

S32AA assessment of the updates to the TPLM provisions

The following tables contain the Section 32AA evaluation of the proposed new and / or modified provisions since notification of the TPLM Variation on 27 April 2023 and since the original s32 evaluation report for the proposal was completed.

The evaluation covers changes made in the various versions of the provisions over the course of the process, including the s42A Report, Rebuttal, Hearings and Reply versions.

The s32AA evaluation is at a level of detail that corresponds to the scale and significance of the changes. In some cases, very minor or cosmetic / semantic changes are not evaluated.

In most cases the alternative options are the notified wording of a provision or wording that is (or is similar to and achieves the same intent as) wording sought in submissions. The alternatives have been either directly or generally evaluated, often in considerable detail, in the s42A report, evidence, rebuttal, hearings summaries or Reply statements of witnesses. This level of detail is not repeated in this s32AA evaluation, which should be read in conjunction with the various other documents.

The black text is the notified wording, the **blue** wording is the s42A report version, the **red** wording is the rebuttal version. Amendments that were made post the rebuttal version are in **yellow highlight**. Amendments made during the hearing commencing week 4 Dec 2023 are in **grey highlight**. The final amendments of provisions following the hearing and as recommended in the s42A reply report are in **green bold** text.

Note that there are changes to the Zone Purpose statement at 49.1, but these have not been separately evaluated as the Zone Purpose statement is not part of the objectives, policies or rules

CHAPTER 49: OBJECTIVES AND POLICIES

B.1 Policy 49.2.1.1

Modification to the policy as follows:

- 49.2.1.1 Require that development is **consistent in accordance** (or, for some items, **generally consistent in general accordance**) 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.

The modified policy is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.1</p> <p>Development complements and integrates with adjoining urban development at Te Pūtahi Ladies Mile and development south of State Highway 6.</p>	<p>The change is appropriate in that the wording aligns with established case law as discussed in the Council's closing legal submissions.</p> <p>The distinction between the more locationally fixed items on the Structure Plan and more locationally flexible items is clear in the objective. The distinction is efficient in that it creates certainty for plan users in the cases of the more fixed items and flexibility where appropriate, to be addressed at resource consent stage.</p>

	There are no real costs or benefits arising from the change from “consistent” to “in accordance” as it is largely semantic.
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B.2 Policy 49.2.2.1

Modification to the policy as follows:

49.2.2.1 ...

- 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.

The modified policy is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.2</p> <p>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.</p>	<p>The addition is effective in that it provides certainty that development that is not residential is not subject to the provisions for residential densities.</p> <p>The benefit is the lack of uncertainty and there are no particular costs arising from the addition.</p>

B.3 Policy 49.2.4.2

Modification to the policy as follows:

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

The modified policy is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.4</p> <p>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.</p>	<p>The updated wording is necessary to align with the s6(f) duty to protect historic heritage from inappropriate subdivision, use and development.</p> <p>The wording is therefore, beneficial, appropriate and efficient in giving effect to the matter of national importance.</p> <p>There are no particular costs arising from the updated wording.</p>

B.4 Policies 49.2.5.2, 49.2.5.3, 49.2.5.5, 49.2.5.5A, 49.2.5.5B

Modification to the policies as follows:

- 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
- 49.2.5.5 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](#) [Provide for Limited Residential Visitor Accommodation in the High Density Residential Precinct, consistent with enhancing market attractiveness of and affordability within high density residential developments.](#)
- [49.2.5.5B](#) [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.](#)

The modified policies are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.5 A range of compatible activities are provided for within the Zone.</p>	<p>Policy 49.2.5.2: in a high density and commercial environment adverse effects on amenity values may not be able to be avoided fully but can be mitigated.</p> <p>The change to the policy is therefore appropriate and will be more beneficial, efficient and effective by not overly constraining development where adverse effects on residential amenity can be adequately mitigated but do not necessarily need to be fully avoided.</p> <p>There are no particular costs of the change but there are risks of not making the change in that development could be overly constrained, as above.</p> <p>The policy continues to appropriately implement the objective.</p> <hr/> <p>Policy 49.2.5.3: The addition of <i>health and safety</i> is appropriate as it will support the establishment of emergency services (as sought by Fire & Emergency New Zealand) in the community, as typical community activities.</p> <p>The addition is beneficial as it enhances the range of activities anticipated by the policy and is therefore more efficient and effective in providing for a range of compatible activities in the Zone, and therefore better achieves the objective.</p> <hr/> <p>Policies 49.2.5.5, 49.2.5.5A and 49.5.5B: these changes enable to a limited extent VA and RVA in parts of the Zone, but not in other parts.</p> <p>VA is enabled in the commercial precincts and this is beneficial in enhancing those precincts' commercial viability and market take-up, which will be effective in</p>

	<p>catalysing development in those precincts and hence in the wider Zone.</p> <p>Limited RVA is enabled in the HDR Precinct to also catalyse investment and market opportunity, as addressed in detail in the economists' evidence.</p> <p>The changes are efficient and effective in promoting the viability of development in the Zone while, overall, remaining consistent with the objective.</p> <p>There are costs in the potential loss of some opportunity for some permanent occupants of dwellings, and this is an acknowledged risk, but this is outweighed by the overall economic benefits as discussed above.</p>
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B.5 Objective 49.2.6

The objective is modified as below:

Objective – ~~Development in the Zone~~ Minimises the generation of additional private vehicle trips along State Highway 6, and reduces, as far as practicable, car dependence and private vehicle trips along State Highway 6 generated by the adjoining residential areas at Ladies Mile by promoting travel mode shift, including by providing for a range of activities to serve residents of the Eastern Corridor and the wider Wakatipu Basin; integrating the TPLM Zone with the existing Eastern Corridor communities through roading and active travel links; providing for efficient and convenient public transport and active transport; and requiring medium and high residential densities north of State Highway 6 to sustain public transport and the commercial and social amenities within the Zone.

Discussion: the changes to the objective are beneficial, efficient and effective because they very clearly spell out how the generation of additional private vehicle trips along SH6 are to be minimised and how car dependence and private vehicle trips are to be reduced. It would be difficult for an applicant to argue that low density residential development, in a precinct where medium or higher density is expected, is consistent with the objective.

The changes better align the objective (in combination with the other objectives) with the purpose of the Act because it contributes to how the physical resources are used, developed and protected for well-being while addressing s5(2) matters particularly sustaining the potential of the resources over the short to long term horizons and avoiding, remedying or mitigating adverse effects on the roading network.

There are no costs or risks arising from the updated wording but there are costs and risks by not adopting the changes, including that the objective would not provide sufficient certainty about the methods for traffic minimisation.

B.6 Policies 49.2.6.4 and 49.2.6.5

Modification to the policies as follows:

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 including by the Amenity Access Area on the north side of the State Highway and an active travel route on the south side of the State Highway;
- ~~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.~~

The modified policies are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.6</p> <p>Development in the Zone Minimises the generation of additional private vehicle trips along State Highway 6, and reduces, as far as practicable, car dependence and private vehicle trips along State Highway 6 generated by the adjoining residential areas at Ladies Mile by promoting travel mode shift, including by providing for a range of activities to serve residents of the Eastern Corridor and the wider Wakatipu Basin; integrating the TPLM Zone with the existing Eastern Corridor communities through roading and active travel links; providing for efficient and convenient public transport and active transport; and requiring medium and high residential densities north of State Highway 6 to sustain public transport and the commercial and social amenities within the Zone.</p>	<p>Policy 49.2.6.4(a): the change to this limb of the policy is beneficial in that it clarifies the public spaces on the northern and southern sides of SH6 as active travel routes including to benefit ease of access to public transport along SH6.</p> <p>It is therefore more effective and efficient in achieving the updated objective and its methods for achieving mode shift.</p> <p>There are no costs relating to the updated wording of the policy. There are costs in the use of the land for the AAA and not for development of residential or other uses, but these are outweighed by the need for and benefits of the AAA.</p> <p>Policy 49.3.6.4(b): this deletion is necessary and beneficial because the underpass is now not the preferred method for the “key crossing” of SH6.</p> <p>There are no consequential costs.</p> <p>Policy 49.3.6.5: this change, sought by Waka Kotahi, makes the policy absolute in that the “avoid” is not qualified, and it makes the policy very clear as to the expectations for development.</p> <p>The policy will be effective in avoiding the potential for ad hoc individual developments which in their own right may not have a significant impact on the traffic network but in combination with other similar developments would have.</p> <p>The cost is the potential economic cost to developers (holding costs etc) of development needing to wait for the specific transport infrastructural works to be completed, before coming on stream.</p> <p>This cost is outweighed by the benefit that the policy brings for development to be integrated with transport infrastructure.</p> <p>The wording of the policy better ensures that the policy contributes to achieving the objective.</p>

B.7 Objective 49.2.7

The objective is modified as below:

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.

Discussion: “Attractive” is deleted from the objective because it is very subjective and adds too much complexity and unnecessary uncertainty for applicants and consent authorities in assessing applications. The wording “high level of ... amenity” and “high quality urban design” mean that the objective is already sufficiently subjective for the consent process. There are no costs from the deletion, and benefits and efficiency from the removal of over-subjectivity.

The additions, from Kāi Tahu, are beneficial and effective for ensuring that, during consenting, applicants and the consent authority are required to contemplate the ecological aspects of development and effects on ecological values, and focus on ecological outcomes.

The costs are the potential financial costs to developers of addressing these issues at consenting stage, but these costs are outweighed by the benefits as identified above.

The objective better aligns with and achieves the purpose of the Act because it directly addresses – and hence focuses applicants and consent authorities on – the use, development and protection of natural resources, sustaining the potential of resources over time, and effects of activities on the environment.

B.8 Policies 49.2.7.1, 49.2.7.3 and 49.2.7.5

Modification to the policies as follows:

- 49.2.7.1 ~~Encourage~~ Building design that integrates with public spaces and provides for a pedestrian-friendly environment including active street frontages.
- 49.2.7.5 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.
- 49.2.7.12 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.

