respond to the interface between adjoining sites, encouraging a soft transition between building heights](#)
- d. **Access, parking and servicing**
- Whether the development provides for active transport and good access and integration of space for any parking and servicing, through consideration of the extent to which the development:
- (i) Integrates access in a way that is safe for all users, and offers convenient access for pedestrians to the street, any nearby parks or other public recreation spaces;
 - (ii) Provides for any parking areas and garages in a way that does not dominate the development, Particularly when viewed from the street or other public open spaces; [including a provision for underground or internal parking and storage of bikes, cars, and scooters where possible](#); and
 - (iii) Provides for suitable storage and service spaces which are conveniently accessible, safe and/or secure, and located and/or designed to minimise adverse effects on occupants, neighbours and public spaces
 - (iv) Addresses three waters infrastructure, in particular stormwater management.
 - (v) [Provides for appropriate emergency access onto the site that is clear, unobstructed and visible](#)
- e. **Safety**
- Whether the development incorporates Crime Prevention Through Environmental Design (CPTED) principles as required to achieve a safe, secure environment, through consideration of the extent to which the development:
- (i) Provides for views over, and passive surveillance of, adjacent public and publicly accessible private open spaces;
 - (ii) Clearly demarcates boundaries of public and private space;
 - (iii) Makes pedestrian entrances and routes readily recognisable; and
 - (iv) Provides for good visibility with clear sightlines and effective lighting.
- f. **Sustainability and resilience**
- Whether the development incorporates innovative design responses that are likely to create a benefit for the environment [and contribute to the Kāi Tahu values set out in Policy 4.2.2.21.f](#), in the areas of carbon emission reductions, stormwater management and water quality, biodiversity, renewable energy, and energy efficiency, significantly beyond the minimum levels required by the Plan, through consideration of the extent to which the development:
- (i) Demonstrates design initiatives to reduce carbon emissions through reductions in:
 - embodied energy (e.g. materials and construction processes);
 - operational energy use (e.g. thermal performance, heating and cooling, waste minimisation including organics, transport emissions); and
 - end of life emissions (e.g. design for end of life reuse-recovery-recycle).
 - (ii) Supports indigenous biodiversity by providing a diversity of native vegetation species in the appropriate arrangement and location [and considering the form and functioning of ecological corridors](#);
 - (iii) Reduces operational water use through the inclusion of water efficient fixtures, and fittings, and onsite water retention and detention; and
 - (iv) Includes the appropriate management of stormwater through water sensitive design and through the retention and treatment of stormwater, and integration with the stormwater network within the Zone [and gives effect to the Guiding Principles for Stormwater Management set out in Chapter 27 Assessment Matters at 27.9.8.](#)

Commented [MF92]: #108 Milstead Trust

Commented [MF93]: #105 Maryhill Limited

Commented [MF94]: #36 Fire and Emergency New Zealand

Commented [MF95]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

Commented [MF96]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

Commented [JB97]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

g. **Accessibility**

Whether the development incorporates design responses that support universal accessibility, through consideration of the extent to which the development:

- (i) Provides a diversity of accessible housing types and associated common spaces (internal and external).
- (ii) Provides universal access to all buildings, where possible.
- (iii) Provides universal access to public open spaces.
- (iv) Provides universal access street design.
- (v) Provides universal access to transport infrastructure including active transport, public transport, and mobility parks.
- (vi) Achieves a target of 15% of the residential units meeting universal design standards as set out in NZS 4121:2001.

49.7.2 For any residential building in the High Density Residential Precinct containing 25 or more residential units, or for any building containing commercial, retail or educational activities:

- a. A travel demand management plan (Residential, Workplace or School Travel Plan), is to be prepared in conjunction with the Council, that includes:
 - i. An assessment of actual mode share of travel and operational and management measures to be implemented to reduce private vehicle trips;
 - ii. Key performance targets; and
 - iii. Monitoring and reporting methods.

49.8

Structure Plan

Commented [JB98]: Note: other changes to the Structure Plan recommended in rebuttal evidence will be incorporated and presented at the hearing

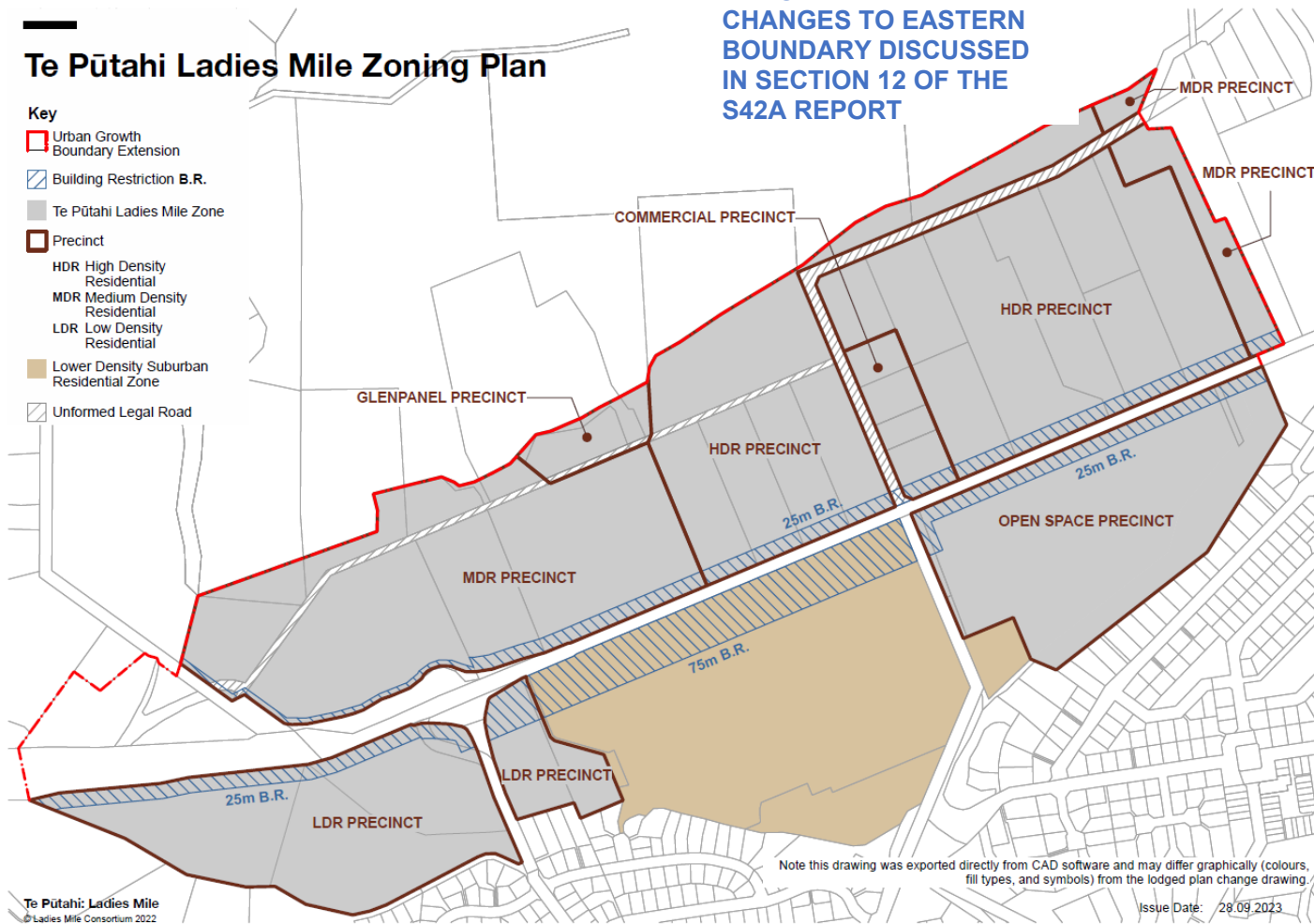
Commented [JB99]: Note the Zoning Plan does not form part of the Structure Plan

