

S35 Monitoring Report Shotover Country Special Zone

2025

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Executive Summary

This report assesses the effectiveness and efficiency of the objectives, policies and rules of the Shotover Country Special Zone of the Queenstown Lakes Operative District Plan (ODP) in accordance with section 35(2)(b) of the Resource Management Act 1991 (RMA). The findings of this report are intended to inform future amendments to the Shotover Country Special Zone provisions as part of the review of the special zones of the ODP. The findings of this report are based on available building consent and resource consents that have been lodged within the Zone to date.

The building consent data for the Zone includes building consents issued between 2013 and 2023. In total, there were 867 building consents lodged, with 777 new or relocated dwellings, 30 alterations to dwellings, 27 multi-use dwellings, 11 commercial buildings and 22 grouped under 'other' which were for an additional outside building.

The resource consent data included resource consents issued between 2011 and 2024. There was a total of 203 consents issued within the Zone. The most common types of consents were for restricted discretionary activities (42%) followed by discretionary (32%), non-complying (17%) and controlled (5%). There were also 2 consents issued for a Certificate of Compliance (s139) which resulted in 1% of consents being for permitted activities.

Of the 203 resource consents issued there were approximately 444 breaches. The most common types of breaches were restricted discretionary (263), followed by discretionary activity breaches (104). The most common activities that were breached in the Zone were breaches of road and internal setback boundaries and for a change or cancellation of consent notice conditions (or a s221).

The data for costs and processing time for resource consents is sourced from TechOne and is dated between 2017 and 2021. Based on the available data, the average consenting cost within the Zone was approximately \$2,554.87 with most consents being processed within the 20-working day timeline.

Development of the Zone has largely occurred in accordance with the Structure Plan, with residential development occurring within the residential activity areas. Overall, this has maintained the clear boundaries of the Zone that relate to its topography, adjacent rivers and other natural features. In effect this has retained the natural form of Shotover Country and reduced the visual impact of development on the natural landscape.

It is unclear whether a range of densities and housing options has been achieved in the Zone, to the level desired in the objectives. The medium density that has been achieved in the Zone is unlikely to meet current Medium Density Residential Standards, under the Resource Management (enabling Housing Supply and Other Matters) Amendment Act 2021. It is also unlikely that the Zone has been effective in encouraging sustainable water use practices.

Overall, it was found that the Objectives and Policies for the Zone have been mostly effective and generally resulted in the outcomes anticipated by the objectives.

Introduction

This report monitors the effectiveness and efficiency of the Shotover Country Special Zone (the Zone) in the Operative District Plan (ODP). The focus of this report is to determine whether the ODP provisions for the Zone are efficient and effective, whether the objectives and policies are being achieved, and help identify any resource management issues that have emerged. The findings of this report will help to inform the review of the Shotover Country Special Zone and the wider review of the Special Zones of the ODP. This report fulfils the requirements of section 35(2)(b) in relation to the Shotover Country Special Zone.

The RMA requires that the effectiveness and efficiency of a plan are assessed, with the findings then used to inform the process of reviewing a plan. This is focused on the efficiency and effectiveness of the plans objectives, policies or methods (i.e., rules).

District Plan Effectiveness monitoring requires the Council to compare what is occurring under the District Plan provisions with the intentions of the Plan (as expressed through its objectives). This involves first identifying what the plan is trying to achieve for the Zone, and to then track how well it is achieving these objectives. Once an understanding of how well the objectives are being met, the next consideration is to identify to what extent this can be attributed to the District Plan policies and rules and to what extent 'outside' influences may be affecting the ability of the Plan to achieve its objectives.

Plan Efficiency monitoring refers to comparing the costs of administering the Plans provisions incurred by applicants, the Council and other parties compared to the outcomes or benefits achieved. It is noted here that determining what level of costs are acceptable is generally a subjective judgement and, as such, it is difficult to reach definitive conclusions. It is also considered that if development can be undertaken with no resource consent fees then that improves the efficiency of the Plan.

Requirements of the Resource Management Act (1991)

Section 35 of the Resource Management Act 1991 (RMA) states that:

(2) Every local authority shall monitor –

...

(b) the efficiency and effectiveness of policies, rules or other methods in its policy statement or plan;

...

and take appropriate action (having regard to the methods available to it under this Act) where this is shown to be necessary.

What is the Shotover Country Special Zone?

The Shotover Country Special Zone occupies approximately 120 hectares of land located south of the 'Ladies Mile' section of State Highway 6 on a series of river terraces. It is flanked to the north by State Highway 6 (SH6), to the east by an upper terrace separating this area from Lake Hayes Estate and the rouchie moutonnee known as 'Trig M', to the South by the Kawarau River and to the West by the Shotover River.

The Zone provides for low density living accommodation, with a smaller mixture of medium density living at the centre of the zone, community and educational activities. A key resource is the area of open space surrounding each living environment where the Zone seeks to promote community and social values through enhanced opportunities for connectivity with established communities. The extent of the Zone is shown in *Figure 1*.



Figure 1: Extent of the Shotover Country Special Zone in the Operative District Plan

How was the Zone created?

The Shotover Country Special Zone was introduced by Plan Change 41 (PC41) to the Operative District Plan (ODP) in late 2011. This was a private plan change initiated by the Ladies Mile Partnership that sought to rezone approximately 120 hectares of Rural General Zone to a new Special Purpose Zone.

Hearing for PC41

A hearing was held for PC41 between 7 and 11 March 2011. However, the hearing was temporarily adjourned for further information regarding the potential adverse effects from natural hazards on Activity Area (AA) 1A of the proposed Structure Plan.

The Commissioners requested that expert caucusing be undertaken between Otago Regional Council and the Applicants. This was to better understand the degree of flood risk, develop an agreed set of flood hazard modelling figures, understand the level of mitigation required to avoid any potential flood event, understand any potential offsite downstream effects of reducing the flood plain area, and to understand any geotechnical consequences that may arise. The hearing closed once the outcome of these further considerations was received on 16 June 2011¹.

In summary, the Commissioners recommended that Queenstown Lakes District Council accept in part proposed PC41 subject to amendments. The Commissioners noted that the land was one of the last areas in the Wakatipu Basin of a reasonable scale, that also met the stringent landscape rules for residential development in the ODP, and which had good residential amenity. The Commissioners also noted that the caucusing undertaken for the flood hazard risk in AA 1A was inconclusive and as consequence decided that it was unreasonable to accept the level of risk in that area.

Council ratified the recommendation from the IHP at the 30 October 2012 Council meeting and the Zone became partially operative

Appeals on PC41

There were two appeals received on the decision for the Shotover Country Special Zone. Both appeals received were from the Ladies Mile Partnership who promoted the plan change. The first appeal (LMP appeal no. 1) sought amendments to the Zone provisions in the Council decision, with the other appeal (LMP appeal no. 2) seeking to reinstate land that was removed from the proposed Zone in the Council decision. This was the area of land that had been excluded from the Zone due to flood risk. Following mediation between the parties, a consent order was issued that revised the Structure Plan for the Shotover Country Special Zone.

Special Housing Area (SHA)

The Housing Accords and Special Housing Areas Act 2013 (HASHA) sought to improve housing affordability by facilitating an increase in land and housing supply in specific regions. This Act established Special Housing Areas across the District with one being located in the Shotover Country Special Zone. The SHA resulted in development

¹ Hearing Panel Recommendation on Plan Change 41: Shotover Country Private Plan Change (pg. 3-4)

within the Riverside Protection Area (known as AA 5c) and within the buffer of Rural General Zone between the Shotover Country Special Zone and the Shotover River. The SHA was granted by the Commission (subject to conditions) on 4 May 2017 and resulted in the establishment of approximately 101 residential sections (see SH160139).

What is the Zone Trying to Achieve?

The Zone includes a description of resource management issues and contains objectives that set out what the Zone is trying to achieve. This includes resource management issues relating to landscape, community, ecology, cultural and heritage values, open space, infrastructure and transport. The Zone contains seven objectives, each supported by a number of policies, to address these issues. These objectives are set out in Table 1 below:

Table 1: Objectives of the Shotover Country Special Zone

Table 1: Objectives of the Shotover Country Special Zone	
Objective 1 – Landscape and Urban Form	Development which recognises and responds to the values and character of the landscape.
Objective 2 – Integrated Community	A complementary mix of uses which create an integrated community.
Objective 3 – Ecological values	Retain and enhance ecological values within the zone.
Objective 4 – Heritage values	Recognition and protection of cultural heritage values and features.
Objective 5 – Open Space and Recreation	Protection of areas of the natural environment including vegetation, landform and landscape that contribute significantly to amenity values, assist in preventing land instability and erosion, and contribute to ecological diversity and sustainability, while providing for and encouraging recreational opportunities and activities within the zone and their linkage with recreational activities within the surrounding area.
Objective 6 – Infrastructure	Provision and recognition of servicing infrastructure catering for the demands of development within and outside the zone in an environmentally sustainable manner.
Objective 7: Transport	Safe and efficient use of the District’s transport network.

How much development does the Zone enable?

PC41 intended to provide for the establishment of approximately 758 residential dwellings and ancillary buildings. Development in the Zone is mostly complete, with the exception of several lots in activity area 1b which have received consents for multiple dwellings.