The modified policies are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.7</p> <p>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 <u>and ecological</u> outcomes <u>and incorporates indigenous biodiversity in design.</u></p>	<p>Policy 49.2.7.1: “Encourage” is deleted which ensures that building design achieves the matters addressed in the policy. “Encourage” would indicate that there is some latitude to not achieve the matters in the policy, which weakens the overall intent of the policy.</p> <p>The deletion is therefore beneficial, efficient and effective in strengthening the policy. There would be costs to developers who may have otherwise potentially put forward designs that may not achieve the matters in the policy, but these are outweighed the benefits.</p> <p>The policy better aligns with and achieves the objective which is clear in its intent.</p>

	<p>Policy 49.2.7.5: the changes are beneficial and add effectiveness and strength to the policy and how effects of storage areas and parking are managed, including not just within the TPLM Zone but on adjoining zones. This better aligns the policy with objective that does not confine itself to the zone only.</p> <p>There are no particular costs arising from the changes except in the effort that applicants will need to go to achieve the policy, and this is outweighed by the benefits.</p>
	<p>Policy 49.2.7.12: the additions acknowledge that privacy expectations are different with the higher density environment than in other typologies, while still promoting high amenity. The additions are beneficial in this regard and will allow more efficiency in development.</p> <p>There are no particular costs; potential purchasers of units will be able to weigh up their privacy needs.</p>

B.9 Objective 49.2.8

The objective is modified as below:

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.

Discussion: the additions to the objective are beneficial because they better focus the objective on the integrated approach to stormwater management. This is a significant issue for the TPLM Variation, in the context of the sensitivity of downstream receiving environments, especially [Waiwhakaata/Lake Hayes](#), and the need for an integrated stormwater management approach which overall is intended to reduce downstream risks.

The additions, along with the relevant Chapter 49 policies and rules and the provisions in Chapter 27, are effective and efficient for setting a high bar for development on stormwater management, and thus better serves the purpose of the Act, in relation to the use, development and protection of natural resources, sustaining the potential of resources, and effects on the environment.

CHAPTER 49 – RULES

B.10 Rule 49.4.1 and 49.4.1A Residential Activity

The rule is modified as below:

	Activities located in the Te Pūtahi Ladies Mile Zone	Activity Status
49.4.1	Residential Activity <u>on the ground floor of the Commercial Precinct</u>	<u>NC</u>
<u>49.4.1A</u>	<u>Residential Activity not otherwise listed</u>	<u>P</u>

The modified rules are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	<p>Discussion:</p> <p>Appropriateness, Effectiveness and Efficiency, Costs and Benefits</p>
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<p>Objective 49.2.3</p> <p>The Commercial Precinct is compact, convenient and accessible for meeting the needs of local residents</p>	<p>The change to Rule 49.4.1 ensures that the ground floor of the Commercial Precinct is protected for commercial activities, which is necessary and appropriate to enhance the viability and vitality of the commercial environment sought in that Precinct.</p> <p>The change to Rule 49.4.1A is consequential.</p> <p>The changes are beneficial and effective and efficient as they are clear as to the expectations for activities.</p> <p>There are no costs other than the potential cost to a developer who may wish to provide residential at the ground floor perhaps in the interim before the commercial viability arises, and this can be addressed through the consented process if necessary.</p> <p>The policy will ensure that the rules achieve the objective.</p>
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B.11 Rule 49.4.4 Residential Units

The rule is modified as below:

	Activities located in the Te Pūtahi Ladies Mile Zone	Activity Status
<p>49.4.4</p>	<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> <ul style="list-style-type: none"> 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; b. how the design advances achieves housing diversity, including the range of unit types to achieve a diverse range of choice including size, typology and affordability; ... <u>j. The information requirements for stormwater management specified by Rule 27.7.28.1.</u> 	<p>RD</p>

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

<p>Relevant Objective(s)</p>	<p>Discussion:</p> <p>Appropriateness, Effectiveness and Efficiency, Costs and Benefits</p>
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<p>Objective 49.2.1</p> <p>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.</p>	<p>Limb (b) of the rule: the change to “achieves” is beneficial as it makes it very clear as to the expectation for housing diversity.</p> <p>The changes ensures that the rule better aligns with and achieves the relevant objective 49.2.1 which seeks that development <u>achieves</u> housing diversity.</p> <p>The rule therefore is more effective and efficient in achieving the objective.</p>
<p>Objective 49.2.7</p> <p>An <u>attractive</u> built environment that positively responds to streets and open spaces, provides a high level of residential and neighbourhood amenity, achieves high quality urban design <u>and ecological</u> outcomes <u>and incorporates indigenous biodiversity in design.</u></p> <p>Objective 27.3.24</p> <p>Objective – Urban development comprising a mix of medium and high density housing, commercial centres, schools, <u>ecological corridors and areas for stormwater management</u>, and open spaces for active and informal recreation, and a network of walkways and cycleways, that:</p> <ul style="list-style-type: none"> 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. 	<p>Limb (j): the addition of this limb is consequential from the strengthening of the stormwater management provisions in Chapter 27 (Subdivision) and the information requirements, which are cross-referenced in the land use provisions of Chapter 49.</p> <p>The addition ensures that applicants at land use stage are aware of their obligations in relation to stormwater management and is effective and efficient in that regard.</p> <p>The cross-referencing is efficient in that it reduces the need for repetition in the sections of the PDP.</p> <p>There are no particular costs arising from the addition of the provisions – the requirement for attention to stormwater management is essentially a compulsory aspect of the TPLM Variation.</p>

B.12 Rule 49.4.5 and Rule 49.4.5A Residential Visitor Accommodation and Visitor Accommodation

The rules are modified as below:

	Activities located in the Te Pūtahi 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
49.4.5A	<u>Residential Visitor Accommodation in the High Density Residential Precinct</u>	P
49.4.33	Visitor Accommodation <u>in the Glenpanel Precinct; and</u>	NC <u>D</u>

	in the Commercial Precinct (above ground floor only)	
Table 1	Standards for activities located in the Low Density Residential Precinct	Activity Status
<u>49.5.36A</u>	<p><u>Residential Visitor Accommodation in Sub-Area H2</u></p> <p><u>49.5.X.X</u> <u>The activity is on a lot greater than 2000m² in Sub-Area H2 only and</u></p> <p><u>49.5.X.X</u> <u>The activity complies with the standards specified in 11.5.13 of the Large Lot Residential (A) Zone.</u></p>	<u>NC</u>
<u>49.5.36B</u>	<u>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).</u>	<u>As required by Rules 11.5.1 – 11.5.4</u>
Table 2	Standards for activities located in the Medium Density Residential Precinct and the High Density Residential Precinct	Activity Status
<u>49.5.36C</u>	<p><u>Residential Visitor Accommodation in the HDR Precinct, where:</u></p> <p><u>49.5.36.1</u> <u>The activity is For Residential Visitor Accommodation within a building of at least four storeys:</u></p> <ol style="list-style-type: none"> a. <u>A maximum of 25% 50% of the units within a building are allowed to be available for Residential Visitor Accommodation.</u> b. <u>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> c. <u>The number of guests must not exceed two adults per bedroom and the total number of adults and children must not exceed:</u> <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>9 in a three-bedroom residential unit</u> d. <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</u> <p><u>49.5.36.2</u> <u>For Residential Visitor Accommodation within a building of three storeys or less the total number of nights does not exceed 30 nights per annum from the date of initial registration.</u></p> <p><u>Notes:</u></p> <ol style="list-style-type: none"> (a) <u>The activity is registered with Council prior to commencement.</u> (b) <u>Up to date records of the Residential Visitor Accommodation activity must be kept including a record of the date and duration of quest stays and the</u> 	<u>NC</u>

	<p><u>number of guests staying per night, and in a form that can be made available for inspection by Council with 24 hours' notice.</u></p> <p>(c) <u>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</u></p>	
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The modified rules are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.2 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.</p> <p>Objective 49.2.5 A range of compatible activities are provided for within the Zone.</p>	<p>Rules 49.4.5, 49.4.5A and 49.4.39: the s32AA evaluation in relation to VA and RVA policies, at B.4 above (Policies 49.2.5.5, 49.2.5.5A and 49.2.5.5B) is directly applicable to these rules and is not repeated. The same evaluation applies as the rules give effect to the policies, and therefore achieve the objective.</p> <p>Visitor Accommodation in the Commercial and Glenpanel Precincts is a discretionary activity to reflect the intention that VA is anticipated in these precincts but will still need the stringency of a discretionary consent process to test the proposal as to how it fairs under the objectives and the over-riding intent of the Zone to be primarily for permanent residents. This is preferred over the NC status which is too discouraging.</p> <p>The D status is appropriate, beneficial and efficient because it applies an adequate level of rigour, in the circumstances.</p> <p>Rules 49.5.14A – (in relation to RVA in Sub-Area H2): the provisions enable “grandfathering” of the RVA provisions in the Large Lots Residential A zone which is the operative zoning of Sub-Area H2.</p> <p>The rule is efficient and effective in allowing those lot owners who wish to retain their existing rights as if their lot were still zoned LLR-A, including for RVA.</p> <p>There are no particular costs associated with this change as the lots that remain at 2000m² would not be contributing meaningfully to the permanent residential housing stock of the district, and RVA is appropriate for those lots.</p> <p>The change therefore does not mean that the rule is contrary to the objectives.</p> <p>Rules 49.5.36A – (in relation to RVA in the HDR Precinct): the quantum of percentage of units and nights available for RVA have been addressed in detail in the rebuttal evidence (J Brown, S Fairgray) and by various parties’ planners and economists, and the rationale for them is explained in those documents. It is not necessary to repeat it here.</p> <p>The provisions are beneficial in that they promote a limited ability for RVA in the HDR Precinct, to catalyse development, while being mindful of potential effects on residential amenity and on permanent residential</p>

	<p>communities. The provisions are effective and efficient in this regard.</p> <p>There are costs associated with the inability for all units to be used for RVA but these are outweighed by the benefits of retaining as many units as possible for permanent residential accommodation. There is a consenting pathway should that be necessary if the economics demonstrates that the RVA is necessary to get a development funded and underway.</p> <p>The remaining wording is consistent with the other zones in the PDP that provide for RVA, and have already been tested through the PDP and s32 process.</p>
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B.13 Rule 49.4.7 Residential Flats

The rule is modified as below:

	Activities located in the Te Pūtahī Ladies Mile Zone	Activity Status
49.4.7	Residential Flats	NC

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.2</p> <p>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.</p>	<p>The discouragement of residential flats is not necessary because they contribute to housing stock and investment (thereby contributing to achieving the objective), and do not contribute to parking because they are required to be part of a residential units' normal parking allocation under the Chapter 29 rules.</p> <p>The rule is therefore beneficial for developers and dwelling owners, and avoids the consenting costs of those seeking a residential flat. This is more therefore efficient.</p>