Te Pūtahi Ladies Mile Zoning Plan

Key

- Urban Growth Boundary Extension
- Building Restriction B.R.
- Te Pūtahi Ladies Mile Zone
- Precinct
 - HDR High Density Residential
 - MDR Medium Density Residential
 - LDR Low Density Residential
- Lower Density Suburban Residential Zone
- Unformed Legal Road

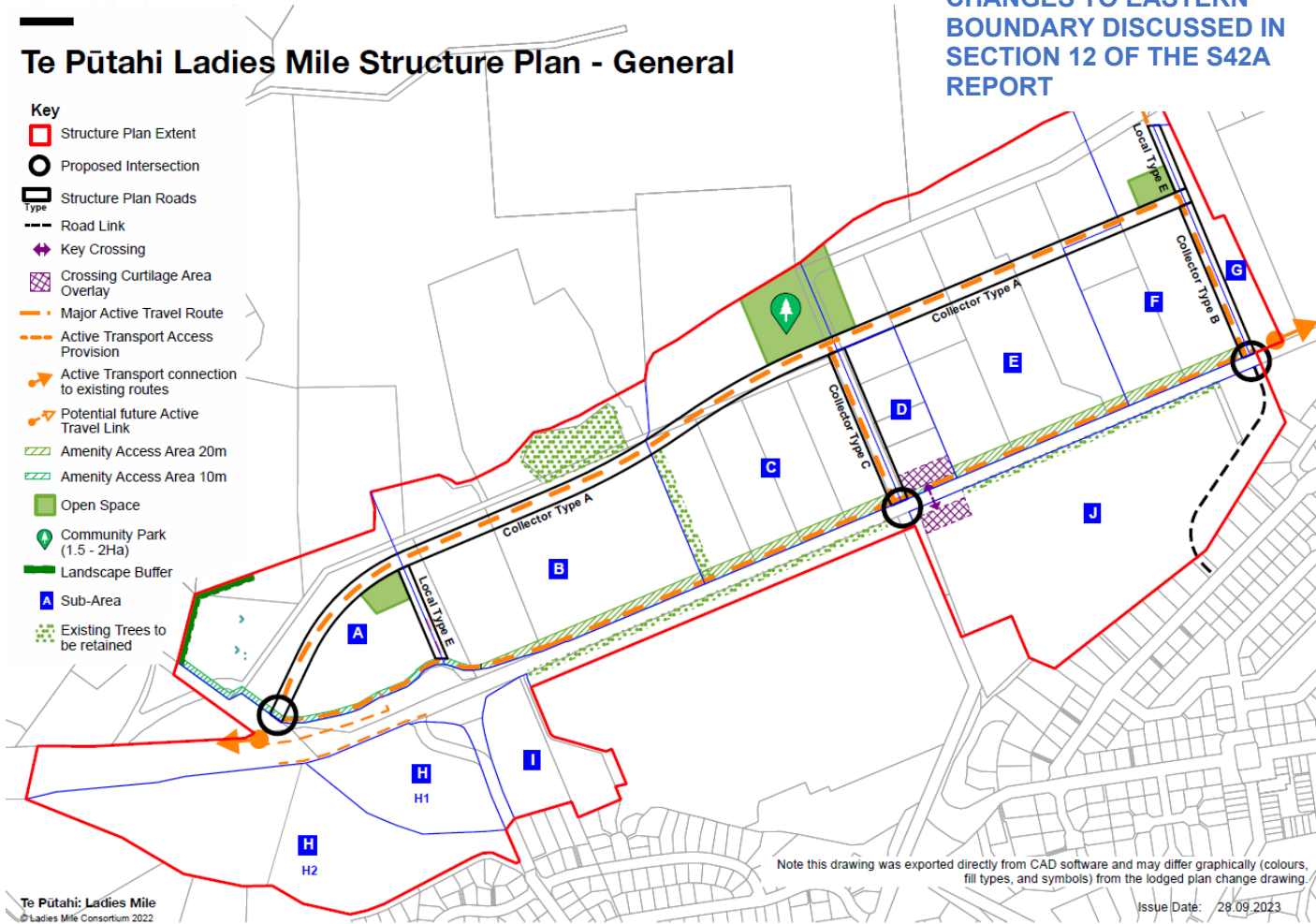
REFER TO
RECOMMENDED
CHANGES TO EASTERN
BOUNDARY DISCUSSED
IN SECTION 12 OF THE
S42A REPORT



Te Pūtahi Ladies Mile Structure Plan - General

REFER TO RECOMMENDED
CHANGES TO EASTERN
BOUNDARY DISCUSSED IN
SECTION 12 OF THE S42A
REPORT

- Key**
- Structure Plan Extent
 - Proposed Intersection
 - Structure Plan Roads
 - Road Link
 - ✦ Key Crossing
 - Crossing Curtilage Area Overlay
 - Major Active Travel Route
 - Active Transport Access Provision
 - Active Transport connection to existing routes
 - Potential future Active Travel Link
 - Amenity Access Area 20m
 - Amenity Access Area 10m
 - Open Space
 - 🌳 Community Park (1.5 - 2Ha)
 - Landscape Buffer
 - A Sub-Area
 - Existing Trees to be retained



Te Pūtahi Ladies Mile Structure Plan - Building Heights

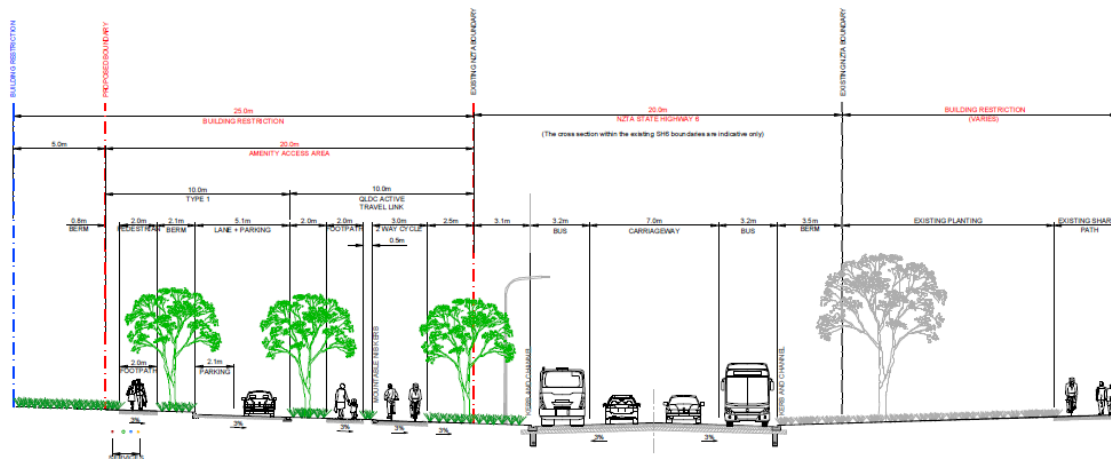
- Key**
- Structure Plan Extent
 - 8m max
 - 13m max
 - min 2 storey overlay
 - max 3 storey overlay
 - 24.5m max (max 6 storey)