The Zone is supported by its own scheme for both water and wastewater. Both these systems have been designed to service a specific area which is close to being fully developed. Water is sourced from the Shotover bore field, supplied to a reservoir which then reticulates through the development. Wastewater is collected through a reticulated gravity network to a pump station which then pumps to the Shotover Treatment Plant.

While there may be some latent capacity within these networks, the degree of intensification and the speed at which it happens would need to be understood to determine what upgrades to these networks are needed and when they would be required.

The “State” of the Special Zone

To determine the state of the Shotover Country Special Zone, Council has used available building and resource consent data sourced from its TechnologyOne programme (TechOne). This has helped to provide a clear overview of development activity of the Zone and determine the efficiency of the Zone provisions. An assessment of the findings of the building and resource consent data is outlined below.

Building Consents

Building consent activities occurring in the Shotover Country Special Zone have been compiled from building consent data in Council’s TechOne programme, from 2013 to 2023. This data includes building consents that have been issued, including those which have not yet received a Code of Compliance, but does not include amendments to existing building consents. Building consents that were withdrawn, declined or lapsed have not been included in this analysis.

Building consents have been grouped into categories such as new or relocated dwellings, alterations to dwellings, multi-use dwellings, and commercial building consents. Building consents for heating appliances, outbuildings (i.e., garages, carports etc.) and ancillary buildings have been grouped into the ‘Other’ category.

A total of 867 building consents have been issued in the Shotover Country Special Zone between 2013 and 2023. As shown in *Table 1* below, most processed building consents were for new or relocated dwellings, with a smaller number issued for alterations to dwellings, multi-unit dwellings and commercial consents. ‘Other’ consents were for an additional outside building such as detached garage or shed, ancillary works such as a retaining wall and vehicle crossing, and application for a diesel heater and tank. This indicates that consents are primarily being issued within the Zone for new residential development.

Table 2: Building consents within the Shotover Country Special Zone

Building Consent Type	Count	Percentage
Other	22	2.5
Commercial	11	1.3
Multi-use dwelling	27	3.1
Alteration to dwelling	30	3.5
New or relocated dwelling	777	89.6
Total	867	100

Resource Consents

The resource consent data for the Zone includes resource consents issued between 2011 and 2024. This includes resource consents that have been issued but does not include resource consents that have been withdrawn or declined. There has been a total of 203 resource consents issued within the Shotover Country Special Zone, with approximately 444 breaches (to specific rules, site or zone standards) recorded. An assessment of these activities, including the relevant breaches is outlined below.

Activity status of resource consents

The highest proportion of resource consents were for restricted discretionary activities (42%), followed by discretionary (32%), non-complying (17%) and controlled (5%). Five consents (2%) were Deemed Permitted, and 3 consents (1%) were issued for a Certificate of Compliance (under s139). The proportion of resource consents issued in the Zone is shown in *Figure 2* below.

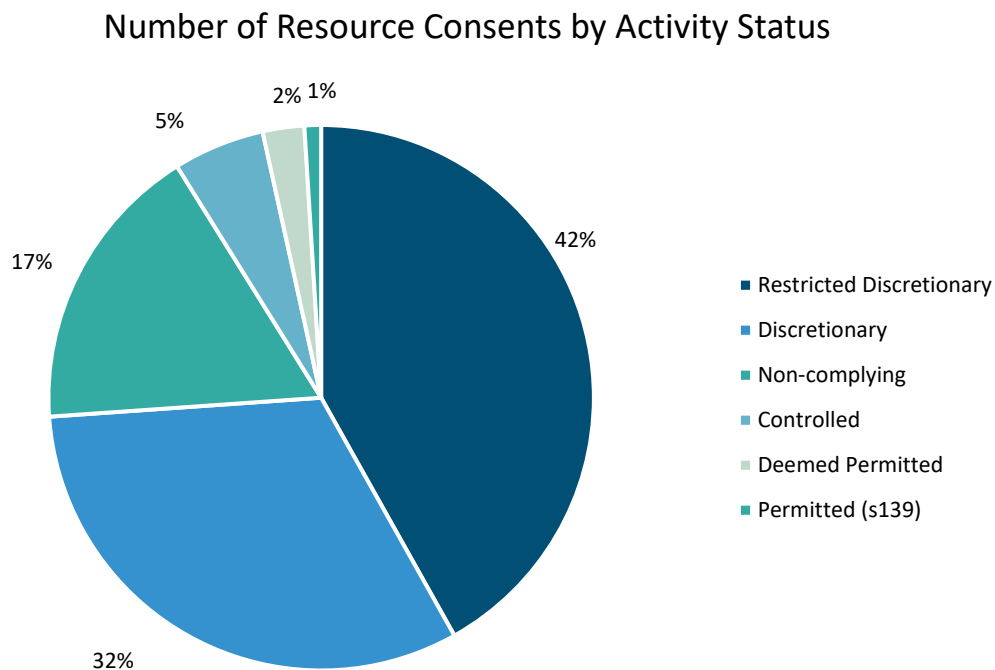


Figure 2: Number of Resource Consents by Activity Status

Breaches by Activity Status

Figure 3 below shows the number and percentage of breaches and their activity status. As noted above, of the 203 resource consents issued within the Zone, there have been approximately 444 breaches (to activity rules, site or zone standards). 59% of these breaches have been for restricted discretionary activities, totaling approximately 263 breaches. This was followed by discretionary (104), non-complying (38) and controlled (32). Five deemed permitted activities were recorded in the Zone and two were recorded for a Certificate of

Compliance (s139). Types of breaches by activity classes are further detailed below. A full list of breaches, comparing types of breaches across different activity classes, is contained in *Appendix 1*.

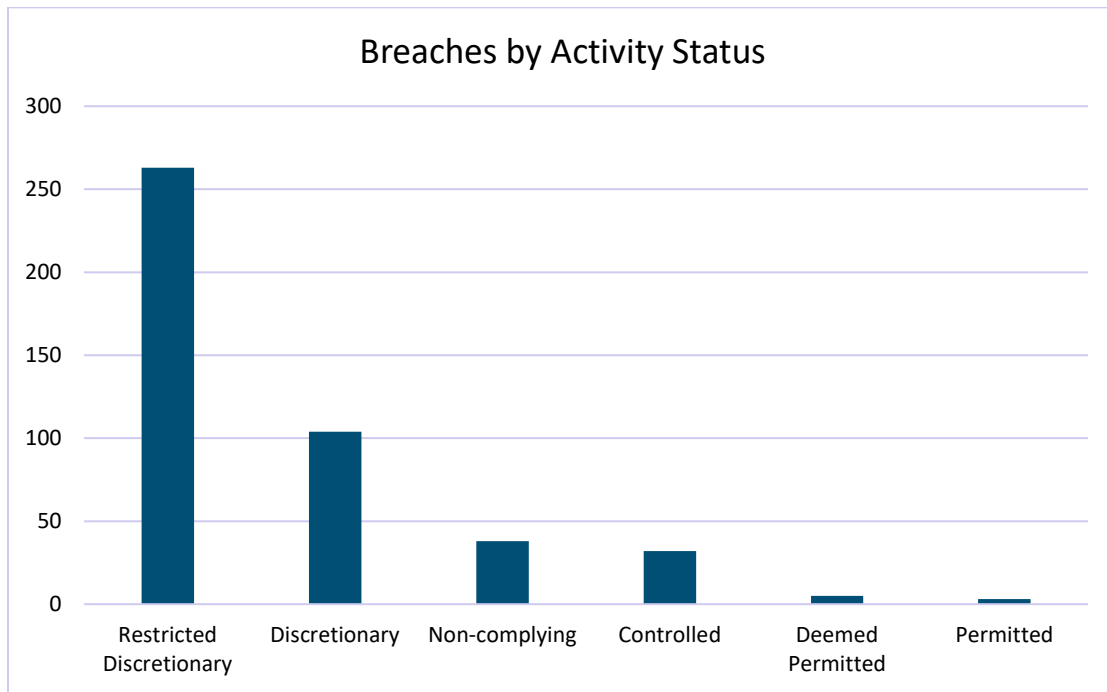


Figure 3: Breaches by Activity Status

Permitted and Deemed Permitted Activities

There were two consents for permitted activities, both for a Certificate of Compliance for visitor accommodation, pursuant to s139, located in ACAA2b and AA 1f. Both accommodation facilities were registered holiday homes, required to let for fewer than 90 days a year with a minimum stay of three consecutive nights. There were five consents for deemed permitted activities, and these included breaches of internal setbacks, new and altered residential dwellings and breaches of site coverage. The adverse effects of these activities were considered to be less than minor and no different in character, intensity or scale than the permitted activity.

Controlled Activity Breaches

The 27 Breaches relating to subdivision activities accounted for 87% of controlled activities in accordance with Rule 15.2.3.2–The second highest category of controlled activity breaches were for breaches of internal setbacks pursuant to *Rule 15.2.3.2.b.* for a proposed boundary adjustment which complies with relevant Site and Zone Standards. These breaches still complied with the minimum setback metreage (2m for AA 1a-1f, 1m for AA 2a-2c, and 5m – 10m for AA 3) specified under *Rule 12.30.5.1.ii.*

Restricted Discretionary Activity Breaches

Across all activity classifications, the largest number of breaches were for restricted discretionary activities, predominantly breaches of Road (57) and Internal (45) setback boundaries. These were mostly in breach of *site standard 12.30.5.i- ii.* regarding minimum setbacks from road or internal boundaries. There were also

approximately 26 breaches of the minimum Transmission line boundary which is a restricted discretionary activity pursuant to *Rule 12.20.3.3.v.a.* requiring the mitigation of potential adverse effects such as changing the location of roads and effects on safety and visual amenity.