B.14 Rule 49.4.7 Retirement Villages

The rule is modified as below:

	Activities located in the Te Pūtahī Ladies Mile Zone	Activity Status
49.4.7	Retirement Villages	D

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.2</p>	<p>Retirement villages are a common activity in many residential zones and the TPLM Zone, with its intent for</p>

<p>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.</p>	<p>a range of residential intensities and diversity of housing choice, should provide for them.</p> <p>The addition of the rule is consistent with the Minister's Expectation (i).</p> <p>The rule is beneficial in that it provides for a needed housing typology for a growing demographic.</p> <p>The D status is preferred as this is consistent with most other PDP zones that provide for retirement villages. The rule is efficient and effective in that it provides for the activity subject to consent and the effects (including the effects of the non-residential components of a retirement village, such as administration, common areas, recreation and restaurants etc) can be addressed at consented stage</p> <p>There are no particular costs.</p> <p>The addition will contribute to achieving Objective 49.2.2.</p>
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B.15 Rule 49.4.17 Education Activities

The rule is modified as below:

	Activities located in the Te Pūhahi Ladies Mile Zone	Activity Status
<p>49.4.17</p>	<p>Education Activities within the Low, Medium or High Density Precincts and within the Open Space Precinct for Ministry of Education (or equivalent) operations only</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Traffic generation, access and parking; b. Provision for walkways, cycleways and pedestrian linkages; c. Infrastructure and servicing; and d. Noise effects. 	<p>RD</p>

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.5</p> <p>A range of compatible activities are provided for within the Zone.</p>	<p>The change is appropriate and the provisions are better able to meet Objective 49.2.5 (and Policy 49.2.5.1), to ensure education facilities are not precluded from locating in the Open Space Precinct, should that be a feasible option.</p> <p>This has potential benefits to the TPLM, but potential costs in that the open space and recreation activities could be displaced. That would need to be addressed at such time as the Ministry of Education sought to located education operations in the Open Space precinct, as an RDA.</p> <p>The change is therefore efficient and effective in achieving the objective as it does not preclude options which can be tested at consent stage.</p>

B.16 Rule 49.4.18 Buildings for Non-Residential Activities

The rule is modified as below:

	Activities located in the Te Pūtahi Ladies Mile Zone	Activity Status
49.4.18	<p>Buildings for non-residential activities</p> <p>Discretion is restricted to:</p> <p>...</p> <p>h. Parking and access layout: safety, sufficiency for emergency access, efficiency and impacts on on-street parking and travel management;</p> <p>...</p> <p>j. The information requirements for stormwater management specified by Rule 27.7.28.1</p>	RD

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.2</p> <p>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.</p>	<p>On limb (h): the change is beneficial, effective and efficient in that it clearly indicates that sufficiency of space for emergency vehicle access is required to be considered at consent stage.</p> <p>There are no costs arising, but potentially significant costs and risks of not including the wording if a development does not adequately provide for emergency vehicle access.</p> <p>The change ensures that the Zone is developed efficiently, in line with the objective.</p> <p>On limb (j): this was addressed under B.11 above and the same evaluation applies.</p>

B.17 Rule 49.4.19 Development within the Crossing Curtilage Overlay

The rule is modified as below:

	Activities located in the Te Pūtahi Ladies Mile Zone	Activity Status
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

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.3 The Commercial Precinct is compact, convenient, and accessible for meeting the needs of local residents</p> <p>Objective 49.2.7 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.</p>	<p>The rule is a consequential amendment from the deletion of the preference for an underpass at the key crossing, and the deletion of the crossing curtilage overlay from the notified provisions.</p> <p>The change is necessary and appropriate given the movement in circumstances as the case progressed.</p> <p>There is no impact of the change on the relevant objectives; the provisions will still enable development that positively engages with the AAA fronting the Commercial Precinct.</p> <p>There are no costs arising.</p>

B.18 Rules 49.4.38 and 49.4.39

The rules are modified as below:

	Activities located in the Te Pūtahi Ladies Mile Zone	Activity Status
49.4.38	Service Stations not otherwise listed	PR
49.4.39	Service Stations in the Commercial Precinct	NC

The modified rules are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.3 The Commercial Precinct is compact, convenient, and accessible for meeting the needs of local residents</p> <p>Objective 49.2.5 A range of compatible activities are provided for within the Zone.</p> <p>Objective 49.2.7 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.</p>	<p>Taking into account the economics evidence of Ms Hampson, there are potential benefits of a service station in the Commercial Precinct and the Council witnesses agreed with submitters that a consenting pathway was justified, to not foreclose the opportunity.</p> <p>The NC status was preferred over Discretionary because discouragement of service stations, in the context of the overall intent of the TPLM Variation to promote mode shift and discourage the use of private vehicles.</p> <p>The change is therefore beneficial, efficient and effective in allowing the opportunity for a service station in the Commercial Precinct but subject to stringent testing through the consent pathway.</p> <p>There are no particular costs or risks of adopting the change as these will be tested and understood at consent stage.</p>

B.19 Rule 49.4.38B – storage facilities

The rule is modified as below:

	Activities located in the Te Pūhahi Ladies Mile Zone	Activity Status
49.4.38B	<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>

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.5</p> <p>A range of compatible activities are provided for within the Zone.</p>	<p>The new rule is appropriate for the reasons discussed in the J Brown rebuttal statement at paragraphs 132 – 134 and is supported by the economists. The key benefit of the provisions for a storage facility is the potential contribution to catalysing higher density development as it complements this form of development in an appropriate location.</p> <p>There is a cost associated with the potential loss of land for residential purposes, however the land proposed for the storage facility has less overall amenity than other parts of the HDR Precinct because of the topography and shady aspect.</p> <p>The rule is effective in enabling the facility and is efficient for consenting, providing certainty for an applicant and other plan users.</p> <p>The terms of the rule allow control such that the consent process can determine conditions to achieve the objective.</p>

B.20 Rules 49.4.6A, 49.5.1, 49.5.16, 49.5.16A, and 49.5.16B – residential density and diversity

The rule is modified as below:

	Activities located in the Te Pūtahi Ladies Mile Zone	Activity Status
49.4.6A	<u>Any application under Rule 49.5.16.2(b) for a residential density of less than 40 residential units per hectare</u>	NC
Table 1	Standards for activities located in the Low Density Residential Precinct	Activity Status
49.5.1	Residential Density Maximum residential density of one residential unit per 450 300m ²	NC
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><u>Residential Density</u></p> <p>49.5.16.1 In the Medium Density Residential Precinct, residential development shall achieve a density of at least 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, residential development shall achieve:</p> <p>(a) a density of 60 –72 at least 50 –72 residential units per hectare across the gross developable area of the site; or</p> <p>(b) An average density of at least 55 – 50 residential units per hectare across the gross developable area of the land in the HDR Precinct in the same ownership or control of the applicant.</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> <p>a. Building Restriction areas as shown on the Structure Plan and planning maps;</p> <p>b. Roads, Open Space, Amenity Access Areas and Landscape Buffer as shown on the Structure Plan;</p> <p>c. Stormwater management areas;</p> <p>But including any vested or private roads, reserves, accesses and walkways not shown on the Structure Plan.</p> <p><u>Information requirements for applications under Rule 49.5.16.2(b):</u></p> <p><u>The applicant shall provide a statement (along with any plans and supporting information) demonstrating how future stages of residential development on the site of the application, or on other land in the HDR Precinct in the same ownership or control of the applicant, will attain the average residential density required by Rule 49.5.16.2(b); including the methods to ensure that land allocated for the future stage(s) will be protected for</u></p>	<p>NC</p> <p>NC</p> <p>RD Discretion is restricted to</p> <p>a. the manner by which the average residential density of 50 residential units per hectare across the gross developable area of land will be achieved by future stages of development on land in the HDR Precinct in the same ownership or control of the applicant.</p> <p>b. The mix of housing typologies proposed, and whether and how the</p>

	<p>development so that the average residential density is attained across the current and future stages.</p> <p>Advice note: For the purposes of Rule 49.5.16.2(b), an example of an acceptable method to ensure that land allocated for the future stage(s) will be protected for development so that the average residential density is attained across the current and future stages is a covenant, to which the Council is a party, registered on the title that includes the land to be protected.</p>	<p><u>mix contributes to maximising housing choice in the Zone including by the range of bedroom numbers, accessibility, and housing affordability for the owner / occupier rental markets.</u></p> <p><u>c. whether the applicant has any agreement in place with the Housing Trust or similar organisation for specific provision of community housing.</u></p>
49.5.16A	Any application under Rule 49.5.16.2(b) shall demonstrate how the average residential density shall be achieved by future stages of development on land in the HDR Precinct in the same ownership or control of the applicant.	NC
49.5.16B	Any application under Rule 49.5.16.2(b) for a residential density of less than 40 residential units per hectare.	NC

The modified rules are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.2</p> <p>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.</p> <p>Objective 49.2.6</p> <p>Development in the Zone Minimises the generation of additional private vehicle trips along State Highway 6, and reduces, as far as practicable, car dependence and private vehicle trips along State</p>	<p>Rule 49.5.1: The density provisions in the LDR Precinct are addressed in detail in the s42A Report in Appendix D.</p> <p>Ms Fairgray considers that the PDP LDSR minimum site size of 300m² is likely to be more appropriate in the TPLM location and would be consistent with the intended pattern of development.</p> <p>A residential density of 1 unit per 300m² within the LDR Precinct is appropriate on the basis that density limits under Rule 49.5.11 would restrict total unit numbers in any case, and a smaller lot size would not make any difference to that but would allow more flexibility in the arrangement of the lots; and allow for more variety.</p> <p>The change to the rule therefore is beneficial in that it</p>