REFER TO RECOMMENDED CHANGES TO WESTERN BOUNDARY 8M HEIGHT LIMIT DISCUSSED IN SECTION 12 OF THE S42A REPORT

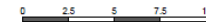
REFER TO RECOMMENDED CHANGES TO EASTERN BOUNDARY DISCUSSED IN SECTION 12 OF THE S42A REPORT

Note this drawing was exported directly from CAD software and may differ graphically (colours, fill types, and symbols) from the lodged plan change drawing.

Te Pūtahi Ladies Mile Structure Plan - Roading Sections



STATE HIGHWAY 6 TYPICAL ROAD SECTION
SCALE 1:200m @ A3



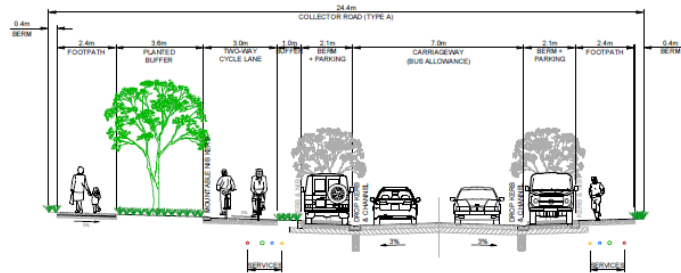
REV	DESCRIPTION	BY	APP'D	DATE
-	FOR DISCUSSION ONLY	AIC	AIC	22-03-21
A	PROPOSED WIDENING REMOVED	WJ	BH	20-04-22



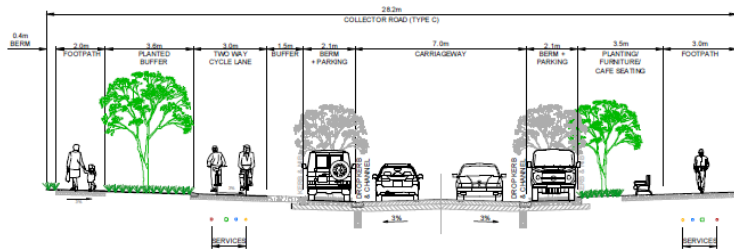
PROJECT
LADIES MILE TYPICAL ROAD SECTION (SHEET 1 OF 3)

CLIENT
QUEENSTOWN LAKES DISTRICT COUNCIL

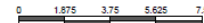
PURPOSE		
FOR DISCUSSION ONLY		
DESIGN	APPROVED	SCALE
DRAWN AIC	BY BH	1:200 @ A3
CHECK BH	DATE MAR 2021	
PROJECT NO.	DRAWING NO.	REV
1457	3-500	A



24.4m WIDE COLLECTOR ROAD TYPE A
SCALE 1:150m @ A3



28.2m WIDE COLLECTOR ROAD TYPE C
SCALE 1:150m @ A3



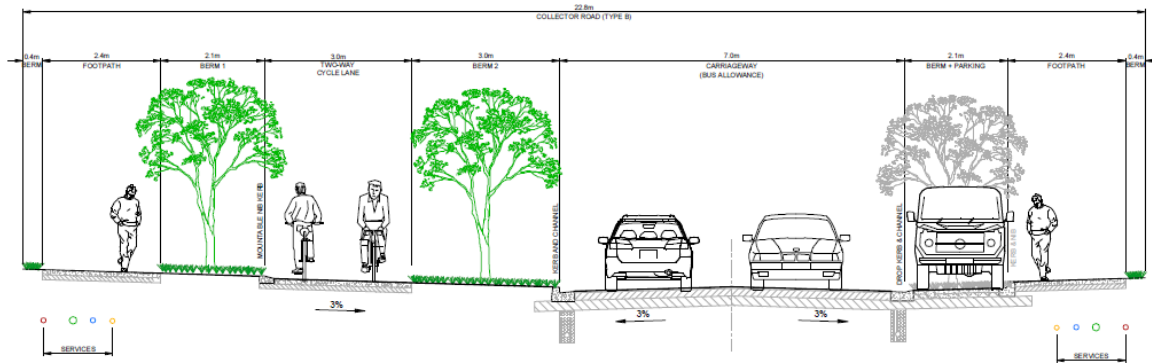
REV	DESCRIPTION	BY	APP'D	DATE
-	FOR DISCUSSION ONLY	A/C	A/C	22-03-21
A	ROAD WIDENED	WJ	SH	13-04-22



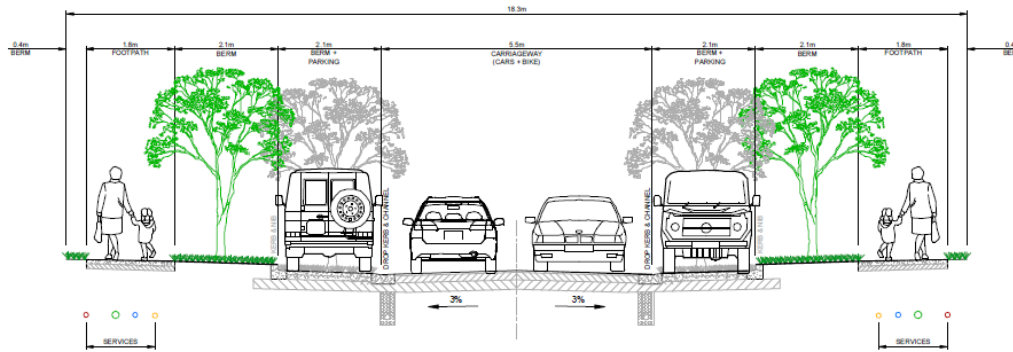
PROJECT	LADIES MILE TYPICAL ROAD SECTIONS (SHEET 2 OF 3)
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CLIENT	QUEENSTOWN LAKES DISTRICT COUNCIL
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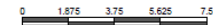
PURPOSE FOR DISCUSSION ONLY		
DESIGN CHECK	APPROVED DATE	SCALE
SH SH	SH MAR 2021	1:150 @ A3
PROJECT NO.	DRAWING NO.	REV.
1457	3-501	A



22.8m WIDE COLLECTOR ROAD TYPE B
SCALE 1:150m @ A3



18.3m WIDE LOCAL ROAD TYPE E
SCALE 1:150m @ A3



REV DESCRIPTION
- FOR DISCUSSION ONLY

BY AP/ID DATE
A/C A/C 22-03-21



PROJECT

LADIES MILE
TYPICAL ROAD SECTIONS
(SHEET 3 OF 3)

CLIENT

QUEENSTOWN LAKES
DISTRICT COUNCIL

PURPOSE
FOR DISCUSSION ONLY

DESIGN DRAWN A/C CHECK B/H	APPROVED BY B/H DATE MAR 2021	SCALE 1:150 @ A3
PROJECT NO. 1457	DRAWING NO. 3-502	REV. -

4 Urban Development

...