In addition, there were approximately 39 breaches for earthwork activities, predominantly for consents for dwelling construction works and retaining walls. There were also a significant number of breaches of the size and location of vehicle crossings and carparking (under Chapter 14), and of operating hours for visitor accommodation.

Discretionary Activity Breaches

Discretionary activities were the second highest category for activity breaches. The highest category of breaches (at 56) related to a change or cancellation of consent notice conditions, known as section 221. The second highest (at 23) were for a change or cancellation of consent conditions known as section 127. Both breaches automatically trigger a discretionary resource consent. Changes to conditions included changes to parking, extensions of a building platform, encroachments on a road setback, site boundary adjustments and earthworks.

There were smaller numbers of discretionary rule breaches recorded in the Zone across various categories. The highest were approximately eight breaches for departures from internal setback limits and around seven breaches of subdivision rules.

Non-complying Activity Breaches

The highest number of non-complying activity breaches (16) related to building platform coverage. These breached the *Zone Standard 12.30.5.2.v.* for maximum building coverage (no more than 70% coverage in Zones 2b and 2c only), and building heights that breached the permitted maximum heights (up to 12 meters in Zone 3 only) under the *Zone Standard 12.30.5.2.iv.*

There were also approximately 10 breaches of minimum allotment size pursuant to *Rule 15.2.3.4.i* in which a building is non-complying when in breach of *Zone Standard 15.2.6.3.i.a* regarding minimum allotment size being less than 500m² within AA 1f. There were also a smaller number of breaches across a range of activities such as for installing a burning woodfire, building in excess of three units, roof colour and setbacks from internal and road boundaries and from the high voltage transmission line.

Average Cost and Processing Time for Resource Consents

The data for costs and processing time of resource consents is sourced from TechOne and is dated between 2017 and 2021. This data was prepared to meet Council's reporting requirements to the Ministry for the Environment and is based on a different dataset to resource consent data that is analysed above. There were 75 resource consents within this dataset that were issued in the Shotover Country Special Zone. While this data is not based on the total number of consents issued within the Zone, it is intended to provide an approximate overview of the costs and processing times of resource consents issued.

Costs

Based on the data available, the average consenting cost within the Zone was approximately \$2,554.87. The highest recorded cost for a resource consent was \$18,059.59 and the lowest recorded cost was \$231. It is important to note that this information includes several deemed permitted activities which have a lower cost than a standard resource consent.

Processing time

The available resource consent data indicates that approximately 89% (67) of resource consents were processed on time, with only eight resource consents exceeding the 20 working day statutory timeframe. The shortest processing time recorded was one day with the longest processing time recorded being 60 working days. However, this is based on a limited number of resource consents that have been recorded in the Zone and there may have been other resource consents which may have exceeded the 20 working day timeframe or had a longer processing time.

Conclusions on costs and processing time for resource consents issued

Based on the data available, the information suggests that the Zone provisions are largely efficient in terms of processing time with most resource consents being processed within the statutory timeframe. Further, the average cost of consenting was cheaper than other Zones (such as Meadow Park and Arrowtown South). However, as noted above, this data is based on a limited number of resource consents.

How Effective are the Special Zone Objectives, Policies and Rules?

This section assesses the effectiveness of the Special Zone objectives and policies based on the available resource consent data and site visits undertaken within the Zone. The Objective for the Shotover Country Special Zone sets out what the Zone is trying to achieve, with its implementation supported by a suite of policies, activity rules, site standards and zone standards. This is followed by an assessment of the effectiveness of the objectives and policies.

Table 3, in [Appendix 3](#) outlines the Objectives and supporting policies of the Zone

Effectiveness of the Objectives and Policies

Objective one

Objective one seeks development which recognizes and responds to the values and character of the landscape. It is important the development in the Zone is contained to the boundaries of each activity area to reduce visual impacts of development on the special character of the landscape, namely its ancient river terraces. Overall, this objective has been effective as the policies have maintained the clear boundaries of the zone that relate to its topography, adjacent rivers and other natural features. In effect this has retained the natural form of Shotover Country and reduced the visual impact of development on the natural landscape.

Policy 1.1

Policy 1.1a seeks to achieve an overarching design framework that facilitates the establishment of a coherent built environment that responds to the natural environment and existing landscape values of the site and its surrounds. Policy 1.1b seeks to establish clear boundaries to the Zone relating to topography and landscape

features. Further, Policy 1.1c seeks contained development areas within the Zone and a defined urban edge to prevent urban sprawl.

It is determined that policies 1.1a – 1.1c have been effective. A Structure Plan accompanies these Special Zone provisions to achieve an overarching design framework and establish a coherent and planned built environment that responds to landscape values and establishes clear boundaries in the Zone that relate to topography and natural features. The combination of these measures presents a coherent framework for the management of the area. The Zone has largely developed in accordance with the Structure Plan, with development occurring within residential activity areas and outside of the open space AA 5a – AA 5d helping to protect the Zone’s natural terraces, wetland area and transmission corridor. Similarly, no development has occurred within AA 5c which maintains the boundary between the Shotover River and AA 1F. There have been approximately 24 partial open space incursions, mainly into the AA 5e transmission corridor, and one non-complying breach (RM150968) where buildings were constructed within the 25-32m setback distance of the transmission corridor. Overall, it was considered that adequate provision was made for open space in each of these breaches, and adverse effects on the environment were less than minor.

Policy 1.1d has effectively provided for open space in the Zone that enables a relationship between built form and the surrounding open landscape, reinforces natural patterns in the landscape and protects areas of visual prominence. It is unclear what is meant in the Operative District Plan (ODP by ‘a relationship between built form and the surrounding open landscape’ making this policy component subjective and therefore difficult to determine its overall effectiveness. However, development has occurred within the natural sloped topography of the Zone, which protects and reinforces this natural pattern in the landscape. Similarly, the retention of the wetland area and open space setbacks from SH6, protecting views to areas of visual prominence, such as the Remarkables to the West. Policy 1.5 elaborates further on the visual protection of surrounding landscape.

Policy 1.1e seeks to achieve a form of urban development that complements the landscape and provides a coherent, legible and attractive living environment. However, the ODP does not provide specific guidance on what constitutes a coherent, legible or attractive living environment. Without sufficient guidance on what this means, the component of this policy is difficult to assess. However, as noted above, development has corresponded to the Structure Plan which has helped to maintain key landscape features of the Zone and provide for residential development in suitable areas which may have resulted in development that complements the landscape. It is determined that this part of Policy 1.1 has been partially effective.

Policy 1.2

Policy 1.2 stipulates that to avoid the effects of inappropriate subdivision and development alongside the margins of the Shotover and Kawarau Rivers, a buffer of Rural General land is maintained between the zone and adjacent rivers. This policy has been less effective as the development of a Special Housing Area has occurred within the 200-300 meter rural buffer zone in AA 5c to the west of the development, adjacent to the Shotover River. A buffer of rural general land of approximately 200-300 meters has been retained along most of the boundary between the development and adjacent rivers to the south and southeast of Shotover Country, and to the southwest.

Zone standards do not stipulate minimum requirements for the size of a buffer zone. In addition, while AA 5c is zoned as a Riverside Protection Area, this only restricts certain plants, specified in the Regional Pest Management Strategy for Otago.

Policy 1.3

Policy 1.3 seeks to maintain the natural character of each terrace escarpment (AA 5b) rising above the Shotover River. This policy has been effective as there were no breaches of AA5b such as earthworks, setbacks or buildings constructed which have affected the topography. No breaches of *Zone Standard 12.30.5.2.xi.b.* were recorded, which indicates the terrace escarpment areas have been planted with only indigenous vegetation, specified in the Zone Rules. Retention of the terrace escarpments is further detailed under Policy 3.1.

Policy 1.4

Policy 1.4 aims to mitigate the effects of light spill from street lighting. The policy is supported by *Zone Standard 12.30.5.2.xvi.* which instructs all fixed exterior lighting to be capped and directed downwards to avoid direct light above a plane horizontal with the bottom of the light bulb. This is in keeping with the QLDC Southern Light Strategy 2017² to protect the night sky and aesthetic appeal of the District by minimising upward waste light, and controlling obtrusive and nuisance light spill. As part of the lighting design process the designer is required to minimise any potential adverse or obtrusive lighting effects such as spill light, glare and sky glow (upward light). There have been no lighting-related breaches in the Zone, indicating that policy 1.4 has been generally effective.

Policy 1.5

Policy 1.5 seeks to establish a landscaped buffer to terrace edges that will soften and reduce visibility of built form from public areas to the northwest, west and south west of the Zone. This policy is considered effective in the Zone, as development has occurred outside of the escarpment activity areas (5b), as under Policy 1.3, there have been no recorded breaches of *Site Standard 12.30.5.1.viii.* which specifies indigenous vegetation must extend along 50% of each site adjoining the buffer area.