<p>Highway 6 generated by the adjoining residential areas at Ladies Mile <u>by promoting travel mode shift, including by providing for a range of activities to serve residents of the Eastern Corridor and the wider Wakatipu Basin; integrating the TPLM Zone with the existing Eastern Corridor communities through roading and active travel links; providing for efficient and convenient public transport and active transport; and requiring medium and high residential densities north of State Highway 6 to sustain public transport and the commercial and social amenities within the Zone .</u></p>	<p>enables more flexibility without allowing greater overall lot numbers in the LPD Precinct. The rule is efficient and effective in this regard also. There are no particular costs arising.</p> <p>The rule with the change better serves the objectives and in addition better serves objectives in the Subdivision chapter relating to innovation of subdivision design and creating high quality environments.</p> <p>Rules 49.4.6A, 49.5.16 and 49.5.16A: The density in the MDR and HDR Precincts is addressed in detail by the economists' evidence and S Fairgray's Rebuttal and S42AReply statements, and in the s42A Report, J Brown Rebuttal evidence at paragraphs 135 – 154 (which included a cost/benefit analysis of the various options being considered), and in this s42A Reply report at Parts 5 and 6.</p>
<p>Objective 27.2.1 Subdivision that will enable quality environments to ensure the District is a desirable place to live, visit, work and play.</p> <p>Objective 27.2.2 Subdivision design achieves benefits for the subdivider, future residents and the community.</p>	<p>In summary, the rules now advanced in the Reply Version are necessary to serve the objectives and appropriately balance the need for maximising density over the medium and longer terms, while sufficiently allowing for development to get underway in the short term (i.e. in the HDR Precinct to a density as low as but not lower than 40 d/ha (under Rule 49.5.6A) while maintaining the focus on attaining a diversity of housing product to contribute to affordability and choice.</p> <p>The benefits of the rule are as above. The cost and potential risk is the possible loss of developer opportunity of developing to lesser densities in the longer term but these are addressed by Ms Fairgray and she finds these costs to be acceptable given that the market uptake of the land will take time – into the longer term – regardless.</p> <p>The rules are effective in ensuring that appropriately medium and high densities will emerge in the TPLM Zone in the short, medium and long term.</p> <p>They are as efficient as possible, in the circumstances, in simultaneously requiring achievement of higher densities over time while enabling lesser densities in the short term, to get development in the HDR Precinct underway.</p>

B.21 Rule 49.5.18 – recession plane in the MDR and HDR Precincts

The rule is modified as below:

<p>Table 2</p>	<p>Standards for activities located in the Medium Density Residential Precinct and High Density Residential Precinct</p>	<p>Activity Status</p>
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<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 Homestead.</p>
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The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.2</p> <p>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.</p>	<p>The additional matter of discretion in relation to Glenpanel are addressed in B.32 below.</p> <p>The changes to the recession plane rule are beneficial in that they enable greater building volume (height of building above ground level) before the recession plane commences. This allows greater flexibility for designers, and is a more efficient use of the land resource.</p> <p>There are potential costs in relation to residential amenity and sunlight access but these are mitigated because all buildings are subject to the same rule, and any perceived change of amenity is expected in a medium density residential environment which are different to the amenity expectations in more spacious low density environments.</p>

	The rule is clear and effective in serving the purpose, along with the other standards, of guiding the expectations for the building envelope.
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B.22 Rule 49.5.20 – roof colour

The rule is modified as below:

Table 2	Standards for activities located in the Medium Density Residential Precinct and High Density Residential Precinct	Activity Status
49.5.20	Roof colour 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 2030%.	RD Discretion is restricted to visual effects on Slope Hill when viewed from above.

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
Objective 49.2.7 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	The rule is beneficial in that it expands the allowable roof colour range and imposes a LRV of 30% (not 20% which was a misprint in the s42A version; the submission by Sanderson Group sought 30%) and will contribute to how the urban form complements the wider landscape and how the urban form is perceived when viewed from higher elevations. The costs are the restriction of roof colours to a certain range which may limit design flexibility and taste, but this cost is considered to be minor in this environment and outweighed by the benefits. The rule is clear for plan users and will be effective in its intent.

B.23 Rule 49.5.22 – minimum boundary setbacks for buildings in the MDR and HDR Precincts

The rule is modified as below:

Table 2	Standards for activities located in the Medium Density Residential Precinct and High Density Residential Precinct	Activity Status
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<p>49.5.22</p>	<p>Minimum boundary setbacks for buildings</p> <p>49.5.22.1 — In the Medium Density Residential Precinct:</p> <ul style="list-style-type: none"> a. Road boundaries: 3m b. All other boundaries: 1.5m c. Garages shall be setback at least 6m from a road boundary. <p>49.5.22.2 — In the High Density Residential Precinct:</p> <ul style="list-style-type: none"> a. All boundaries: 3m 1.5m b. Garages shall be setback at least 6m from a road boundary. <p>Exclusions:</p> <ul style="list-style-type: none"> a. Setbacks do not apply to site boundaries where a common or party wall is proposed between two buildings on adjacent sites. 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>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Any privacy effects created by the proposal on adjacent sites; b. External appearance, location and visual dominance of the building as viewed from the street and adjacent sites; and c. Effects on the safety of the transportation network, including pedestrian safety. d. Heritage values of the Glenpanel Homestead
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The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

<p>Relevant Objective(s)</p>	<p>Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits</p>
<p>Objective 49.2.2</p> <p>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.</p>	<p>The additional matter of discretion in relation to Glenpanel are addressed in B.32 below.</p> <p>The blending of Rules 49.5.22.1 and 2 mean that the setback provisions are the same for the MDR and HDR Precincts. This is appropriate and necessary for ensuring that the desired minimum densities are achieved in both precincts, for the most efficient use of land while taking into account the need for a degree of spaciousness in the high and medium density environments.</p> <p>There are costs in the potential loss of residential amenity but the expectations for residential amenity should not be the same as for a normal low density suburban residential environment. In any case residential amenity is achieved by architectural design and by the various other development standards.</p> <p>The changes contribute to achieving the objective and particularly for the efficient use of land.</p>

B.24 Rules 49.5.17, 49.5.41 – building height in the MDR, HDR and Commercial Precincts

The rule is modified as below:

Table 2	Standards for activities located in the Medium Density Residential Precinct and High Density Residential Precinct	Activity Status
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 <u>Plan</u>.</p> <p>49.5.17.2 Buildings shall achieve the minimum number of storeys where specified on the Structure Plan – Te Pūtahi Ladies Mile Building Heights <u>Plan</u>.</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 <u>Plan</u>.</p>	<p>NC</p> <p>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> <ul style="list-style-type: none"> a. <u>the effects on the ability to achieve the residential density required;</u> b. Any sunlight, shading or privacy effects; c. External appearance, location and visual dominance of the building; d. Provision of sustainable design responses. e. <u>interface between building height requirements outlined in Schedule 49.8 Te Putahi Ladies Mile Structure Plan – Building Heights.</u> f. <u>Heritage values of the Glenpanel Homestead</u>
Table 3	Standards for activities located in the Commercial Precinct and Glenpanel Precinct	Activity Status
49.5.41	Building Height	NC

	<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 Plan</p> <p>...</p> <p>[Glenpanel height – see B.32 below].</p> <p>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 Plan.</p> <p>49.5.41.4 Building height shall not exceed the maximum heights shown on the Te Pūtahi Ladies Mile Structure Plan Building Heights Plan</p>	<p><u>RD</u></p> <p><u>Discretion</u> is restricted to:</p> <p>a. <u>Any sunlight, shading, or privacy effects;</u></p> <p>b. <u>External appearance, location, and visual dominance of the building;</u></p> <p>c. <u>Provision of sustainable design responses;</u></p> <p>d. <u>How the proposal aligns with the over Structure Plan height strategy for the TPLM Zone.</u></p> <p>D</p> <p>RD</p> <p>Discretion is restricted to: ...</p> <p>e. <u>Heritage values of the Glenpanel Precinct</u></p>
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The modified rules are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.2 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.</p> <p>Objective 49.2.4 The Glenpanel Precinct provides for non-residential activities that complement the role of the</p>	<p>Rules 49.5.17 and 49.5.41: in the MDR and HDR and commercial Precincts, the height rules have been changed to enable a degree of or more flexibility. The RDA status is more appropriate than the NC status for height breaches, as discussed in the J Brown Rebuttal statement at paragraphs 157 – 161.</p> <p>The RDA status for building height and number of storeys, with the same matters of discretion, is beneficial, efficient and effective in respect of consenting costs, enabling design innovation, and facilitating higher densities.</p>

<p>Commercial Precinct with development which responds to the character of the area.</p> <p>Objective 49.2.7</p> <p>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.</p>	<p>There are no particular costs. If necessary an application for exceeding the height limits can be notified or limited notified to bring potentially affected parties into the process.</p> <p>The changes are consistent with and potentially better enable achievement of the relevant objectives than the notified provisions.</p> <p>Rule 49.5.41.4: this applies in the Glenpanel Precinct, and the matter of discretion is inserted to address the potential effects of additional building height on the heritage values of the Homestead. In combination with other provisions and the existing Chapter 26 (Historic Heritage) provisions, the matter of discretion is beneficial and effective in that it fulfils the s6(f) duty to protect heritage values of protected items.</p> <p>There are no particular costs of the addition other than the additional layer of analysis at the consenting stage, for any applicant seeking to breach the height limits. These costs would likely otherwise be expected for development within the setting of Glenpanel, which would impose consent costs for assessment of affects on heritage values, regardless of the TPLM Zone provisions.</p> <p>The change is consistent with Objective 49.2.4, for the Glenpanel Precinct.</p>
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B.25 Rules 49.5.2, 49.5.5, 49.5.6, 49.5.11, 49.5.14B, 49.5.14C, 27.6 – specific Koko Ridge provisions

The rules are modified as below:

Table 1	Standards for activities located in the Low Density Residential Precinct	Activity Status
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
49.5.5	Recession plane The following recession planes apply to all buildings: <ol style="list-style-type: none"> Northern boundary: 2.5m and 55 degrees Western and eastern boundaries: 2.5m and 45 degrees Southern boundaries: 2.5m and 35 degrees. Except that: <ol style="list-style-type: none"> gable ends roofs may penetrate the building recession plane by no more than one third of the gable height. recession planes will not apply on boundaries with roads. <u>recession planes will not apply to buildings sharing a common or party wall</u> 	RD Discretion is restricted to any sunlight, shading or privacy effects created by the proposal on adjacent sites.