4.2 Objectives and Policies

...

4.2.2.21 Ensure that development within the Te Pūtahī Ladies Mile Zone provides for:

- a. an urban development with a strong community identity and sense of place by enabling community activities, including education activities, a commercial centre that meets needs of local residents, and connections to the surrounding landscape and residential communities;
- b. high and medium density residential development to enable diversity of housing choice through different typologies to contribute to increased supply of housing and affordable homes;
- c. a landscaped treatment of the edge of adjoining State Highway 6 to increase amenity for both road users and adjoining residential areas;
- d. integration of key roading north of the State Highway with existing intersections serving development south of the State Highway to encourage connectivity, including walking and cycling trips, between the south and north sides of the State Highway;
- e. reduced reliance on travel by private vehicle through promotion of public and active transport; and
- f. Ngāi Kāi Tahu values, including through:
 - i. Incorporating climate change mitigation and adaptation within design;
 - ii. Protecting the mauri of water with water sensitive design, incorporating on-site management of stormwater and requirement for permeable surfaces, utilising reticulated systems for potable supply and wastewater, incorporating onsite water retention and reducing operational water use;
 - iii. Preferring the use of indigenous vegetation that naturally occurs and/or previously occurred in the area as part of landscape design, including species preferred by indigenous birds; and
 - iv. Incorporating reference to Ngāi Tahu values in design where appropriate.

Commented [MF100]: #86 Ministry of Education

Commented [MF101]: #105 Maryhill Limited

Commented [MF102]: #104 Waka Kotahi

Commented [MF103]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

4.2.2.22 Avoid residential subdivision and development that does not achieve the residential density range required within the Medium and High Density Residential Precincts of the Te Pūtahī Ladies Mile Zone, to ensure a sufficient population to support viable public transport and social amenities.

Commented [JB104]: #82 Roman Catholic Bishop of Dunedin

25 Earthworks

...

25.5 Rules - Standards

	Table 25.2 – Maximum Volume	Maximum Volume	Total
...	
25.5.5	Queenstown Town Centre Zone Wanaka Town Centre Zone <u>Te Pūtahī Ladies Mile Zone</u> Local Shopping Centre Zone ...	500m ³	

27 Subdivision and Development

...

27.3 Location-specific objectives and policies

...

Te Pūtahi Ladies Mile Zone

27.3.24 Objective – Urban development comprising a mix of medium and high density housing, commercial centres, schools, [ecological corridors and areas for stormwater management](#), and open spaces for active and informal recreation, and a network of walkways and cycleways, that:

- a) complements and integrates with existing urban development and the surrounding landscapes; and
- b) brings about a significant modal shift away from reliance on the private car to enhanced use of public and active transport and creates a community with a strong sense of place.

Policies

27.3.24.1 Require that subdivision and development is undertaken in accordance with the Te Pūtahi Ladies Mile Structure Plan (Schedule 27.13.XX) to promote the integrated, efficient and co-ordinated location of activities, primary roading, key intersections, open spaces, green networks, stormwater management, and walkway / cycleway routes.

27.

27.3.24.2 Enable flexibility of allotment sizes to ensure that scarce land resources are utilised efficiently for medium and higher density residential activities and, in the Commercial and Glenpanel Precincts, to enable a range of non-residential activities.

27.3.24.3 Require a range of open spaces and facilities including:

- a. Sports grounds (for active and informal recreation) and associated community activities;
- b. Local parks for informal recreation;
- c. A network of walkways and cycleways throughout the Structure Plan area integrating development with Lake Hayes, the Shotover River, the adjacent Ladies Mile suburban settlements, Frankton and the Wakatipu Trails network; and
- d. A coherent and consistent landscaped setback adjacent to State Highway 6 (Amenity Access Area) that maintains the key elements of the gateway experience including significant views.
- e. [Areas that function as ecological corridors and stormwater management areas, as part of a wider blue-green network.](#)

27.3.24.4 Require subdivision design to achieve a high quality of urban form by:

- a. Avoiding the creation of rear lots and cul-de-sacs unless walking and cycling links provide additional connections to streets;
- b. Encouraging a predominantly north-south street layout to achieve residential amenity through solar gain and improved visual connections to surrounding landscapes;
- c. Promoting a visual connection of development with State Highway 6 through legible frontages with good passive surveillance over the Amenity Access Area;
- d. Supporting visual links north to open spaces at the base of Slope Hill [and the Slopehill ONF](#) when viewed from the intersections on State Highway 6 shown on the Structure Plan, and views to The Remarkables from State Highway 6;
- e. Providing for integration with, and passive surveillance over, streets and public spaces;
- f. Within the Amenity Access Area shown on the Structure Plan, requiring continuous walkway and cycleway linkages and the passive surveillance of these, while avoiding continuous road access and parking; and

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Commented [MF106]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

Commented [MF107]: #105 Maryhill Limited

- g. Encouraging integrated applications for subdivision and land use for medium and high density residential development proposals.

27.3.24.5 Provide for a safe and efficient transport network that:

- a. Avoids new access onto the State Highway other than the intersections shown on the Te Pūtahi Ladies Mile Structure Plan (Schedule 27.13.XX);
- b. Ensures that public transport and waste collection can be efficiently and effectively provided within the roading network;
- c. Integrates key roads north of the State Highway with existing and planned intersections serving development south of the State Highway, and provides safe pedestrian and cycleway crossings of the State Highway, to encourage connectivity between the south and north sides of the State Highway;
- d. Ensures that the standard and layout of internal road connections account for long-term traffic demand without the need for subsequent retrofitting or upgrade; and
- e. Prioritises the safe and efficient movement of walking, cycling, and public transport routes over private vehicular use.

27.3.24.6 Avoid development where specific transport infrastructural works identified for Sub Areas A - I in Rules 49.5.10, 49.5.33, 49.5.50 and 49.5.56 have not been completed for their respective Sub Area(s), unless it can be demonstrated that development will avoid future and cumulative adverse effects from additional traffic movements on State Highway 6.

27.3.24.7 Require the design of stormwater management systems to avoid direct stormwater discharges to Lake Hayes and avoid the adverse effects of discharges to the Shotover and Kawarau Rivers, the State Highway network, and groundwater resources and to neighbouring sites.

...

27.6 Rules – Standards for Minimum Lot Areas

No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, an average net site area less than the minimum specified.

Zone		Minimum Lot Area
...		
Te Pūtahi Ladies Mile Zone	Low Density Residential Precinct	450 300m ²
	All other Precincts	No minimum

...

27.7 Zone – Location Specific Rules

Zone		Activity Status
27.7.1	Subdivision consistent with a Structure Plan that is included in the District Plan (except that this rule does not apply to Structure Plan 27.13.7 Criffel Station, 27.3.9 at Frankton North, 27.13.13 Connell Terrace, 27.13.14 Ballantyne Road and 27.13.XX Te Pūtahi Ladies Mile Zone).	C
...		