Policy 1.6

Policy 1.6 seeks to ensure that the Zone is energy efficient, and that buildings are designed to maximise solar gain, the use of renewable energy is encouraged (particularly solar heating) and that dwellings adopt low emission and high thermal efficient heating systems.

In supporting the implementation of this policy, the Zone includes a non-complying rule for fires and for the erection, construction or installation of any solid burning fireplace or appliance in any building. It also includes assessment matters for Outline Development Plans for Activity Areas 2a, 2b, 2c and 3 to maximise solar gain through a layout that maximises north south aligned streets and/or establishing fixed building platforms that enable generous private open space to the northerly aspects of dwellings.

It is determined that this rule has been partially effective. For example, based on the available resource consent data, there have been approximately two recorded non-complying breaches to the fires and heating rule within the Zone that have allowed fuel wood pallet burners (See RM1503310 and RM140229). Further, there have been some resource consents lodged for approval of Outline Development Plans that note buildings in specific activity areas had been designed to achieve maximum solar gain (see for example RM150857, RM150389 and

² <https://www.qldc.govt.nz/media/hwqbnod/2017-8-2-southern-light-part-b-technical-specifications.pdf>

RM120668). However, it is unclear the extent to which there has been an uptake of renewable energy because of this policy.

Objective two

Objective two sought a complementary mix of uses in the Zone which would create an integrated community. Objective two has been implemented by policies 2.1 – 2.18, with 2.1 – 2.5 being general, and others being specific to activity areas. These include requiring a mix of activities and providing for a range of housing types. Overall, this objective has been moderately effective in creating a mix of uses which enhance each other's effectiveness such as open space areas providing for the health and wellbeing of residents and complementing the education zone. However, terms of a range of housing types, medium density as it was described when the Zone was established, has not been realized in the Zone which remains predominantly low-density. The medium density that has been achieved in the Zone is unlikely to meet current Medium Density Residential Standards, under the Resource Management (enabling Housing Supply and Other Matters) Amendment Act 2021.

More could be done however to increase commercial opportunities in the Zone to create a more 'diverse and sustainable living environment' that is not reliant upon commercial areas further away and supports a range of housing types.

Policy 2.1

This policy seeks to establish a living environment that provides for the health and wellbeing of residents and visitors, with design that is conducive to social interaction and the establishment of a sense of place. This policy has been effective in establishing a network of open space facilities including parks, such as Florence and Richmond Park, sports fields, cycle trails and ecological areas across the Zone that enhance resident and visitor wellbeing by providing visual amenity, and provide opportunities for recreation and social connection.

The wetland open space areas have also been retained, which has retained views to the surrounding landscape. There has also been no development on the ancient river terraces. Like in Policy 1.1, the subject quality of 'sense of place' is difficult to interpret but given the Zone rules which seek to retain the natural form of the landscape and views to surrounds, this Policy could be interpreted as seeking to retain historical landscapes and views to significant landscape features. Both the escarpment form and vegetation have been retained, and low density has occurred at the edges of the Zone (AAs 1a, 1f, 1c and 1f) with no height breaches which maintains a view corridor to the surrounding landscape.

Policy 2.2

Policy 2.2 requires that a mix of residential, educational and small-scale commercial, recreational and community activities that would provide for an environment appealing to a range of people. This policy is implemented through activity areas that provide for low and mixed density living interspersed with open space and surrounding a core education and community activity area. The policy has been effective firstly in allowing for a mix of residential, educational, and community activities to be developed. Shotover Primary School in the centre of the development also serves as a community sports centre and an early childcare centre.

There are also several open space areas and walking and cycling paths, such as along the high voltage transmission line, that form part of the Queenstown Trails Trust network and QLDC Active Travel Routes, alongside several playgrounds and parks. These facilities provide recreation opportunities for a range of users. Trails especially, are used by both residents and visitors to Queenstown.

Small-scale commercial activities that appeal to a range of people are not as established in the Zone, which currently contains only approximately 10 at-home businesses predominantly for hair and beauty and several services such as landscaping and cleaning services. However, the development has access to a small commercial centre to the Northeast in Lake Hayes Estate with facilities including a pharmacy, restaurant, small gym and grocery store. In effect, this provides Shotover Country access to local small-scale commercial activities.

Policy 2.3

Policy 2.3 has overall been effective at encouraging predominantly permanent residents but has been less effective in encouraging a range of densities and housing options. As mentioned above, there are a range of community and recreational facilities, as well as primary school which encourage people to live in the area permanently. Levels of density in AA 1a-1f largely correspond with the Structure Plan and contain standalone houses at a low density. In medium density AA 2a-2c, some medium density has occurred in the form of terraced houses. A non-complying consent (RM190986) was also granted for a multi-unit of six units within two buildings in AA 2b but this has not been constructed. Areas 2a-2b remain predominantly low-density, and across the development, housing options remain restricted to mostly two-four-bedroom, low-density standalone houses.

There have also been 28 breaches for visitor accommodation activities to make residential flats permanent or semi-permanent (180 days a year) visitor accommodation. Provision of visitor accommodation is less aligned with Policy 2.3 but overall does not exist in quantities that are enough to discourage permanent residents in the Zone.

Policy 2.4

Policy 2.4 has been effective as development in the Zone has largely recognized the limitations of the site, including the high voltage transmission line, natural topographical boundaries, development form and style, servicing constraints and the Outer Control Boundary of Queenstown Airport. Despite the constraints, development yield provided is adequate to establish a sustainable and vibrant community. There were 22 breaches of the minimum transmission line boundary which required a restricted discretionary consent, but adverse effects on the environment in terms of safety and amenity values were considered less than minor and development was consented. There have only been slight incursions to AA 5b areas (the escarpments) which have had a less than minor effect. Overall, this policy has been effective in maintaining the Zone's natural river terraces and no development crosses the Outer Control Boundary of Queenstown Airport.

Policy 2.5

Policy 2.5, to enhance the provision of affordable housing through establishing links with the Queenstown Lakes Community Housing Trust, is considered to have been effective. In 2016 the Trust developed 44 homes in Shotover Country on land acquired through the inclusionary housing process. 33 homes were assisted ownership and 11 were rent saver properties. These properties are located on building lots 91-97 and 78-88 in AA 1f at the western edge of Shotover Country.

Policy 2.6 – 2.8: Activity Areas 1a-1e

Policies for activity areas 1a-1e have been mostly effective in ensuring that the Zone has developed as a low-density residential environment with edges defined by natural boundaries. Low-density across activity areas 1a-1e is evidenced by a majority of standalone housing types and several small at home businesses. Although there have been some applications for multi-unit dwellings that have triggered density breaches (such as RM230215

and RM150328 for one and two additional units respectively) overall, this has not resulted in an increase in housing or population density. Similarly, the natural boundaries of activity areas 1a-1e have been maintained by there being no development in the natural escarpments (AA 5b) and areas of open space that border each activity area., with the exception of the riverside protection area.

Policy 2.9 – 2.11: Activity Areas 2a, 2b and 2c

Policies for AA 2a-2c relate to providing for and encouraging a medium density living environment close to the core of the zone to enhance the vitality of the community and provide a broader range of accommodation options. Overall, this policy is considered moderately effective. There have been approximately 14 breaches of Rule 12.30.3.3.i, which makes any construction exceeding three units in medium density areas a restricted discretionary activity. These breaches included a consent that was granted for 42 residential units across four lots in AA 2a (RM 181520), although this is yet to be developed. A non-complying consent (RM190986) was also granted for a development of six units within a site AA 2b but this has not been constructed. These breaches remained within the Zone’s density limits specified in *Site Standard 12.30.5.1.ix* of 22.2 9 units per hectare (for AA 2a) and 33.3 units per hectare for AA 2b and 2c (+/- 10%). The housing types that have been enabled under these density limits are predominantly semi-detached and detached units.

It is noted that these density limits are well within, if not below the limits for medium density residential zones (of one residential unit per 250m², or 40 units per hectare) that existed when Shotover Country was established. This limit for medium density was intended to support growth in the district, which was more than national averages. In particular, there was high growth in the 22-25 age group and transient population, in the ‘first home buyers’ and renting bracket, necessitating diverse, flexible and affordable accommodation options.³

The medium density that has been achieved in the Zone is unlikely to meet current Medium Density Residential Standards, under the Resource Management (enabling Housing Supply and Other Matters) Amendment Act 2021, which will allow three homes up to three stories per site (at 11m total).

Policy 2.12 – 2.14: Activity Area 3

Policies for Activity Area 3 have been effective in providing for education and community activities that encourage a vibrant centre, near residential activities, that caters for the social needs of the community. Shotover Primary School has developed in this activity area. The community also uses school facilities outside of school hours for sports games.

Policy 2.15 – 2.16: Activity Area 4

The protection of Hicks Cottage and appropriate adaptive use of building and open space has been provided for in the Zone. The restoration of Hicks Cottage compliments the heritage values of the original cottage. The implementation of policies 2.15-2.15 is further detailed below under Objective 4.

Policy 2.17 – 2.18: Activity Areas 5a-5e

³ Section 32 Evaluation Report, Medium Density Residential Zone, pp., 2- 3.