<p>49.5.6</p>	<p>Minimum Building Setbacks</p> <p>49.5.6.1 Minimum setback from road boundary: 4.5m</p> <p>49.5.6.2 Setback from waterbodies: 7m</p> <p>49.5.6.3 All other boundaries: 2m</p> <p>49.5.6.4 In Sub-Area H1: Minimum setback from boundary with Sub- Area H2: 6m</p> <p>49.5.6.5 <u>In Sub-Area H2: Minimum setback from southern boundary: 4m</u> The minimum setback of buildings from boundaries of sites in contiguous ownership is 0m provided that this does not apply within 20m of the southern boundary of Sub-Area H2, where Rule 49.5.6.3 applies.</p> <p><u>49.5.6.5A</u> <u>In Sub-Area H2: Minimum setback from southern boundary: 4m</u></p> <p>Except that:</p> <ol style="list-style-type: none"> 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. 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. <u>within 4m of a boundary adjacent to the top of an escarpment the storage (temporary or otherwise) of any object greater than 1.5m high is not permitted.</u> <u>setbacks do not apply to site boundaries where a common or party wall proposed between two buildings on adjacent sites provided this does not apply where Rule 49.5.6.5 applies.</u> 	<p>D</p>								
<p>49.5.11</p>	<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="555 1603 1174 1868"> <thead> <tr> <th>Sub Area (as shown on the Structure Plan)</th> <th>Maximum number of residential units</th> </tr> </thead> <tbody> <tr> <td>Sub-Area H1</td> <td>38</td> </tr> <tr> <td><u>Sub-Area H2</u></td> <td><u>108 140</u></td> </tr> <tr> <td>Sub-Area I</td> <td>30</td> </tr> </tbody> </table>	Sub Area (as shown on the Structure Plan)	Maximum number of residential units	Sub-Area H1	38	<u>Sub-Area H2</u>	<u>108 140</u>	Sub-Area I	30	<p>NC</p>
Sub Area (as shown on the Structure Plan)	Maximum number of residential units									
Sub-Area H1	38									
<u>Sub-Area H2</u>	<u>108 140</u>									
Sub-Area I	30									
<p><u>49.5.14B</u></p>	<p><u>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).</u></p>	<p><u>As required by Rules 11.5.1 – 11.5.4</u></p>								

49.5.14C	<p><u>The following rules from Table 2 – Standards for activities located in the Medium Density Residential Precinct will apply to Sub-Area H2 if the provisions in Rule 49.5.6.5 for 0m internal boundary setbacks are utilised.</u></p> <p><u>49.5.19 Landscaped permeable surface</u></p> <p><u>49.5.21 Building coverage</u></p> <p><u>49.5.23 Outlook space</u></p> <p><u>49.5.24 Outdoor living space</u></p> <p><u>49.5.28 Residential storage</u></p> <p><u>49.5.30 Garages</u></p>	As per listed Rule
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The modified rules are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.2 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.</p> <p>Objective 49.2.7 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 <u>and ecological outcomes</u> <u>and incorporates indigenous biodiversity in design.</u></p>	<p>The modifications to the rules for Sub-Area H2 enabling greater residential density within H2 while managing effects of built development on the neighbouring amenity of the Large Lot Residential environment on the lower terrace south of the H2 southern escarpment.</p> <p>The rules therefore manage building height (adjacent to the Corona Trust boundary), building setbacks, and promote the establishment of a “front row” of low density residential density in the part of H2 that sits adjacent to the escarpment. The intention is that the “front row” has a normal low density character while the more intense development – potentially to more medium-scale densities – is internalised and is set back from the escarpment by at least the width of a normal low density residential section.</p> <p>The rules and the reasons for recommending them are set out in the J Brown Rebuttal statement (paragraphs 110 – 128) and in the Reply statement at Part 18, in response to Mr Devlin’s updated provisions.</p> <p>The benefits are that the provisions enable more density within Sub-Area H2 and will effectively and efficiently manage potential adverse effects on amenity values.</p> <p>The cost is the loss of potential density at the escarpment edge. This cost is outweighed by the need to manage amenity effects.</p> <p>The rules package overall is efficient in that provides certainty for plan users.</p> <p>The Reply analysis includes reference to the key policies, particularly Policy 49.2.7.8 in relation to maintaining amenity values of neighbouring properties.</p> <p>In turn, the provisions achieve the relevant objectives for density and diversity) (Objective 49.2.2) and for a high level of neighbourhood amenity (Objective 49.2.7).</p>

B.26 Rule 49.5.10, 49.5.33, 49.5.50, 49.5.56 – transport infrastructure triggers

The rule is modified as below:

	Standards for activities located in the Te Pūtahi Ladies Mile Zone	Activity Status						
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"> <tr> <td>H1 & H2</td> <td>Active travel link to State Highway 6 bus stops</td> </tr> <tr> <td>H2</td> <td>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> <tr> <td>H2</td> <td>Dedicated westbound bus lane on SH6 (Howards Drive to Shotover Bridge (part of NZUP package)) Bus stops on SH6, west of Stalker Road intersection (one on each side of SH6) Stalker Road bus priority NZUP package west of Shotover Bridge</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	H2	Dedicated westbound bus lane on SH6 (Howards Drive to Shotover Bridge (part of NZUP package)) Bus stops on SH6, west of Stalker Road intersection (one on each side of SH6) Stalker Road bus priority NZUP package west of Shotover Bridge	NC
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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> <table border="1"> <tr> <td>Sub-Area</td> <td>Transport infrastructural works</td> </tr> </table>	Sub-Area	Transport infrastructural works	NC				
Sub-Area	Transport infrastructural works							

	<p>A</p> <p>A, B</p> <p>C, E</p> <p>F, G</p> <p>A, B, C, E, F, G</p>	<p>Intersection on Lower Shotover Road at Spence Road</p> <p>Bus stops on State Highway 6, west of the Stalker Road intersection (one on each side of State Highway 6)</p> <p>Safe Ppedestrian cycle crossing of State Highway 6 / west of Stalker Road intersection</p> <p>Upgrades to the existing signalise SH6 / Stalker Road intersection.</p> <p>Stalker Road bus priority</p> <p>Appropriately upgraded li Intersection on State Highway 6 at Howards Drive</p> <p>Upgrades to the existing signalise SH6 / Howards Drive intersection.</p> <p>Bus stops on State Highway 6, west of Howards Drive intersection (one on each side of the State Highway 6)</p> <p>Safe Ppedestrian / 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>Stalker Road bus priority</p> <p>Eastern Roundabout on State Highway 6</p> <p>Bus stops on State Highway 6 west of the Eastern Roundabout (one on each side of the State Highway 6)</p> <p>Safe Ppedestrian / cycle crossing of State Highway 6 west of the Eastern Roundabout</p> <p>Dedicated westbound bus lane on SH6 (Howards Drive to Eastern roundabout (not included in NZUP package))</p> <p>NZUP package west of Shotover Bridge</p> <p>Dedicated westbound bus lane on State Highway 6 ((Howards Drove to Shotover Bridge (part of NZUP package));NZUP package west of Shotover Bridge</p>	
<p>49.5.50</p>	<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</p>	<p>NC</p>	