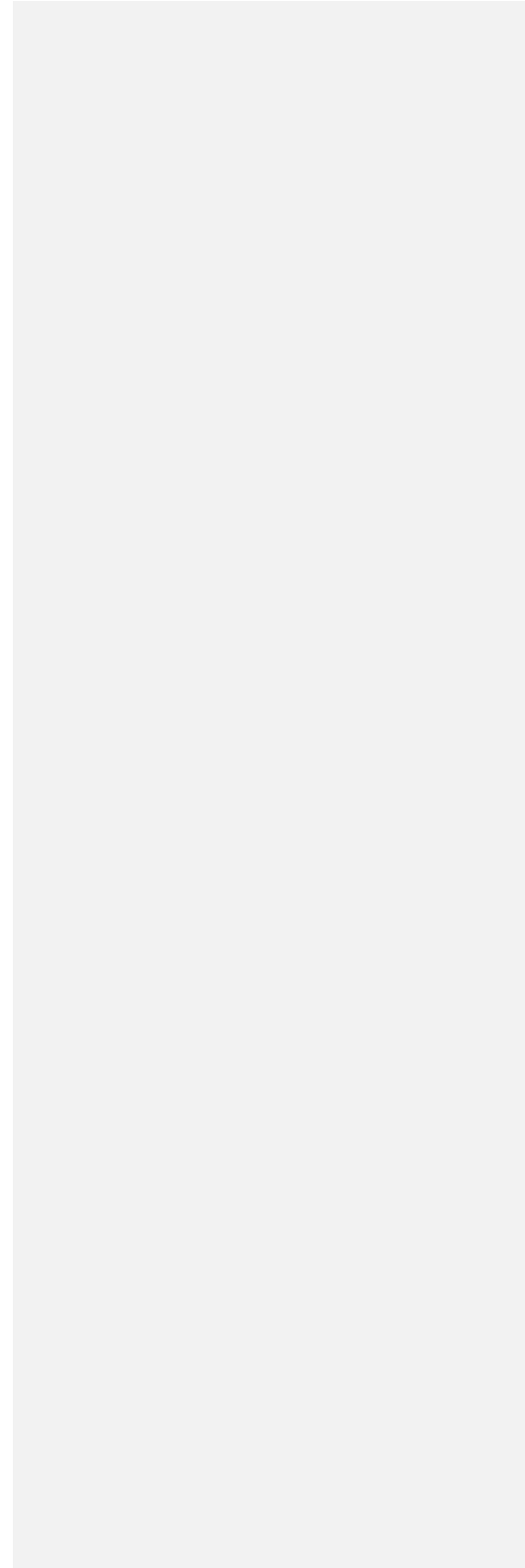
Commented [MF108]: #77 Ladies Mile Property Syndicate

Commented [MF109]: #77 Ladies Mile Property Syndicate

Commented [MF110]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

Commented [MF111]: #80 Koko Ridge Limited and W Foley, #103 T Allen

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<p>27.7.28</p>	<p>Te Pūtahi Ladies Mile Zone</p> <p>27.7.28.1 <u>Subdivision of land within the Te Pūtahi Ladies Mile Zone</u></p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. <u>the matters contained in Rule 27.5.7;</u> b. <u>the spatial layout of the subdivision, and its relationships to and integration with other sites and development, taking into account the location of:</u> <ul style="list-style-type: none"> i. <u>Roads, walkways and cycleways throughout the Sub-Area including Indicative Roads as shown on the Structure Plan and where these will connect to adjoining sites and (where relevant) neighbouring Sub-Areas and (where relevant) State Highway 6, including intersection layout and design;</u> ii. <u>Open spaces and blue-green or ecological corridors, and their intended function(s), including those open spaces and blue-green corridors required by the Structure Plan, Indicative Parks as shown on the Structure Plan, and any additional open spaces necessary to serve the future needs of the site and the wider Sub-Area;</u> iii. <u>Three waters infrastructure, including the retention and treatment of stormwater, and integration with the stormwater network within the Zone;</u> iv. <u>Heritage and archaeological values, specifically with regard to how the subdivision design integrates with and enhances the character of the Glenpanel Precinct and wider setting.</u> c. <u>how the subdivision design will enable the achievement of the minimum residential density requirements set out in the relevant Zone provisions;</u> d. <u>the methods proposed for ensuring that building typologies provide for a diversity of housing choice (taking into account the zoning of the land).</u> e. <u>within Sub-Areas B and C, the impact of development on existing established trees identified on the Structure Plan;</u> f. <u>within Sub-Area A, the establishment of the "Landscape Buffer Area" shown on the Structure Plan, and the methods to ensure it is maintained in perpetuity;</u> g. <u>within Sub-Area H1, the impact on Sub-Area H2 of landscaping within the 6m setback from the boundary with Sub-Area H2 and methods to ensure that shading effects from landscaping are minimised;</u> h. <u>Transport infrastructural works to be established to support alternatives to private vehicle use, including the imposition of conditions requiring that the relevant transport infrastructural works as identified in Rules 49.5.10, 49.5.33, 49.5.50 and 49.5.56 be completed prior to certification under section 224(c).</u> i. <u>Within the Crossing Curtilage Area Overlay shown on the Structure Plan, the integration of the subdivision layout and potential future development with the Key Crossing.</u> 	<p>RD</p>
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Commented [MF112]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

Commented [MF113]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

Commented [MF114]: Evidence of Mr Millar - subject to determination of scope.

Commented [JB115]: #78 Ladies Mile Pet Lodge

	<p>i. <u>How the stormwater management proposed for the subdivision will be managed as part of a centralised, integrated stormwater management system for the TPLM Zone north of SH6, including management of secondary flow paths and levels of ground surfaces to facilitate the system integration.</u></p> <p>k. <u>How a fully integrated stormwater management solution for Slope Hill is to be coordinated via swales for conveyance and soakage to capture and dispose of stormwater on the Slope Hill side of the collector road, including co-ordinated overland flow paths to ensure no adverse effects on downstream properties.</u></p> <p>Information requirements:</p> <p>a. A statement demonstrating how the subdivision layout will enable:</p> <p>i. <u>the densities expected in the relevant Precinct; and</u></p> <p>ii. <u>diversity of future building typologies on the sites created by the subdivision, to offer maximum choice for residential or business owners or tenants, and any methods (including by way of consent notices on the titles to be created, or other instrument) to ensure such diversity.</u></p> <p>b. <u>A statement and supporting plans and specifications with a level of detail as necessary to demonstrate how the stormwater management proposed will be managed as part of an centralised, integrated stormwater management system for the TPLM Zone north of SH6, including:</u></p> <p>i. <u>the manner by which the system within the land subject to the application will integrate with the system on adjoining or nearby land within the same catchment or sub-catchment, and where stormwater management devices can be shared for development across multiple properties;</u></p> <p>ii. <u>the manner by which a fully integrated stormwater management solution for Slope Hill and the TPLM Zone north of SH6 (including treatment) is to be co-ordinated across development blocks with reference to the Stormwater Management Guidelines to provide between 1 and 4 minimise the number of stormwater facilities (detention basins, and/or soakage devices and/or including underground chambers) across the TPLM Zone north of SH6, including co-ordinated overland flow paths through the developments to ensure no adverse effects on upstream or downstream properties;</u></p> <p>iii. <u>demonstration of meaningful consultation with affected landowners (being those upstream and downstream to the extent that the stormwater runoff from their land would influence or be influenced by the stormwater system being proposed) about stormwater management and the effects on those parties;</u></p> <p>iv. <u>the manner by which land along the toe of Slope Hill will be made available for stormwater management.</u></p> <p>v. <u>how pre-treatment of Slope Hill Runoff and treatment of first flush from roads, carparks etc will be provided to ensure longevity of soakage devices;</u></p> <p>vi. <u>how stormwater runoff from events up to and including the 1% AEP event are to be soaked to ground. If this is proven</u></p>	
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Commented [MF116]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