Policies for Activity Areas 5a-5e have been effective in establishing these areas as open space, and this has supported the development of pedestrian connections, recreational activities, public amenities and the protection of ecologically significant areas. As indicated in Figure 4, AA 5b has retained its status as a bank escarpment with no development in these zones. Similarly, AA 5e (the transmission corridor) has remained an open space area, with only several breaches of the setback, whose effects were considered less than minor. Activity Area 5a and 5d, open space and wetland respectively.

AA 5a and 5e has provided for cycle connections that now run along the transmission corridor and encircle the development, in AA 5b. The transmission corridor also supports a walking track and Florence Park. Similarly, AA5d supports pedestrian access where it does not impact the habitat and function of the wetland. Recreational amenities in these activity areas are predominantly walking and cycling paths. Parks, playgrounds and sports fields have developed in activity areas 1-2.

Objective three

Objective three seeks to retain and enhance the ecological values of the Zone with four policies that support its implementation. The Zone also includes a Structure Plan which identifies specific ecological features in different activity areas. Specific rules and standards are then applied to these areas to help protect, maintain or enhance the values within each area. This includes the Open Space – AA 5b, AA 5c and AA 5d.

It is determined that this Objective and the supporting policies have been moderately effective. The vegetation on AA 5b and AA 5d has been retained with some enhancement plantings having been undertaken. Further analysis of the effectiveness of the Objective can be determined by the effectiveness of the supporting policies below.

Policy 3.1

Policy 3.1 seeks to identify suitable areas for the protection and improvement of ecosystems, with a focus on the natural character and ecological values of the terraces and wetland within the Zone. The Zone standards require that escarpment vegetation, the Riverside Protection Area and the wetland are kept free of specified pest plant species and that any planting undertaken is in accordance with specified planting lists. There are no breaches of this list, specified in *Zone Standard 12.30.5.2.xi.b* suggesting that no exotic vegetation has been established in these areas.

The Zone Standards also prevent the removal of indigenous vegetation within the escarpments of AA 5b which are protected by the Embankment Consent Notice Area (ECNA). The ECNA includes consent notice conditions that are applied to lots located within AA 5b. The purpose of the consent notice is to protect the embankment from development, provide for the ongoing management of weeds and the protection of indigenous vegetation. In addition, the Zone Standards in the Subdivision Chapter (see 15.2.17.3) require that prior to the subdivision of land containing AA 5b, a developer must remove pest plants and undertake a planting plan that achieves 25% coverage of the area once planting reaches maturity.

Based on the available resource consent data, there have been no known enforcement cases where the consent notices have not been complied with and no resource consents lodged for breaches to Zone or subdivision standards. There have been some resource consents lodged to change consent notice conditions so that some activities can occur within the ECNA (see for example RM210772).

The Zone Standards also require that no buildings are constructed within the Wetland Setback Area identified on the Structure Plan. This setback has been retained with no built development having occurred. However, the southern part of the wetland (AA 5d) appears to have been converted into paddocks which does not appear to be consistent with the Structure Plan.

It is determined that Policy 3.1 has been effective. The Structure Plan identifies ecological areas that require protection and enhancement. In addition, the activity rules and standards have helped to maintain the ecological values and natural character of the terraces and wetland through preventing clearance and built development. There have also been some enhancement plantings undertaken within the wetland (AA 5d) which were observed during site visits to the Zone, and enhancement plantings in the escarpment (AA 5b) undertaken as part of subdivision activities (see for example RM150116).

Policy 3.2

Policy 3.2 seeks to encourage the integration of public and private open space areas to enhance the nature conservation values within the Zone. However, it is unclear the extent to which there has been integration between public and private open space areas. There have been some open space areas within the Zone which are now vested as Council reserves and managed by the Lake Hayes Estate Shotover Country and Bridesdale Reserve Management Plan 2021. This Reserve Management Plan also sets out objectives and policies for Council owned reserves and open space⁴. However, while these objectives and policies seek to provide ecological benefits, there are no objectives that clearly relate to integrating public and private open space for the purpose of enhancing nature conservation values. It is therefore determined that Policy 3.2 has not been very effective as it has not resulted in any clear outcomes.

Policy 3.3

Policy 3.3 seeks to encourage planting across the terrace escarpment faces that enhance ecological and amenity values. As noted above, some enhancement plantings have been undertaken as part of subdivision activities. This indicates that Policy 3.3 has been effective.

Policy 3.4

Policy 3.4 seeks to encourage the use of native species in any landscaping plans where their use is practical and complementary to the enhancement of ecological values of the site and suited to the climate requiring little maintenance. This has occurred as the result of subdivision activities. For example, RM150116 included a landscaping plan which proposed planting of species that were in accordance with the proposed species list in *Appendix 1- Plant List*. This indicates that this Policy has been effective.

Objective four

Objective 4 and its associated Policy (4.1) seeks the recognition and protection of cultural heritage and features in the Zone, given the significance of heritage in the District. Implementation of this policy includes establishing a heritage activity area to protect Hick Cottage and its environs. This has been achieved as the Structure Plan has identified this area as AA 4 - heritage zone surrounding Hicks Cottage. Policy 4.1 has also been implemented

⁴ Lake Hayes Shotover Country and Bridesdale Farm Reserve Management Plan (pg 7-8)

through the listing of Hicks Cottage as Heritage Feature (#248, Category 3) within the ODP Inventory of Protected Features.

In addition, Policy 4.1 is implemented through rules and assessment matters controlling the site layout and external appearance and design of buildings, including maintaining a building height limit of 4.5m, and a maximum building coverage of 20%. Discretion is also exercised over the extent to which measures have been or are proposed to be put in place to provide appropriate protection against a flood hazard. In 2021, Hicks Cottage was deconstructed and reconstructed as visitor accommodation which is now operational. The renovation required a non-complying building consent (RM200612) as the building height (5.8m) was of *Zone Standard 12.60.5.2.i.v* (4.5m) for Activity Area 4. The Heritage Impact Assessment found that Hicks Cottage had been derelict and disused for many years and that given this condition, the negative impacts of alteration would be few and minor. Moreover, the intentions of the proposed works were to salvage the remains and heritage values to ensure adaptive use. The slight increase in roof height was found to have a minor effect on the architecture values of the cottage given that the original roof structure, shingles and chimney would be salvaged and reused for the reconstruction. Likewise, new framing in the walls was essential for structural support and would re-capture the historic design and proportions of the cottage. *Rule 26.5.2* in the ODP also enables repairs and maintenance of Hicks Cottage as a permitted activity, and in accordance with *Rule 26.5.8* internal alterations to Hicks Cottage are permitted.

Objective five

Objective 5 seeks to protect areas of the natural environment, including vegetation, landform and landscape that contribute significantly to amenity values, prevent land erosion and contribute to ecological diversity and sustainability. This is supported by seven policies, with the effectiveness of these policies detailed below.

Policy 5.1

Policy 5.1 seeks to provide a trail and open space network throughout the Zone that connects to surrounding recreation and open space areas. This policy has been effective, as walking and cycling access tracks have been established through the Zone (some of which have been rezoned in the PDP) and these have helped to connect the different open space activity areas. For example, access tracks have been established through AA 5d (the wetland), AA 5e (the transmission corridor) and through some parts of AA 5b (the escarpment). These open space activity areas also link to other areas of open space outside of the Zone, providing public access to the Shotover and Kawarau rivers and other reserves⁵.

Policy 5.2

Policy 5.2 seeks to promote public access to the Shotover and Kawaru Rivers. As noted above, the Zone has provided for the establishment of open space reserves which have helped to provide access to both rivers. It is considered that this Policy has been effective.

Policy 5.3

Policy 5.3 seeks to avoid the adverse effects of buildings and structures on natural and landscape values within open space areas. Based on the available resource consent data, there have been no resource consents granted

⁵ Reserve Management Plan (pg 4).

for buildings or structures within the open space activity areas. While there have been some resource consents granted to change consent notices (see for example RM210772) the open space escarpments have been retained.

The SHA developed in the Shotover Country Special Zone and adjacent Rural Zone resulted in the loss of the Riverside Protection Area (AA 5C). However, as part of the development of the SHA, the Planting Concept Plan proposed establishing a range of native vegetation to help increase natural values and screen houses of the SHA⁶.

Policy 5.4

Policy 5.4 seeks to encourage the creation of public open space areas and reserves to provide public amenities. Open space areas are present throughout the Zone and have been formalised through the Zone's activity areas, and through some of the open space areas being rezoned in the PDP. Amenities have also been established through some of these open space areas such as recreation trails, a pump track and sports field. While it is unclear whether this is a direct result of the Zone's provisions, it is considered that this Policy has been achieved.

Policy 5.5

Policy 5.5 seeks to enable the private ownership of open space in areas with limited public use, but which are important for the protection of land for natural and landscape purposes. The open space terrace escarpments (AA 5b) are a key landscape and ecological feature of the Zone. These areas contain grey shrubland vegetation which is protected by consent notice. It is considered that this Policy has been effective.