	<p><u>corresponding transport infrastructural works for the Sub-Area are completed</u></p> <table border="1"> <thead> <tr> <th data-bbox="549 264 719 315">Sub-Area</th> <th data-bbox="719 264 1264 315">Transport infrastructural works</th> </tr> </thead> <tbody> <tr> <td data-bbox="549 315 719 645">B</td> <td data-bbox="719 315 1264 645"> <p>Appropriately upgraded Intersection on Lower Shotover Road at Spence Road</p> <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</u> Pedestrian/ cycle crossing of State Highway 6 west of Stalker Road intersection</p> <p><u>Upgrade to signalise SH6 / Stalker Road intersection</u></p> </td> </tr> <tr> <td data-bbox="549 645 719 1205">D</td> <td data-bbox="719 645 1264 1205"> <p>Appropriately upgraded Intersection on State Highway 6 at Howards Drive</p> <p>Upgrades to the existing signalise SH6 / Stalker Road Howards Drive intersection.</p> <p>Bus Stops on State Highway 6, west of Howards Drive intersection (one on each side of the SH6)</p> <p><u>Safe</u> Pedestrian/ cycle crossing of State Highway 6 east of Howards Drive intersection <u>at the location shown on the Structure Plan as Key Crossing (+/- 40m)</u></p> <p><u>Except that in the case of the supermarket under Rule 49.4.14 the only transport infrastructural work that applies is:</u></p> <p><u>Upgrades to the existing SH6 / Howards Drive intersection.</u></p> </td> </tr> <tr> <td data-bbox="549 1205 719 1400">B, D</td> <td data-bbox="719 1205 1264 1400"> <p><u>Dedicated westbound bus lane on State Highway 6 (Howards Drive to Shotover Bridge (part of NZUP package)).</u></p> <p><u>Stalker Road bus priority</u></p> <p><u>NZUP package west of Shotover Bridge</u></p> </td> </tr> </tbody> </table>	Sub-Area	Transport infrastructural works	B	<p>Appropriately upgraded Intersection on Lower Shotover Road at Spence Road</p> <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</u> Pedestrian/ cycle crossing of State Highway 6 west of Stalker Road intersection</p> <p><u>Upgrade to signalise SH6 / Stalker Road intersection</u></p>	D	<p>Appropriately upgraded Intersection on State Highway 6 at Howards Drive</p> <p>Upgrades to the existing signalise SH6 / Stalker Road Howards Drive intersection.</p> <p>Bus Stops on State Highway 6, west of Howards Drive intersection (one on each side of the SH6)</p> <p><u>Safe</u> Pedestrian/ cycle crossing of State Highway 6 east of Howards Drive intersection <u>at the location shown on the Structure Plan as Key Crossing (+/- 40m)</u></p> <p><u>Except that in the case of the supermarket under Rule 49.4.14 the only transport infrastructural work that applies is:</u></p> <p><u>Upgrades to the existing SH6 / Howards Drive intersection.</u></p>	B, D	<p><u>Dedicated westbound bus lane on State Highway 6 (Howards Drive to Shotover Bridge (part of NZUP package)).</u></p> <p><u>Stalker Road bus priority</u></p> <p><u>NZUP package west of Shotover Bridge</u></p>	
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B, D	<p><u>Dedicated westbound bus lane on State Highway 6 (Howards Drive to Shotover Bridge (part of NZUP package)).</u></p> <p><u>Stalker Road bus priority</u></p> <p><u>NZUP package west of Shotover Bridge</u></p>									
49.5.56	<p>Staging development to integrate with transport infrastructure Development (except for utilities, <u>the specified transport infrastructural works and</u> 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"> <thead> <tr> <th data-bbox="549 1720 719 1771">Sub-Area</th> <th data-bbox="719 1720 1264 1771">Transport infrastructural works</th> </tr> </thead> <tbody> <tr> <td data-bbox="549 1771 719 2020">J</td> <td data-bbox="719 1771 1264 2020"> <p>Appropriately upgraded Intersection on State Highway 6 at Howards Drive</p> <p>Upgrades to the existing signalise SH6 / Stalker Road Howards Drive intersection.</p> <p>Bus Stops on State Highway 6, west of Howards Drive intersection (one on each side of SH6)</p> <p><u>Safe</u> Pedestrian / cycle crossing of State</p> </td> </tr> </tbody> </table>	Sub-Area	Transport infrastructural works	J	<p>Appropriately upgraded Intersection on State Highway 6 at Howards Drive</p> <p>Upgrades to the existing signalise SH6 / Stalker Road Howards Drive intersection.</p> <p>Bus Stops on State Highway 6, west of Howards Drive intersection (one on each side of SH6)</p> <p><u>Safe</u> Pedestrian / cycle crossing of State</p>	NC				
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		<p>Highway 6 east of Howards Drive intersection <u>at the location shown on the Structure Plan as Key Crossing (+/- 40m)</u></p> <p><u>Dedicated westbound bus lane on SH6 (Howards Drive to Shotover Bridge (part of NZUP package))</u></p> <p><u>Stalker Road bus priority</u></p> <p><u>NZUP package west of Shotover Bridge</u></p>	
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The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.6</p> <p><u>Development in the Zone</u></p> <p><u>Minimises the generation of additional private vehicle trips along State Highway 6, and reduces, as far as practicable, car dependence and private vehicle trips along State Highway 6 generated by the adjoining residential areas at Ladies Mile by promoting travel mode shift, including by providing for a range of activities to serve residents of the Eastern Corridor and the wider Wakatipu Basin; integrating the TPLM Zone with the existing Eastern Corridor communities through roading and active travel links; providing for efficient and convenient public transport and active transport; and requiring medium and high residential densities north of State Highway 6 to sustain public transport and the commercial and social amenities within the Zone.</u></p>	<p>The rationale for the staging provisions is addressed in extensively in the s32 evaluation (para reference), the s42A report (at parts 10, 11 (Themes D and H), 15 and Appendix D), in the EIC of the traffic witnesses particularly Mr Shields and Mr Smith, and in their subsequent rebuttal / reporting back to the Panel; and more recently Mr Shields' s42A Reply statement in which he focuses on the individual triggers for the various Sub-Areas and provides further analysis and rationale for each trigger.</p> <p>In summary the traffic infrastructure staging provisions are necessary interventions for the circumstances of the existing traffic congestion on SH6 and the introduction of new urban development east of the Shotover Bridge.</p> <p>The provisions as now supported by Mr Shields are the most appropriate option. The only other options available are:</p> <ul style="list-style-type: none"> to not urbanise the land. For the reasons discussed in the s42A report at Part 10 (rationale for the TPLM Variation), this is not an appropriate alternative; to adopt Mr Smith's position of requiring far more of the transport infrastructure to be in place prior to any development within the TPLM Zone. For the reasons provided by Mr Shields in his Reply statement (paragraphs 11 – 29) I consider that Mr Shields' structure of triggers (with triggers tied more specifically to Sub-Areas) is preferable, for progressive integration of development and infrastructure. <p>The benefits of the infrastructure staging provisions are the integration of the infrastructure with development, to ensure development does not precede the infrastructure works, and thereby avoiding adverse effects of exacerbating traffic congestion at peak periods on SH6.</p> <p>The cost and risk of not acting is the loss of development opportunities in the various Sub-Areas, during the interim period while the relevant infrastructure works are completed.</p> <p>The costs are significantly outweighed by the benefits.</p>

	<p>The staging rules are an efficient and effective method for managing the effects of development on the traffic network. They are certain, and provide all plan users with clear expectations.</p> <p>The staging provisions directly achieve the relevant objective and achieving the minimisation of generation of additional private vehicle trips on SH6, and the promotion of modal shift.</p>
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B.27 Rule 49.5.15, 49.5.37, 49.5.53 – Structure Plan amendments

The rules are modified as below:

	Standards for activities located in the Te Pūtahi Ladies Mile Zone	Activity Status
49.5.15	<p>Development shall be consistent in accordance 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. <u>The location of items identified with a * on the Structure Plan shall be generally consistent in general accordance with the Structure Plan.</u> 	NC
49.5.37	<p>Development shall be consistent in accordance 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 where Collector Road Type C intersects with State Highway 6 may be varied by up to 20m to integrate with this intersection The location of the Key Crossing shown on the Structure Plan may be varied by up to 3040m. <u>The location of items identified with a * on the Structure Plan shall be generally consistent in general accordance with the Structure Plan.</u> 	NC
49.5.53	<p>Development shall be consistent in accordance with the Structure Plan at 49.8, except the location of items identified with a * on the Structure Plan shall be <u>generally consistent in general accordance with the Structure Plan.</u></p>	NC

The modified rules are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion:
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	Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.1 Development complements and integrates with adjoining urban development at Te Pūtahi Ladies Mile and development south of State Highway 6.</p>	<p>The change from “consistent with” / “generally consistent with” to “in accordance with” / “in general accordance with” is discussed in B.1 above and is not repeated here.</p>

B.28 Rule 49.5.36B – landscape buffer at Sub-Area A northern boundary

The rule is modified as below:

	Standards for activities located in the Te Pūtahi Ladies Mile Zone	Activity Status
<u>49.5.36B</u>	<p><u>Landscape buffer</u></p> <p><u>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:</u></p> <ul style="list-style-type: none"> • <u>a diverse range of 70% native species with a minimum plant spacing of 1.5m to enhance biodiversity values.</u> • <u>no less than 30% of planting which will reach a mature height of over 10 meters.</u> • <u>no less than 30% of planting which shall reach a mature height of over 4 meters.</u> • <u>the balance of the species can be shrubs and small trees which contribute to biodiversity and amenity values.</u> 	<p><u>RD</u></p> <p><u>Discretion is restricted to:</u></p> <ol style="list-style-type: none"> a. <u>Effects on, or contribution to, biodiversity and amenity</u> b. <u>Screening benefits or effects to adjacent properties</u>

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.7 An <u>attractive</u> built environment that positively responds to streets and open spaces, provides a high level of residential and neighbourhood amenity, achieves high quality urban design <u>and ecological</u> outcomes <u>and incorporates indigenous biodiversity in design.</u></p>	<p>This addition (as sought by a neighbouring landowner) is an appropriate addition to manage the effects of TPLM Zone MDR Precinct development on neighbouring rural land to the northwest.</p> <p>The benefits are that MDR Precinct development can locate along the zone boundary while avoiding or mitigating effects on the land beyond.</p> <p>There are no costs other than the costs of installing the buffer planting, which is minor in this context, and is outweighed by the benefits.</p> <p>The provisions are effective and efficient as they provide clarity of the expectation and certainty for plan users.</p>

B.29 Rules 49.5.14D, 49.5.36C, 49.5.52A and 49.5.57A – Code Compliance Certificate

The rules are modified as below:

	Standards for activities located in the Te Pūtahi Ladies Mile Zone	Activity Status
<u>49.5.36C</u>	<u>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.</u>	<u>NC</u>
<u>49.5.14D</u>	<u>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.</u>	<u>NC</u>
<u>49.5.52A</u>		
<u>49.5.57A</u>		

The modified rules are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.6</p> <p>Development in the Zone Minimises the generation of additional <u>private</u> vehicle trips along State Highway 6, and reduces, as far as practicable, <u>car dependence and private</u> vehicle trips along State Highway 6 generated by the adjoining residential areas at Ladies Mile <u>by promoting travel mode shift, including by providing for a range of activities to serve residents of the Eastern Corridor and the wider Wakatipu Basin; integrating the TPLM Zone with the existing Eastern Corridor communities through roading and active travel links; providing for efficient and convenient public transport and active transport; and requiring medium and high residential densities north of State Highway 6 to sustain public transport and the commercial and social amenities within the Zone.</u></p>	<p>This additional rule (added into the standards for each precinct) provides certainty as to the relationship between a development and the corresponding infrastructure staging works for the Sub-Area. The provision enables a developer to get on with design, consenting and construction, but cannot obtain a CCC, and therefore cannot commence with occupation of the building, until the infrastructure works are completed.</p> <p>The benefit of the rule is it signals to developers that they can commence their planning and construction in parallel with the infrastructure works but cannot occupy the building and hence cannot start generating traffic associated with the use of that building until the infrastructure is operational.</p> <p>There are no particular costs arising from this provision other than the potential risk to a developer of a long time lag between completion of the construction of a building before the infrastructure is completed. That risk would be weighed up by the developer at the time.</p> <p>The provision is effective and efficient as it provides clarity of the expectation and certainty for plan users.</p>

B.30 Rule 49.5.38 – retail activity

The rule is modified as below:

	Standards for activities located in the Te Pūtahi Ladies Mile Zone	Activity Status
49.5.38	<p>Retail activity</p> <p>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.</p> <p>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 24000m².</p> <p>49.5.38.3 The single retail tenancy retailing grocery products provided for in Rule 49.4.14 shall not front the State Highway.</p>	NC

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.2 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.</p> <p>Objective 49.2.3 The Commercial Precinct is compact, convenient, and accessible for meeting the needs of local residents.</p>	<p>The increase of the allowable size of the supermarket in the Commercial Precinct is based on Ms Hampson's EIC (paragraphs 62 to 67) rationale.</p> <p>The benefit of the increase in size allowable is the stronger attraction of the Zone to a supermarket operator, and to potentially (along with relaxation of infrastructure staging rules for the supermarket) see an early uptake of the supermarket opportunity which may catalyse development of the Commercial Precinct and begin to see reductions in private vehicle trips westwards.</p> <p>There are no particular costs arising, taking into account Ms Hampson's view about acceptable retail distribution effects arising from the Commercial Precinct and the larger supermarket.</p> <p>The rule is efficient and effective as it provides clarity of the expectation and certainty for plan users including supermarket operators.</p>

B.31 Rule 49.5.38 – recession plane

The rule is modified as below:

	Standards for activities located in the Te Pūtahi Ladies Mile Zone	Activity Status
49.5.41A	<p><u>Recession Plane</u></p> <p><u>Where the Commercial Precinct boundary adjoins the MDR or HDR Precinct, the sunlight recession plane standard of the MDR or HDR Precinct, as applicable, shall apply to any building within the Commercial Precinct.</u></p>	<p><u>RD</u></p> <p><u>Discretion is restricted to:</u></p> <p><u>a. the effects on residential amenity, dominance and</u></p>

		<p><u>access to sunlight;</u></p> <p><u>b. the effects on the amenity of, and sunlight access to, streets and other public areas.</u></p>
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The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.7</p> <p>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 <u>and ecological</u> outcomes <u>and incorporates indigenous biodiversity in design.</u></p>	<p>This provision is addressed by Mr Lowe in his Reply statement and in response to questions from the Panel.</p> <p>The benefit of the rule is it provides additional mitigation of potential effects of built commercial development within the Commercial Precinct on the surrounding residential precincts.</p> <p>The cost is the loss of possible gross floor area within the Commercial Precinct through needing to comply with the recession plane provisions.</p> <p>That cost is outweighed by the benefits. The default status is RD, therefore there is a consenting pathway, with matters of discretion to guide applicants and the consent authority. This mitigates those costs to some degree.</p> <p>The rule is efficient and effective in that it provides clarity of the expectation and certainty for plan users.</p> <p>It contributes overall to achieving Objective 49.2.7.</p>

B.32 Policies 49.2.4.2, 49.2.4.2B and Rules 49.4.38D, 49.5.41 – specific Glenpanel provisions

Modification to the policies are as follows:

49.2.4.2 Require development within the Glenpanel Precinct to protect the historic heritage values of the Glenpanel Homestead and its setting (the setting includes the established Homestead grounds) and manage adverse effects of development on ~~the historic heritage values of Glenpanel Homestead and its setting.~~

49.2.4.2B Enabling additional building height provided such intensification is undertaken in accordance with best practice urban design principles and adverse effects on heritage and character attributes of the Glenpanel homestead and gardens are avoided or satisfactorily mitigated.

The modified policies are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits

Objective	
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The rules are modified as below:

	Activities located in the Te Putahi Ladies Mile Zone	Activity Status
<u>49.4.38D</u>	<u>Buildings within the area marked A on the Building Heights Plan for the Glenpanel Precinct</u>	<u>NC</u>
Table 3	Standards for activities located in the Commercial Precinct and the Glenpanel Precinct	Non-compliance status
49.5.41	Building Height	RD
	49.5.41.1 Buildings shall not exceed the maximum number of storeys shown on the Te Pūtahi Ladies Mile Building Heights Plan.	Discretion is restricted to: a. ... <u>e. Heritage values of the Glenpanel Precinct</u>
	49.5.41.2 In the Glenpanel Precinct, <u>within the area marked B on the Glenpanel Building Heights Plan</u> building height shall not exceed 8m.	D
	...	
	49.5.41.4 <u>Unless otherwise specified, B</u> building height shall not exceed the maximum heights shown on the Te Pūtahi Ladies Mile Building Heights Plan.	RD Discretion is restricted to: ... <u>f. Heritage values of the Glenpanel Precinct</u>

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.4</p> <p>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.</p> <p>Objective 49.2.7</p> <p>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 <u>and ecological outcomes and incorporates indigenous biodiversity in design.</u></p>	<p>The building height issue at Glenpanel has been debated between witnesses and the most appropriate outcome, which balances the need to protect Glenpanel's heritage values with the intention to develop much of the TPLM Zone intensely. The issue is summarised in the s42A Reply at Part 14.</p> <p>The provisions establish a 40m setback from the Glenpanel Homestead, within which new buildings are non-complying, and thereafter a further 40m setback distance to the northeast and southwest where building heights of 8m are permitted, with RDA status for buildings higher than 8m. The matters of discretion address the effects of higher height on the heritage values of the homestead.</p> <p>Beyond the extended setback areas, the maximum building height is 17m.</p>

	<p>The new height regime is beneficial in balancing heritage values and efficient development of land.</p> <p>The cost is the loss of potentially developable land, but this is outweighed by the s6(f) duty to protect historic heritage.</p> <p>The rules, along with the new plan setting out the height areas A and B (which is to become part of the Building Heights Plan) are clear for plan users and therefore effective and efficient.</p>
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B.33 Rule 49.5.47 – lighting and glare

The rule is modified as below:

	Standards for activities located in the Te Pūtahi Ladies Mile Zone	Activity Status
49.5.47	Lighting and Glare	RD
	<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>	Discretion is restricted to effects of light and glare on amenity values, the transportation network, ecological health and the night sky.
	<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 (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>	

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.7</p> <p>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.</p>	<p>The addition of “ecological health” into the matter of discretion recognises the potential effects of lighting on wildlife, particularly nesting birds. This has been addressed by Ms Palmer in her EIC (paragraphs 130 to 132).</p> <p>The benefit is the additional focus that plan users may need when contemplating any breach to the lighting standards.</p> <p>The cost is the additional consenting cost for an ecological assessment that an applicant seeking to</p>

	<p>breach the lighting standard would be required to provide, as necessary, at consenting stage.</p> <p>I consider that the benefits outweigh the costs given the threat status of some native bird species, as discussed by Ms Palmer.</p> <p>The rule is efficient and effective in that it provides clarity of the expectation and certainty for plan users.</p> <p>It contributes overall to achieving Objective 49.2.7 which relates to ecological outcomes and indigenous biodiversity.</p>
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B.34 Rules – Non-notification of Applications

Modification to the rules as follows:

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.

49.6.1.2 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.](#)

The modified rules are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 27.3.24</p> <p><u>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:</u></p> <p>a) <u>complements and integrates with existing urban development and the surrounding landscapes; and</u></p> <p>b) <u>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.</u></p> <p>Objective 49.2.8</p> <p>Development that supports resilience to, <u>and mitigation of,</u> the current and future effects of climate</p>	<p>The additional wording in relation to stormwater management is essential to achieve the integrated stormwater management system for the Zone north of SH6, and was generally agreed in planning caucusing as a necessary component for ensuring that landowners are collaborating and co-operating in achieving the integrated system, in the circumstances where the stormwater system, while required to be integrated, would be constructed in stages, as different developers will develop at different times.</p> <p>The benefit of the notification rule changes is that all relevant parties including Kāi Tahu and neighbours are required to be consulted with on stormwater management. This will ensure that a developer does not pursue a system on their land that would be incompatible and dis-integrated with the system upstream or downstream, and therefore compromising the overall goal of a catchment-wide integrated system.</p> <p>The costs are the direct costs associated with consultation, and the transaction costs of a notified or limited notified process if agreement with affected parties cannot be reached.</p>

<p>change and contributes to an integrated approach to stormwater management.</p>	<p>In the circumstances of sensitive receiving environments, the benefits of the provisions outweigh the costs.</p> <p>The provisions are clear and certain and will be effective in facilitating (indeed requiring) consultation, with the further intention of collaboration and agreement, if that can be achieved without a contested hearing.</p> <p>The provisions will contribute to achieving the relevant objectives for an integrated stormwater management system and the ecological benefits that derive from that, and avoiding the ecological costs of a dis-integrated system.</p>
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B.35 Assessment Matters for Site and Building Design

Modification to the Assessment Matters as follows:

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 Homestead and wider setting with specific regard given to the Homestead, its grounds, and the existing driveway.](#)

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](#)

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

...

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.

g. Accessibility

...

- 49.7.2 For any residential building ~~in the High Density Residential Precinct~~ containing **25** **10** 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 and to facilitate active and public transport including to and from educational activities;
 - ii. Key performance targets; and
 - iii. Monitoring and reporting methods.

The modified Assessment Matters are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.2</p> <p>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.</p> <p>Objective 49.2.7</p> <p>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 <u>and ecological outcomes and incorporates indigenous biodiversity in design.</u></p> <p>Objective 49.2.8</p> <p>Development that supports resilience to, <u>and mitigation of,</u> the current and future effects of climate change <u>and contributes to an integrated approach to stormwater management.</u></p>	<p>Assessment Matter (a)(iii): this applies in respect of the assessment of a development in the context and character of the surroundings is proposed to include additions for the Glenpanel Precinct: <u>integrates with, protects and enhances the character and heritage values of the Glenpanel Homestead and wider setting with specific regard given to the Homestead, its grounds, and the existing driveway</u></p> <p>This addition has emerged from the communications between Mr Miller, Mr Weir and Mr Murray, and is discussed in Mr Miller’s Reply statement.</p> <p>The benefit of the additional matter is that it focuses assessment on the heritage values of Glenpanel.</p> <p>There are no particular costs arising because such an assessment would inevitably be required for any development in the Glenpanel “setting” under Chapter 26 (Historic heritage).</p> <p>The provision is clear and direct and is therefore efficient and effective in what it is intending and is an appropriate addition, and it assists in achievement of the Objective 49.2.4.</p> <p>Assessment matters (b)(v) and (c)(vi): this is a consequential change arising from the additional recession plane provision in the Commercial Precinct. The wording <u>Ensure that buildings respond to the interface between adjoining sites, encouraging a soft transition between building heights</u> promotes assessment of the effects of buildings at the interface, and contributes to achieving Objective 49.2.7.</p> <p>It is beneficial in this regard.</p> <p>The cost is the additional consenting cost of design and the assessment but this is minimal given the overall</p>