Commented [JB117]: Stormwater and infrastructure JWS

Commented [JB118]: Stormwater and infrastructure JWS

infeasible, how stormwater from events up to and including the 5% AEP is to be soaked to ground

- vii. The easements to be provided as required for new stormwater trunks and swales cross private property. Where possible infrastructure will be coordinated within QLDC-owned road corridors and the State Highway 6 corridor.
- viii. Sediment and erosion control plans, prepared by a suitably qualified temporary works engineer and be implemented for the duration of the construction.
- ix. How the stormwater management system(s) have been designed considering climate change adjusted rainfall (RCP6.0 for the period 2081-2100).

27.9.8 Restricted Discretionary Activity – Subdivision Activities within the Te Pūtahi Ladies Mile Zone

In considering whether or not to grant consent or impose conditions in respect to subdivision activities under Rule 27.7.28.1, the Council shall have regard to the following assessment matters:

27.9.8.1 Assessment Matters in relation to Rule 27.7.28.1

- a. The matters identified under Rule 27.9.3.1 as it applies to the Te Pūtahi Ladies Mile Zone:
- b. The extent to which a development provides logical integration of infrastructure, including roading (including walking and cycling networks), parks and open spaces within the Sub Area and, where relevant, adjoining Sub-Areas taking into account the relevant matters in (c) below.
- c. The extent to which:
 - i. the configuration of sites is suitable for future development:
 - (a) to accommodate development intended by the Zone, including the required residential densities in the relevant Precinct;
 - (b) that encourages integration with, and passive surveillance over, streets and public spaces;
 - (c) to enable sunlight access to future residential units;
 - (d) to ensure safe, legible and convenient pedestrian, cycling and vehicle access, including through limiting block lengths and provision for clear and unobstructed emergency access;
 - (e) that avoids the use of cul-de-sac roads or private ways unless these are short (less than 50m) or walking and cycling connections are provided to other streets;
 - (f) that encourages interaction with, and visual surveillance over, the State Highway through considering the future layout and orientation of adjacent sites and their likelihood to result in direct pedestrian link to the State Highway, or a road or private way, or the use of detailed façades and direct or gated access from a State Highway-fronting yard.
 - ii. the subdivision design provides for:
 - (a) development of reserves and public open spaces which are suitably located, sized and designed for the intended function;
 - (b) coordinated and appropriately designed and located infrastructure consistent with Council standards, including the provision of a contribution to the upgrade of existing infrastructure to accommodate future development where appropriate;
 - (c) the appropriate management of stormwater through ~~a centralised, integrated management system for the TPLM Zone land north of SH6,~~ through water sensitive design and through the retention and treatment of stormwater, and integration with the stormwater network within the Zone, taking into account the Guiding Principles for stormwater management in the TPLM Zone;
 - (d) the retention of mature existing vegetation, including those identified as “Existing Trees to be retained” on the Structure Plan and other specimen trees where possible, and the introduction of indigenous vegetation (preferably that naturally occurs and/or previously occurred in the area), to contribute to the character and amenity of the future development;

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Commented [MF121]: #100 Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga

- (e) existing natural and cultural features to be accessible to the public and, where appropriate, form prominent features within the overall design;
- (f) The extent to which the subdivision will help achieve the density expected in the residential precincts as set out in Rules 49.5.12, taking into account the information requirements in Rule 27.7.28.1, including whether any design parameters are to be secured through an appropriate legal mechanism;
- (g) The extent to which the subdivision will help achieve diversity of housing choice, including whether any parameters relating to building typologies are to be secured through an appropriate legal mechanism.
- (h) the extent to which the subdivision protects, maintains or enhances indigenous biodiversity;
- (i) Applications for staged subdivisions involving the creation of larger 'bulk' lots intended for further subdivision and/or development in the future demonstrate infrastructure servicing (access and all utilities) that is sufficient for the zoned development potential of all of the "bulk" lots to be created, to ensure the land is able to be serviced and developed for the anticipated, zoned land use and density capacity, including:
 - (i) Provision for access approvals or legal instruments necessary for the provision of infrastructure services to the bulk lots;
 - (ii) Methods to integrate with existing or adjacent developments;
 - (iii) Consideration and contribution to (where appropriate) infrastructure that is necessary to both service the development but may also benefit or service the wider community and future development on adjoining or nearby land where subdivision and/or development of that land would rely on the bulk lots for infrastructure.

Commented [MF122]: #44 Department of Conservation

Commented [MF123]: #77 Ladies Mile Property Syndicate

Guiding Principles for stormwater management in the TPLM Zone:

- a. Utilise stormwater management solutions that mimic the natural water cycle and enhance the water quality;
- b. Employ an integrated stormwater management approach that supports connectivity to the natural environment and gives effect to Te Mana o te Wai and the community wellbeing;
- c. Manage flooding and surface water flow to safeguard the community and infrastructure in a sustainable manner.
- d. The hydrological regime in the area is replicated such that the maximum rate of discharge and peak flood levels post development are no greater than pre-development;
- e. That there are no overland flows from attenuation systems or soak pits for 1% AEP events or less unless there is a defined and acceptable overland flow path
- f. Ensure that there is a maximum 24-hour drain-down for any attenuation systems basis/soak pits for 1% AEP events;
- g. That there are no overland flows across SH6 for 1% AEP events or less;
- h. That there are no direct discharges from the development area into Lake Hayes;
- i. That runoff from all roads is managed through appropriate treatment device(s);
- j. Avoid a proliferation of multiple stormwater management systems and devices. Depending on location and land ownership structures this may necessitate co-operation of multiple landowners to ensure an acceptable approach;
- k. Implement stormwater management solutions that deliver lifecycle operational and economic resilience;
- l. Align 'blue' stormwater solutions and the wider 'green' landscape and open space strategies wherever possible.

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27.10 Rules – Non-Notification of Applications

Applications for all controlled and restricted discretionary activities shall not require the written approval of other persons and shall not be notified or limited notified except:

...

a. For applications within Te Pūtahi Ladies Mile Zone.

Note: any application for subdivision that involves any stormwater management component shall require the written approval of Kāi Tahu and affected landowners in the catchment, and limited notification to these parties is required to any of these parties who do not provide written approval.

...

27.13 Structure Plans

...

27.13.19 Te Pūtahi Ladies Mile Structure Plan

[insert Structure Plan]

Commented [JB125]: Wording in response to Planning JWS discussion

29 Transport

...