Policy 5.6

Policy 5.6 seeks to ensure that activities, buildings and structures enhance passive and active recreation activities and integrate with the surrounding public access linkages. This has been effective in the Zone as both a cycle trail and walking tracks have been built through open space areas such as the wetlands zone and transmission corridor. Footpaths have also been provided on at least one side of the road throughout the zone. These structures connect into the Lake Hayes footpath network and Twin Rivers Trail, providing linkages to Lake Hayes Estate and Frankton, as well as river access. This series of paths and cycle ways, in addition to the residential footpath network and series of neighbourhood parks, allow for and enhance a number of passive recreation activities such as cycling, swimming, walking and bird watching. Active recreation is also provided for through the Shotover Country Sports Field and community centre which is a venue for indoor sports.

Policy 5.7

Policy 5.7 seeks to restrict commercial activities within the heritage and open space areas to ensure they are available for passive and active recreation. Hicks Cottage, located within the Heritage Activity Area (AA 4) operates as Visitor Accommodation which is a commercial activity under the Operative District Plan. However, there are no other commercial activities that operate within this activity area. There are also no recorded commercial activities occurring within any of the open space activity areas. It is considered that Policy 5.7 has been effective.

⁶ Landscape and Visual Assessment – Shotover Country SHA Queenstown August 2016 (pg 3).

Objective six

Objective six enables the provision and recognition of servicing infrastructure that can cater to the demands of the development within and outside the zone in an environmentally sustainable manner. This has been implemented through eight policies whose effectiveness is discussed below. Overall, objective six has been moderately effective. Further analysis of the effectiveness is outlined in the assessment of the policies below.

Policy 6.1

Policy 6.1 seeks the effective design of local streets to ensure safe, low speed traffic environments. However, it is unclear to what extent this policy has had an influence on the design of local streets to ensure a safe, low speed traffic environment. This makes it difficult to determine whether the development of roads within the district has contributed towards lowering speeds.

The Zone rules prioritize designing for vehicle access and carparking and determine the design that is safe and efficient for traffic and pedestrians. This includes having regard to the dimensions of vehicle approaches to properties and intersections, which must be configured to make pedestrians and cyclists more visible to drivers, and therefore safer. However, it is unclear how this reduces speeds. Transport Rules (Section 14) about speed are similarly vague, specifying that Council shall 'have regard to but are not limited by' whether the speed of vehicles on the road could increase adverse effects on the safety of other road users.

Explicit design guidance which ensures low speed traffic environments have historically not been included to any significant level in district zones and are often later additions. Arguably, the two 'Kiss and Drop' driveways are the only example a design which has some effect on ensuring lower speeds in the Zone. These have been built the west and southern boundary of Shotover Primary School to separate pedestrians from Stalker Road (classified as a higher volume 'arterial' road) and provide a low-speed environment for children.

Overall, this policy is unclear in how it has provided for safe and effective street design and low speed traffic environments. However, this policy has been effective through other legislative intervention. For example, Council adopted the Revised Speed Limit Bylaw in August 2019, as required by the Land Transport Rule: Setting of Speed Limits 2017. This lowered speed limits in the Zone from 50km/h to 40km/h. The Bylaw also proposed a speed limit of 30km/h during school pick up and drop off, following community consultation.

Policy 6.2

Policy 6.2 seeks to encourage sustainable water use practices within the Zone. Sustainable water use practices are not defined in the Operative District Plan, and there is no guidance in the Zone provisions. The Mount Cardrona Station Special Zone contains a similar policy, which seeks to encourage sustainable water use practices, including the collection and use of roof water, recycling and use of grey water, and avoidance of using potable water for irrigation purposes. However, there are no supporting rules within the Shotover Country Special Zone which provide any information which could help to determine the effectiveness of this policy. Further, there is no information that can help indicate the uptake of the 'sustainable water use practices' (such as those used in the Mount Cardrona Station Special Zone) in the Shotover Country Special Zone. It is therefore unlikely that this policy has been effective.

Policy 6.3

It is determined that this policy, to retain and where possible, enhance the natural wetland in the Zone, has been effective. The vegetation on the escarpments (AA 5b) and wetland (AA 5d) has been retained with some enhancement plantings having been undertaken and are pictured in Figure 4 and Figure 5 respectively.



Figure 4: Views of escarpments and planting (AA 5b), December 2024.



Figure 5: View of Open space / Wetland recreation area with path (AA 5d), December 2024

Policy 6.4

This policy seeks to incorporate stormwater and sediment management options into the Zone that minimise the impact of stormwater generation and contaminant loadings through low impact design or sustainable urban drainage design techniques. This is implemented to through *Zone Standards 12.30.5.2.11* that require the Zone to have a Catchment Stormwater Management Plan that propose stormwater management and treatment or disposal options but do not require detailed engineering design.

There has been successful stormwater management within the Shotover Country Special Zone. The stormwater from the Shotover Country Special Zone is treated by three infiltration ponds, which then discharge treated water into the Shotover Country Wetlands. The outlet pipe sizes are designed to control the stormwater flow to the wetlands. The ponds are designed to maximise the settlement of suspended solids and reduce contaminant loading to the wetlands.

In comparison, the Arrowtown South Special Zone contains a similar but more prescriptive policy which seeks to promote sustainable stormwater design to ensure maximum discharge to ground using swales edges and soak pits. There has also been successful native riparian planting on the escarpment and watercourse that leads into to man-made wetland, acting as a stormwater attenuation basin.

Policy 6.5

Policy 6.5 is to encourage the use of energy efficient techniques in design and construction, and to incorporate new renewable energy sources as they develop. It is unclear whether this policy has been effective, as there are no rules that support its implementation, and the policy only seeks ‘to encourage’ rather than imposing a stronger provision.

Policy 6.6

Policy 6.6 encourages the use of solar energy in the Zone. This is supported through a requirement under *Rule 12.30.6.2.xvii* which requires Council, to assess whether a subdivision layout and lot orientation will maximize solar gain. However, this is more likely to ensure dwellings get enough sun. Approximately 15 dwellings have installed solar panels, however it is unclear whether this has been the result of this policy. To achieve a higher solar energy uptake in the Zone, provisions could be strengthened to require solar energy, or non-policy instruments would be used, such as providing financial incentives.

Policy 6.7

This policy is to generally avoid installation of solid fuel burners and encourage the use of energy efficient heating options that maintain high air quality. This implemented through *Rule 12.30.3.5.viii.a* which makes installing any solid fuel building fireplace or appliances in any building a non-compliant activity. There have been two non-compliant breaches of this Rule (RM140229 and RM150331). In both consents, the fuel burner was considered not likely to have more than minor effects on air quality and the visual effects associated with fine particulate. The decision noted that allowing pellet burners within Shotover Country, or alternatively setting a limit of less than 150 solid fuel burners and less than 300 pellet fires within Shotover Country will result in worst case winter PM10 concentrations of around 24 µg/m³. ⁷This value is approximately half of the NES value for PM10 of 50 µg/m³ and fits into the ‘acceptable’ air quality category as defined in the Ministry for the Environment Air Quality Indicators (MfE, 1998).

Moreover, the decisions noted that the District Plan seeks to ‘*generally avoid*’ the use of solid fuel burners in Shotover County, and encouraging environmentally sustainable infrastructure that maintain air quality. In isolation, the proposed single wood burner would not result in undue emissions to air. Therefore, the application does not detail any special circumstances that would justify a departure from this policy direction. To avoid the setting of precedent (noted in RM150331) it was noted (in RM140229) that the consent did not set a precedent for future applications for solid fuel burners at Shotover Country, and future applications will be assessed on a case-by-case basis.

Policy 6.8

⁷ RM140229, pg 3 and RM150331, pg 4.

Policy 6.8 seeks to manage reverse sensitivity effects generated by land development within the Frankton – Cromwell A 110kV high voltage transmission corridor to avoid, remedy or mitigate adverse effects on both the safe, secure and efficient use and development of the transmission network and the safety and amenity values of the community. This policy has been effective in the Zone. There were approximately 25 recorded breaches of the transmission corridor for buildings or site setbacks from the transmission line. The majority of these triggered a restricted discretionary breach, with one non-complying breach (RM150968) where a building was constructed within 25-32m of the transmission center-line. In each of these decisions, it was considered that the adverse effects on site safety, amenity values, and the efficiency of the transmission network were considered not to have effects that were more than minor.

Objective seven

Safe and efficient use of the district’s transport network is implemented through six policies, discussed below. Overall, this objective has been effective mostly in providing safe and efficient access to the road, pedestrian and cycle network, but less efficient access to the public transport network.

Policy 7.1

Safe and efficient road access to the Zone from Stalker Road and State Highway 6 (Ladies Mile) has been provided through the retention of Stalker Road as the primary road in the Zone, which connects into and provides access to the Zone’s network of local roads. The Zone also has access to State Highway 6 at two points, one via Stalker Road and the second via Howards Drive.

Policy 7.2

Policy 7.2 seeks the establishment of a primary road connection between Shotover Country and the existing Lake Hayes Estate to the east. Jones Ave, shown in Figure 6, has established this connection between the Zone and neighbouring Lake Hayes Estate, so this policy has been considered effective.



Figure 6: View of Jones Ave, facing West, December 2024

Policy 7.3

Policy 7.3 seeks to establish a park and ride facility within the Zone to reduce vehicle trips along the State Highway. The park and ride facility was initially proposed as being within Activity Area 5a, but was then moved to Activity Area 3 due to landscape effects⁸.

In making their recommendation on PC41, the Commissioners noted that the space within Activity Area 3 was limited and that it might not be possible to accommodate all the proposed activities on site (e.g., school, village green, open space areas, park and ride facility, and residential development). The Commissioners considered that the priority for Activity Area 3 should be for education facilities if the land was acquired by the Ministry for Education⁹.

In the event that it was not acquired, the Commissioners considered that the priority uses for Activity Area 3 should be to provide for a village green, open space and community facilities and secondly to accommodate the park and ride facility¹⁰.

The area within Activity Area 3 has developed as the Shotover Primary School with another childcare facility developed in land adjacent. This has meant that the park and ride facility has not developed and that this policy has not been achieved due to other priorities for the Zone.

Policy 7.4

Policy 7.1 specifies the Zone should provide a network and facilities that support public transport. This policy has been moderately effective but more could be done to increase public transport access in the western part of the Zone. Roads are wide enough through the centre and eastern end of the development and connected, allowing buses through the Zone. There are also cycle paths and footpaths across the development that support first and last mile journeys to bus stops. There are six bus stops in the zone servicing bus route 5, which travels to Lake Hayes to Central Queenstown via Frankton. However, these stops are located to the east of the zone. Properties to the west of the Zone are up to 1km or a 15-minute walk from the nearest bus stop. This is outside the walkable catchments of under 800m, or 10 minutes, recommended by NZTA for public transport stops with a low frequency service (more than every 15 minutes).

Policy 7.5

Policy 7.5 stipulates the zone must provide a high level of connectivity across the zone and adjacent communities by providing well connected vehicle, pedestrian, and cycling networks. This has been effective in establishing a network of joined up cycling routes such as the Twin Rivers Trail at the Zone's southern boundary and a path through the transmission corridor well as a protected shared path leading to the adjacent Lake Hayes community. The 40km/h speed limit in the zone also supports cycling on residential streets. All roads in the zone have footpaths and there are several 'cut-through' paths between sections and through open space areas that enable more direct pedestrian and cycle connectivity throughout the zone. A high level of vehicle access in the Zone is enabled by a network of joined up streets that provide direct routes between different activity areas and from the main entrance at Stalker Road. There is also a direct route to the adjacent Lake Hayes community via Jones Ave.

⁸ Hearing Panel Recommendation on Plan Change 41: Shotover Country Private Plan Change (pg. 11)

⁹ At page 14

¹⁰ At page 14

Policy 7.6

Policy 7.6 has been effective in ensuring the Zone does not compromise the on-going and future operations of Queenstown Airport. Development has occurred outside of the Outer Control Boundary (located in the southern portion of the Zone), meaning that the development is not exposed to high levels of noise from the Airport.

Effectiveness of the Rules

Overall, the rules are considered to have been mostly effective and efficient in achieving the Objectives and policies of the Zone. The rules have supported the implementation of specific policies by managing development inconsistent with the Structure Plan and have helped to prevent development compromising ecological and landscape values of the Zone.

It is not clear how some rules have been effective, such as in supporting streets that are 'safe for traffic and pedestrians' (Policy 6.1). Specifically, while the dimension of vehicle approaches to properties and intersections must be configured to make pedestrians and cyclists more visible to drivers, it is unclear whether this rule supports a reduction in speeds. Transport Rules (Section 14) also do not appear to support safer speeds given they allow Council to 'have regard to' but 'not be limited by' whether the speed of vehicles on the road could increase adverse effects on the safety of other road users. As mentioned above however, government legislative intervention has been effective in implementing slower speeds.

There are equally no supporting rules which encourage sustainable water use practices (Policy 6.2) within the Zone. It is therefore unlikely that this policy has been effective. Similarly, rules are not likely to have been effective in achieving Policy 6.6 to encourage the use of solar energy in the Zone. The policy is supported through a requirement under *Rule 12.30.6.2.xvii* that Council assess whether a subdivision layout and lot orientation will maximize solar gain. However, this is more likely to ensure dwellings get enough sun. While approximately 15 dwellings have installed solar panels, it is unclear whether this because of the effectiveness of this rule.

Lastly, it is unclear how rules for minimum lot size and building coverage have been effective in achieving Policy 2.3 to 'encourage a range of densities and housing options' because they appear to restrict building size and density. The highest number of breaches in the Zone, which triggered a non-complying activity status, were breaches of *Rule 15.2.6.3.i* for being under the minimum lot size of 300m² for AA 2a, as part of subdivision activities to increase site density in activity areas zoned for increased density.¹¹ Consent decisions ultimately allowed these smaller lot sizes because it was determined that this would achieve greater efficiency of land-use in the development and would also assist in achieving affordable housing. In this instance, these rules for lot size appear to be less effective in achieving Policy 2.3.

Overall Findings

This assessment has indicated that the Objectives and Policies of the Shotover Country Special Zone have been mostly effective and have generally resulted in the outcomes anticipated by the Objectives. The Zone has

¹¹ For example, RM 130804, RM140992 and RM160543

developed in accordance with the Structure Plan which has resulted in development that has occurred within the boundaries of the Zone and has not changed the Zone’s natural topography or interrupted views to surrounding landscape features. A trail and open space network have been provided throughout the zone, such as along the transmission corridor and through a series of recreational open spaces and neighbourhood parks.

Ecological areas such as the wetlands and escarpments have mostly been retained and enhanced through native planning. Two exceptions are the development of approximately 101 residential sections as part of the SHA development within the Riverside Protection Area (AA 5c) and within the buffer of Rural General Zone between the Shotover Country Special Zone and the Shotover River. This is currently used as paddocks which appears to be inconsistent with the Structure Plan. The Zone provisions have also maintained control over the heritage site Hicks Cottage and its environments. The cottage has been protected and enhanced through renovation and use as visitor accommodation.

A complimentary mix of uses has been achieved in the Zone, with the development of Shotover Primary School, open spaces, residential areas, and some visitor accommodation. Users of these facilities range from children to elderly users and include walkers and people cycling, community and sports groups. Trails especially are used by both residents and visitors to Queenstown. There are also several small-scale at-home businesses such as for hair and beauty, and the development has access to a small commercial centre to the Northeast in Lake Hayes Estate with facilities such as a pharmacy, restaurant and small grocery store. In effect, this provides Shotover Country access to local small-scale commercial activities.

It is unclear whether Policies have been effective in achieving ‘safe streets for traffic and pedestrians’, sustainable water use practices or the use of solar energy in the zone.

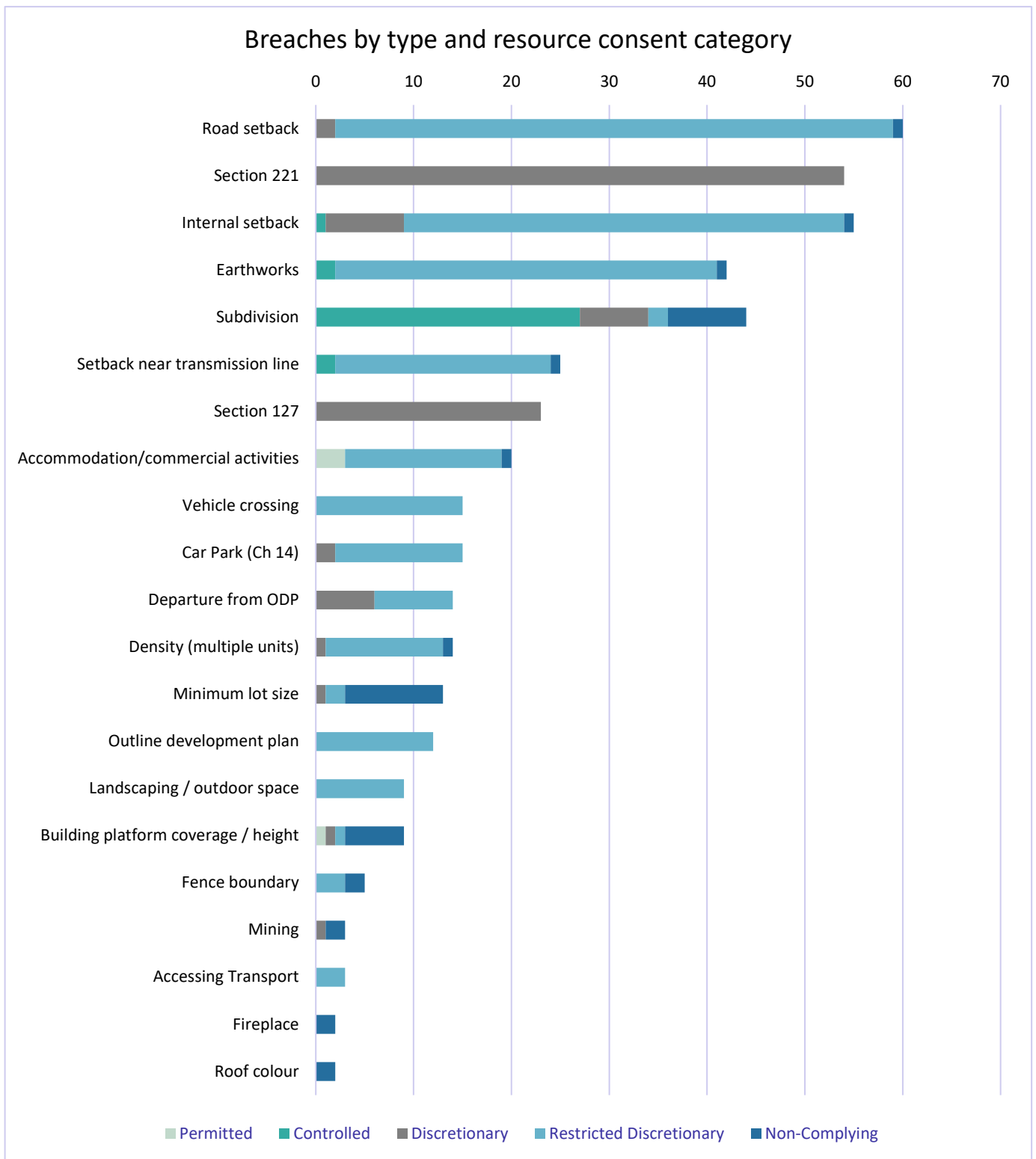
It is also unclear whether a range of densities and housing options has been achieved in the Zone, to the level desired in the Objectives. Most development in the Zone has been low-density dwellings with only a few examples of medium density, such as terraced housing opposite Shotover Primary School. The Zone does not appear to provide the ‘broader range of accommodation options’ that was sought. As noted above, the highest number of breaches, triggering non-compliant status were of minimum lot sizes, indicating a desire for greater density in AA2a. This indicates that Zone Rules were less enabling of the broader range of densities and accommodation options sought in Policy 2.3.