29.5 Rules – Standards for activities outside roads

	Table 29.3 –Standards for activities outside roads	Non-Compliance status
...
29.5.5	Dropoff/ pick up (set down) areas in all zones except in the Queenstown Town Centre Zone, the Wanaka Town Centre Zone, and the Arrowtown Town Centre Zone, and within the Te Pūtahi Ladies Mile Zone ...	RD ...
...	...	
29.5.12A	<p>Maximum Parking Requirements</p> <p><u>On land located in the Te Pūtahi Ladies Mile Zone, the number of parking spaces shall not exceed the following rates:</u></p> <p><u>Residential Activity –</u></p> <ul style="list-style-type: none"> Studio or 1 bedroom - 0.5 spaces 2 bedrooms – 1 space 3 or more bedrooms – 1.5 spaces 3 or more bedrooms in the LDR Precinct only – 2 spaces 4 or more bedrooms – 2 spaces <p><u>Offices – 1 per 50m² GFA</u></p> <p><u>Retail – 1 per 50m² GFA</u></p> <p><u>Education – 0.5 per FTE employee plus 1 visitor space per classroom</u></p> <p><u>Activities not listed – no maximum</u></p> <p><u>Except that this rule will not apply to mobility spaces.</u></p> <p><u>For sites of 2000m² or more in the LDR Precinct (Sub-Area H2 only) – no maximum parking requirements.</u></p> <p><u>Note: Maximum parking rates are to be calculated cumulatively.</u></p>	<p>RD</p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> a. <u>The adequacy of parking for the activity;</u> b. <u>Effects on residential intensification and urban design; and</u> c. <u>Effects on the transportation network, including on the uptake of public and active transport modes.</u>
...	...	
29.5.24	<p>Roading and access within the Te Pūtahi Ladies Mile Zone</p> <p>29.5.24.1 <u>There shall be no direct property access for vehicles from the collector road Type A on the Structure Plan to land located north of the road except where such direct property access already exists as at 9 June 2023 for the purpose of access to the Airways Corporation Nav Aid on Slope Hill.</u></p> <p>29.5.24.2 <u>New roads connecting collector road Type A identified on the Structure Plan to land located north of the road shall not exceed a frequency of more than one every 120m.</u></p> <p>29.5.24.3 <u>New roads connecting collector road Type A identified on the Structure Plan to land located south of the road shall not exceed a frequency of more than one every 60m.</u></p>	<p>RD</p> <p><u>Discretion is restricted to effects on safety, efficiency, and amenity of the site and of the transport network, including the pedestrian and cycling environment.</u></p>

Commented [MF126]: #21 N Fairweather, #90 Koko Ridge Limited and W Foley, #93 Sanderson Group and Queenstown Commercial Limited, #104 Waka Kotahi, #108 Milstead Trust

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Commented [MF128]: #69 Airways Corporation of New Zealand

Table 29.3 –Standards for activities outside roads		Non-Compliance status									
29.5.24.4	The maximum number of access points from the collector road Type C identified on the Structure Plan to land located east of the road shall be two (2).										
29.5.24.5	The maximum number of access points from the collector road Type C identified on the Structure Plan to land located west of the road shall be one (1).										
29.5.25	Carparking within the Te Pūtahī Ladies Mile Zone	RD									
29.5.25.1	Within the Medium Density Residential and the High Density Residential Precincts, uncovered parking between the building and the road boundary of residential units shall be limited to a maximum of one car park per residential unit (provided that any such car park is not additional to the maximum parking requirements).	Discretion is restricted to: a. Effects on safety, efficiency, and amenity of the site and of the transport network, including the pedestrian and cycling environment; and									
29.5.25.2	Within the Medium Density Residential and the High Density Residential Precincts, there shall be a minimum separation distance of 8m between vehicle crossings on public streets, except that combined vehicle crossings will be excluded from this requirement where they service neighbouring parking areas no more than 1m apart.	b. Effects on the amenity of the Zone when viewed from the street									
29.5.25.3	Common parking areas (including open areas or areas within a building at ground-level) that comprise more than two spaces must: a. Not front a street or public open space b. Incorporate 2m wide landscape planting areas at an interval of every four angle parking spaces and between nose-to-nose angle parking, and every three parallel parking spaces.										
29.5.X	a. All vehicular access to fee simple lots, cross lease, unit title or leased premises shall be in accordance with Table 3.2 (Road Design Standards) of the QLDC Land Development and Subdivision Code of Practice 2018, including the notes within Table 3.2 and Appendices E and F; except as provided for in 29.5.14b below. b. All shared private vehicular accesses in the Te Pūtahī Ladies Mile Zone, serving residential units in the High Density Residential Zone, Medium Density Residential Zone, Low Density Residential Zone shall comply with the following standards: (i) <table border="1" data-bbox="256 1352 756 1587"> <thead> <tr> <th>The greater of the actual number of units proposed to be serviced or the potential number of units able to be serviced by the permitted density</th> <th>Formed Width (m)</th> <th>Minimum legal width</th> </tr> </thead> <tbody> <tr> <td>1 to 6</td> <td>3.0</td> <td>4.0</td> </tr> <tr> <td>7 to 12</td> <td>5.5 – 5.7</td> <td>6.7</td> </tr> </tbody> </table> (ii) Except: i. where a shared vehicle access for 1 to 6 units adjoins a State Highway, arterial, or collector road, it shall have a formed width of 5.5m - 5.7m and a legal width of at least 6.7m for a minimum length	The greater of the actual number of units proposed to be serviced or the potential number of units able to be serviced by the permitted density	Formed Width (m)	Minimum legal width	1 to 6	3.0	4.0	7 to 12	5.5 – 5.7	6.7	RD Discretion is restricted to: a. Effects, including positive effects, on the safety, efficiency, and amenity of the site and of the transport network, including the pedestrian and cycling environment and provision for sufficient emergency access. b. The design of the access, including the width of the formed and legal width.
The greater of the actual number of units proposed to be serviced or the potential number of units able to be serviced by the permitted density	Formed Width (m)	Minimum legal width									
1 to 6	3.0	4.0									
7 to 12	5.5 – 5.7	6.7									

Commented [MF129]: #93 Sanderson Group and Queenstown Commercial Limited

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<p>of 6m, as measured from the legal road boundary.</p> <p>ii. To allow vehicles to pass, formed access widths for 1 to 6 units shall include widening to not less than 5.5 m over a 15m length at no more than 50 m spacing (measured from the end of one passing bay to the beginning of the next).</p> <p>iii. The above access width rules do not apply at the time of subdivision to any developments authorised and given effect to by a land-use consent as at the date these provisions are made operative.</p> <p>c. No private way or private vehicle access or shared access in any zone shall serve sites with a potential to accommodate more than 12 units on the site and adjoining sites.</p> <p>d. Private shared vehicle accesses shall have legally enforceable arrangements for maintenance put in place at the time they are created.</p> <p>e. All vehicle access design shall comply with Schedule 29.2.</p> <p>f. The above access width rules do not apply to existing private shared vehicle accessways for the purpose of controlling the number of units that may be built using the accessways, unless the total land served by the accessway could provide for more than 12 units.</p>	<p>c. The on-going management and maintenance of the access.</p> <p>d. Urban design outcomes, including any positive effects on urban design quality.</p> <p>e. The vesting of the access in Council.</p> <p>f. Any positive effects on achieving planned intensification and compact urban form.</p>
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29.10 Minimum requirements for cycle parking, lockers and showers

	Activity	Customer/Visitor Short-Term Bicycle Parking	Private Long-Term Bicycle Parking. This is for the use of staff, students, and residents	End of trip facilities
...
29.10.7	Educational Facility – primary and secondary	1 visitor space per 50 students (capacity)	For Students, 1 per 5 pupils Year 5 and above (capacity) for primary and secondary schools. In addition, within the Te Pūtahi Ladies Mile Zone, for staff 1	Nil, except that within the Te Pūtahi Ladies Mile Zone the following shall be provided: For students 1 locker per every space required.

	Activity	Customer/Visitor Short-Term Bicycle Parking	Private Long-Term Bicycle Parking. This is for the use of staff, students, and residents	End of trip facilities
			<u>bicycle space per 10 on-site workers</u>	<u>For staff. Where 11-100 long-term bicycle parking spaces are required: 1 locker for every space required and 1 shower per every 10 spaces required. Where >100 long-term bicycle parking spaces required: 10 showers for the first 100 spaces required plus two showers for each additional 50 spaces required.</u>
...				
<u>29.10.13</u>	<u>Residential activity within the Te Pūtahi Ladies Mile Zone</u>	<u>1 per 20 residential units</u>	<u>1 per residential unit</u>	<u>Nil</u>

29.10.134 The following advice note applies to all the provisions in Table 29.6 relating to minimum requirements for cycle parking, lockers, and showers:

29.10.145 In calculating the requirement, all development floor areas cited in the above table shall be rounded down. For example, an office space development of 150m² would require one Private Long-Term Bicycle Parking space and an office of 510m² would require four spaces.

29.10.16 Private Long Term Bicycle parking shall be secure and positioned within the site in order to be accessible from the street.

29.10.17 Cycle parking for residential activity in the Te Pūtahi Ladies Mile Zone can be located in a communal area, including within garaging or cycle storage sheds.

29.10.158 The following footnotes apply only where indicated in Table 29.6:

31 Signs

...

31.14 Rules – Activity Status of Signs in Special Zones

Table 31.14 – Activity Status of Signs in Special Zones		Jacks Point Zone outside of Village Activity Areas and residential Activity Areas	...	Te Pūtahi Ladies Mile Zone
31.14.1	Signs for commercial activities and community activities and Visitor Accommodation in the Commercial Precinct Control is reserved to the matters set out in Rule 31.18.	C	...	C
31.14.2	Identification of a signage platform for a commercial activity or community activity Control is reserved to the matters set out in Rule 31.18.	C	...	C
31.14.3	Signs for visitor accommodation	D	...	D
31.14.4	Signs not associated with commercial activities, community activities or visitor accommodation	P	...	P
31.14.5	Any sign activity which is not listed in Table 31.4 or Rules 31.14.1 to 31.14.4 inclusive.	D	...	D

...

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36 Noise

...

36.5 Rules – Standards

Table 2: General Standards

Rule Number	General Standards				Non-Compliance Status
	Zone sound is received in	Assessment location	Time	Noise Limits	
36.5.2	Any point within any site	0800h to 2000 h	50 dB LAeq (15 min)	NC
	<u>Te Pūtahi Ladies Mile Zone – Low, Medium and High Density Residential Precincts</u>		2000h to 0800 h	40 dB LAeq (15 min)	NC
36.5.6	<u>Te Pūtahi Ladies Mile Zone – Commercial and Glenpanel Precincts</u> <u>Note: Sound from activities which is received in another zone or Precinct shall comply with the noise limits for that zone or Precinct.</u>	<u>Any point within any other site in the Commercial and Glenpanel Precincts</u>	<u>0800h to 2000 h</u>	<u>60 dB LAeq(15 min)</u>	<u>NC</u>
			<u>2000h to 0800 h</u>	<u>50 dB LAeq(15 min)</u>	
			<u>2000h to 0800 h</u>	<u>75 dB LAFmax</u>	

7 Lower Density Suburban Residential

...

7.4 Rules – Activities

Rules - Activities		
7.4.11	<p>Retirement Villages</p> <p><u>Except this rule shall not apply to buildings that are Restricted Discretionary activities under Rule 7.4.24.</u></p>	D
7.4.24	<p><u>Queenstown Country Club (west of Howards Drive, Ladies Mile)</u></p> <p><u>7.4.X.1 Buildings within 120m of the boundary with the highway and outside the Building Restriction Area</u></p> <p><u>7.4.X.2 Buildings within 20m of the Howards Drive Road Boundary</u></p> <p><u>Discretion is restricted to:</u></p> <p><u>a. Location, external appearance, site layout and design of buildings and how the development addresses its context to contribute positively to the character of the area and the highway frontage;</u></p> <p><u>b. Scale, form, density and separation between buildings to maintain a sense of spaciousness when viewed from the highway and to maintain views to the wider ONLs from the highway;</u></p> <p><u>c. The activation of the highway frontage and avoidance of the rear of buildings facing the highway;</u></p> <p><u>d. Design and integration of landscaping and fencing, including existing vegetation;</u></p> <p><u>e. Infrastructure, access and parking design, including the avoidance of parking areas visible from the the highway;</u></p> <p><u>f. Stormwater management.</u></p> <p><u>Information requirements:</u></p> <p><u>a. Applications for resource consent shall contain a design statement describing how the proposed building location and appearance achieves the matters of discretion and is commensurate with existing buildings within the Queenstown Country Club and the approved development plan of SH160140.</u></p>	RD
7.5 Rules - Standards		
7.5.X	<p>Building Height (for flat sites)</p> <p>7.5.1.1 Wānaka and Hāwea: Maximum of 7 metres.</p> <p>7.5.1.2 Arrowtown: Maximum of 6.5 metres.</p> <p>7.5.1.3 Kawarau Heights: Maximum of 4.5m and 6m as identified on the Structure Plan in 27.13.15.</p> <p><u>7.5.1.4 Queenstown Country Club within 120m of the boundary with SH6: Maximum of 6m</u></p> <p>7.5.1.45 All other locations: Maximum of 8 metres.</p>	NC
7.5.X	<p>Density</p> <p>The maximum site density shall be:</p> <p>i. one residential unit or dwelling per 300m² net site area, or</p>	NC

Commented [JB133]: #108 Queenstown Country Club Village Limited

	<p>ii. one residential unit or dwelling per 800m² net site area at Lake Hāwea South within Area B as identified in the Structure Plan in 27.13.19.</p> <p><u>Except this rule does not apply to the Queenstown Country Club.</u></p>	
<u>7.5.X</u>	<p><u>Maximum number of residential units</u></p> <p><u>7.5.X.1 Queenstown Country Club within 120m of the boundary of SH6 – A maximum of 42 units.</u></p>	<u>NC</u>
<u>7.5.X</u>	<p><u>Maximum Floor Area</u></p> <p><u>7.5.X.1 Queenstown Country Club within 120m setback from the boundary with the highway – individual buildings shall have a maximum floor area of 310m².</u></p>	<u>D</u>