Appendix 1

Type of breach	Number of breaches by activity class					Total
	P	C	D	RD	NC	
Internal setback		1	8	45	1	55
Road setback			2	57	1	60
Setback near transmission line		2		22	1	25
Fence boundary				3	2	5
Earthworks		2		39	1	42
Utilities		1				1

Mining			1		2	3
Landscaping / outdoor space				9		9
Vehicle crossings				15		15
Car park (Ch 14)			2	16		15
Subdivision		27	7	2	8	46
Density (multiple units)			1	12	1	14
Accommodation/commercial activities	3			16	1	20
Minimum lot size			1	2	10	13
Building platform coverage / height	1		1	1	6	9
Fireplace					2	2
Roof colour					2	2
Section 127			23			23
Section 221			54			54
Outline development plan				12		12
Departure from ODP			6	8		14
Total	4	33	106	259	38	440

Appendix 2



Appendix 3

Table 3: Objective and Policies for Shotover Country Special Zone

Objective	Policies
<p>Objective 1 Landscape and Urban Form</p> <p>Development which recognizes and responds to the values and character of the landscape.</p>	<p>Policy 1.1</p> <p>To achieve:</p> <ul style="list-style-type: none"> a. An overarching design framework, facilitating the establishment of a coherent built environment that responds to the natural environment and existing landscape values of the site and its surrounds; b. Clear boundaries to the Zone that relate to topography and landscape features; c. Contained development areas within the Zone and a defined urban edge in order to prevent urban sprawl; d. Areas of open space throughout the Zone that provide a relationship between built form and the surrounding open landscape, reinforce natural patterns in the landscape, and protect areas of visual prominence; e. A form of urban development that complements the landscape and provides a coherent, legible and attractive living environment.
	<p>Policy 1.2</p> <p>To avoid the effects of inappropriate subdivision and development alongside the margins of the Shotover and Kawarau Rivers, by maintaining a buffer of rural general land between the zone and adjacent rivers.</p>
	<p>Policy 1.3</p> <p>To maintain the natural character of each terrace escarpment rising above the Shotover River.</p>
	<p>Policy 1.4</p> <p>To mitigate the effects of light spill from street lighting.</p>
	<p>Policy 1.5</p> <p>To establish a landscaped buffer to terrace edges that will soften and reduce visibility of built form from public areas to the north west, west and south west of the zone.</p>
	<p>Policy 1.6</p> <p>To ensure that the Zone is energy efficient, and the following is achieved:</p> <ul style="list-style-type: none"> a. buildings are designed to maximise solar gain; b. use of renewable energy sources is encouraged, particularly solar heating;

	c. dwellings adopt low emission and high thermal efficient heating systems
<p>Objective 2 Integrated Community</p> <p>A complementary mix of uses which creates an integrated community</p>	<p>Policy 2.1</p> <p>To establish a living environment that provides for the health and wellbeing of residents and visitors, with design that is conducive to social interaction and the establishment of a sense of place.</p>
	<p>Policy 2.2</p> <p>To establish a mix of residential, educational, and small scale commercial activities, and recreational and community activities to provide an environment appealing to a range of people.</p>
	<p>Policy 2.3</p> <p>To encourage permanent residents through the provision of a range of densities and housing options, and where practical, through the provision of community, recreational and educational facilities.</p>
	<p>Policy 2.4</p> <p>To recognize the limitations development of the site (defined by a high voltage transmission line, natural topographical boundaries, development form and style, servicing constraints and Queenstown Airports Outer Control Boundary), while ensuring that the development yield provided is adequate to establish a sustainable and vibrant community.</p>
	<p>Policy 2.5</p> <p>To enhance the provision of affordable housing through establishing links with the Queenstown Lakes Community Housing Trust.</p>
	<p>Relevant policies (2.6 – 2.18) for special Activity Areas are detailed in the policy effectiveness assessment below.</p>
<p>Objective 3 Ecological Values</p> <p>Retained and enhanced ecological values within the Zone.</p>	<p>Policy 3.1</p> <p>To identify suitable areas for the protection and improvement of ecosystems, with a focus on the natural character and ecological values of the terraces and wetland within the zone.</p>
	<p>Policy 3.2</p> <p>To encourage the integration of public and private open space areas to enhance nature conservation values within the zone.</p>
	<p>Policy 3.3</p> <p>To encourage planting across the terrace escarpment faces that enhances ecological and amenity values.</p>
	<p>Policy 3.4</p> <p>To encourage the use of native species in any landscaping plans where their use is practical and complementary to the enhancement of the ecological values of the site, suited to the climate and needing little maintenance.</p>
<p>Objective 4 Heritage Values</p>	<p>Policy 4.1</p> <p>To establish a heritage activity area to protect Hicks Cottage and its environs.</p>

<p>Recognition and protection of cultural heritage values and features</p>	
<p>Objective 5 Open Space and Recreation</p> <p>Protection of areas of the natural environment including vegetation, landform and landscape that contribute significantly to amenity values, assist in preventing land instability and erosion and contribute to ecological diversity and sustainability, while providing for and encouraging recreational opportunities and activities within the zone and their linkage with recreational activities within the surrounding area.</p>	<p>Policy 5.1 To provide a trail and open space network throughout the zone that connects to surrounding recreation and open space areas.</p> <p>Policy 5.2 To promote public access to the Shotover and Kawarau Rivers.</p> <p>Policy 5.3 To avoid adverse effects of buildings and structures on natural and landscape values within open space areas.</p> <p>Policy 5.4 To encourage the creation of public open space areas and reserves to provide public amenities.</p> <p>Policy 5.5 To ensure that activities, buildings and structures enhance passive and active recreation activities, and integrate with the surrounding public access linkages.</p> <p>Policy 5.6 To restrict commercial activities within the heritage and open space areas to ensure that they are available for passive and active recreation.</p>
<p>Objective 6 Infrastructure</p> <p>Provision and recognition of servicing infrastructure catering for the demands of development within and outside the zone in an environmentally sustainable manner.</p>	<p>Policy 6.1 To design local streets to ensure safe, low speed traffic environments.</p> <p>Policy 6.2 To encourage sustainable water use practices.</p> <p>Policy 6.3 To retain and where possible enhance the natural wetland within the zone.</p> <p>Policy 6.4 To incorporate stormwater and sediment management options that minimise the impact of stormwater generation and contaminant loadings through low impact design or sustainable urban drainage design techniques.</p> <p>Policy 6.5 To encourage the use of energy efficient techniques in design and construction, and to incorporate new renewable energy sources as they develop.</p> <p>Policy 6.6 To encourage the use of solar energy.</p>

	<p>Policy 6.7 To generally avoid installation of solid fuel burners and encourage the use of energy efficient heating options that maintain high air quality.</p>
	<p>Policy 6.8 To manage reverse sensitivity effects generated by land development within the Frankton – Cromwell A 110kV high voltage transmission corridor in order to avoid, remedy or mitigate adverse effects on both the safe, secure and efficient use and development of the transmission network and the safety and amenity values of the community.</p>
<p>Objective 7 Transport Safe and efficient use of the District’s transport network.</p>	<p>Policy 7.1 To provide safe and efficient road access to the zone from Stalker Road and State Highway 6 (Ladies Mile).</p>
	<p>Policy 7.2 To establish a primary road connection between the zone and the existing development located within Lake Hayes Estate to the east.</p>
	<p>Policy 7.3 To enable the establishment and use of a park and ride facility within the zone to reduce the number of vehicle trips along the State Highway.</p>
	<p>Policy 7.4 To provide a network and facilities that support public transport.</p>
	<p>Policy 7.5 To provide a high level of connectivity throughout the zone and adjacent communities by providing well connected vehicle, pedestrian, and cycling networks.</p>
	<p>Policy 7.6 To ensure development of the zone does not compromise the on-going and future operations of Queenstown Airport.</p>