	<p>assessment required for buildings in the zone, under the RD status and other assessment matters.</p> <p>The provision is clear and direct and is therefore efficient and effective in what it is intending and is an appropriate addition, and it assists in achievement of the Objective 49.2.7.</p> <p>Assessment matter (d)(ii): is beneficial by signalling appropriate outcomes, being underground parking and storage where possible. There are no costs associated as the matters can be contemplated by designers, applicants and the consent authority as necessary.</p> <p>The provision is clear and direct and is therefore efficient and effective in what it is intending and is an appropriate addition, and it assists in achievement of the Objective 49.2.7.</p> <p>Assessment matter (d)(v): this is beneficial in focussing assessment on access for emergency vehicles. There are no particular costs or risks from the additions.</p> <p>The provision is clear and direct and is therefore efficient and effective in what it is intending and is an appropriate addition, and it assists in achievement of the Objective 49.2.7.</p> <p>Assessment matter (f) additions: these are beneficial in that they strengthen the assessment's focus on Kāi Tahu values, ecological corridors, and stormwater management guiding principles.</p> <p>There are potential consenting costs associated with the assessments but these are outweighed by the benefits of the assessments.</p> <p>The additional assessment provisions are clear and direct and are therefore efficient and effective in what is intending and are appropriate additions. There are no risks arising from the additions.</p> <p>They assist in achievement of Objectives 49.2.7 and 49.2.8.</p> <p>Assessment matter 49.7.2 additions: These are discussed in detail in Mr Shields' s42A Reply statement (paragraph 11) and in the s42A Reply at Part 20, where the options were generally considered. The provisions effectively require for assessment a travel management plan (TDM) for commercial developments and residential developments of 10+ units.</p> <p>The benefit of the assessment matter is that, based on the assessment of the TDM plan, it (in conjunction with the matters of discretion in Rule 49.4.4 and 49.4.18) allows the consent authority to impose conditions for and monitoring of mode shift, including imposing key performance targets for a development.</p> <p>There are costs associated with this, being the costs of the TDM plan for developments of 10+ units not 25+. and the ongoing obligations for reporting and monitoring associated with the additional assessment matters, however these are in all likelihood necessary costs for achieving the benefits of mode share and for achieving Objective 49.2.6. The notified provisions require the TDM plan anyway for 25+ unit developments, therefore the additional cost is the need for the TDM plan for 10+</p>
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	<p>unit developments. This is outweighed by the overall benefits of more monitoring and information about travel demand mode share as the zone development progresses.</p> <p>The addition of the wording <i>An assessment of actual mode share of travel and operational and management measures to be implemented to reduce private vehicle trips and to facilitate active and public transport including to and from educational activities</i> is beneficial in that it expands the assessment to include active and public travel, recognising that it is reduction of private vehicle trips and increase in active and public travel the contribute to mode share. This includes for travel to and from schools, which is intended to be an important component of the travel patterns within and to and from the Zone. There are no costs of this inclusion.</p> <p>The additional assessment provisions are clear and direct and are therefore efficient and effective in what is intending and are appropriate additions. There are no risks arising from the additions. There is risk of not adopting the changes in the loss of opportunity for TDM information and monitoring of many developments of between 25+ and 10+ units.</p>
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B.36 Changes to the Structure Plan layers and the Zoning Plan

The Reply version Structure Plan includes the following changes:

Changes to the Structure Plan:

- Amendments at eastern end (Finlin and eastern roundabout);
- Reduction of AAA, and inclusion of 'narrow' and 'wide' sections of the AAA, and addition of a long section and tree species list;
- Items shown with * are now more flexible in their location;
- Inclusion of stormwater swale and options;
- Removal of underpass;
- Storage area overlay;
- Local Type E road is amended to a Collector Type A road.

Changes to Building Heights Plan:

- Softening of heights at eastern end;
- 5.5m height max in Sub-Area H2.

Changes to the Zoning Plan:

- Doolittle now PDP HDRZ;
- Reduction of Building Restriction Area along SH6 and at key intersections.

These are addressed as follows.

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.1</p> <p>Development complements and integrates with adjoining urban development at Te Pūtahi Ladies Mile and development south of State Highway 6.</p> <p>Objective 49.2.6</p> <p><u>Development in the Zone</u> <u>Minimises the generation of additional private vehicle trips along State Highway 6, and reduces, as far as practicable, car dependence and private vehicle trips along State Highway 6 generated by the adjoining residential areas at Ladies Mile by promoting travel mode shift, including by providing for a range of activities to serve residents of the Eastern Corridor and the wider Wakatipu Basin; integrating the TPLM Zone with the existing Eastern Corridor communities through roading and active travel links; providing for efficient and convenient public transport and active transport; and requiring medium and high residential densities north of State Highway 6 to sustain public transport and the commercial and social amenities within the Zone.</u></p> <p>Objective 49.2.7</p> <p>An <u>attractive</u> built environment that positively responds to streets and open spaces, provides a high level of residential and neighbourhood amenity, achieves high quality urban design <u>and ecological</u> outcomes <u>and incorporates indigenous biodiversity in design.</u></p> <p>Objective 49.2.8</p> <p>Development that supports resilience to, <u>and mitigation of,</u> the current and future effects of climate change <u>and contributes to an integrated approach to stormwater management.</u></p> <p>Objective 27.3.24</p> <p><u>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</u></p>	<p>Structure Plan:</p> <p>Eastern end changes: This was addressed in the Council’s urban designers’ EIC and in the s42A report at Section 12, paragraphs 12.71 – 12.83, in detail. The changes are necessary and will be of benefit from the creation of a higher quality urban, green edge adjacent to the rural land at Threeewood, at the “gateway” to urban Queenstown, and avoids a narrow band of MDR Precinct between the Zone boundary and the collector road, which would be inefficient to develop. The green space can assist with stormwater management.</p> <p>There are no costs that outweigh these benefits, and the changes are efficient and effective in that they are clear and certain for plan users.</p> <p>AAA: this has been addressed in detail by the urban designers JWS and in the s42A Reply at Section 7, which examined the role of the AAA and the merits of the respective positions of the parties, and (generally) the benefits and costs.</p> <p>There is no need for further evaluation here, other than to reiterate that the package of policies (Chapter 49, 4 and 27) and rules including the Structure Plan and cross sections and addition of a long section (including with indicative tree spacing distance) has significant benefit for the active and public travel intentions of the Zone, amenity, gateway and sense of place in the wider ONL / ONF setting. These collectively achieve the relevant objectives 49.2.1, 49.2.6, 49.2.7, 49.2.8 and 27.3.24.</p> <p>There are costs of implementing the AAA but these are necessary and are outweighed by the significant benefits.</p> <p>The provisions are clear and are therefore efficient and will be effective in achieving the desired AAA outcomes.</p> <p>Flexible location of items on the Structure Plan: this has been addressed in the urban design Rebuttal of Mr Lowe and in detail in the J Brown Rebuttal at paragraphs 162 – 170.</p> <p>The benefits of the greater flexibility in location of many Structure Plan items is that applicants’ subdivision and /or land use designers can have more latitude in their designing, and there are less costs associated with the need for non-complying status consenting.</p> <p>This is more efficient for plan users.</p> <p>Other Structure Plan items are retained with no *, signifying that they need to be “fixed” (within the margins provided in rules) to provide certainty for all plan users. This applies particularly to the key internal east-west road which passes through many land holdings and which therefore warrants being fixed.</p>

<p><u>informal recreation, and a network of walkways and cycleways, that:</u></p> <p>a) <u>complements and integrates with existing urban development and the surrounding landscapes; and</u></p> <p>b) <u>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.</u></p>	<p>Stormwater swales: This is addressed in the s42A Reply statement of Mr Gardiner and addressed in the J Brown Reply at Part 4.</p> <p>The additions are beneficial and necessary to strengthen as far as possible the individual landowners understanding of and requirement that part of their land will necessarily be a component of the integrated stormwater management system.</p> <p>The cost is that the swales may not be in an appropriate location for any particular landowner. The swales are annotated with a * for flexibility, and the notification rule (Rule 49.7.10) will be activated in any case, so that neighbours can have a say if necessary in the final location of the swale on their neighbours land, as part of the integrated approach.</p> <p>The additions therefore provide greater certainty for plan users and are effective and efficient, and contribute to achieving objectives 49.2.8 and 27.3.24.</p> <p>Removal of underpass: This was addressed under Policy 49.2.6.4(b) above and is not repeated.</p> <p>Storage Area overlay: this was addressed under Rule 49.4.38B above and is not repeated.</p> <p>Local Type E road changed to Collector Type A road: Mr Shields addresses this in his Summary statement at paragraph 12. In light of the change to a signalised intersection at the Stalker Road / SH6 intersection, the road extending north of the intersection should be a Collector Type A road, not a Local Type E road. This is an appropriate change and is consistent with the road types for the two other roads extending north into the TPLM Zone north of SH6 (from the eastern roundabout and from Howards Drive). The upgrade is a more efficient traffic outcome and will therefore be beneficial for the Zone.</p> <p>The costs is the additional financial cost of the road formation but this is outweighed by the benefits.</p> <p>Building Heights Plan:</p> <p>Heights at eastern end: Mr Lowe addresses this in his Reply statement at paragraph 6(b). The Building Heights Plan has been amended to lower the height of the far eastern end of the HDR Precinct north of Collector Type A Road to 13m to soften the transition between the HDR Precinct and the MDR Precinct to the east and then to the rural land beyond the TPLM Zone.</p> <p>This is beneficial for achieving Objective 49.2.7 in relation to residential amenity and high quality urban design.</p> <p>There are costs from the loss of GFA and a loss in efficiency of the use of the HDR land (in the small area of HDR Precinct affected) but these are outweighed by the better urban design and amenity outcomes.</p> <p>5.5m height over part of Sub-Area H2: this was addressed under Rule 49.5.2 above and is not repeated.</p>
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	<p>Zoning Plan:</p> <p>Doolytlle zoning: This is addressed below in B.X.</p> <p>Reduction of BRA width in some locations: This is addressed in detail in the urban design evidence, and in detail in the s42A Reply at Part 7.</p> <p>The reduction of the BRA width is aligned with the reduction in the width of some stretches of AAA and the open space area south of SH6.</p> <p>The changes are beneficial for integrating built development with the highway corridor, providing a strong sense of an urban character, thereby providing for sense of place and for the intended travel speed environment.</p> <p>The reduced width still allows accommodation of the necessary elements of the AAA, which is acceptable for the short stretches of reduced width.</p> <p>There are no real costs associated with the reduced width. The reduced width is an efficient and effective method of achieving the suite of roles of the AAA and open space area south of the highway, and assists in achieving the relevant objectives.</p>
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CHAPTER 4: OBJECTIVES AND POLICIES

B.37 Policy 4.2.2.21

Modification to the policy as follows:

- 4.2.2.21 Ensure that development within the Te Pūtahi 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 gateway treatment:
 - of the edge of adjoining State Highway 6 to increase provide high quality amenity for both road users and adjoining residential areas; and
 - adjoining the eastern end of the Zone north of State Highway 6 to provide a designed urban edge that promotes the containment of the urban development within the landscape; contains urban development within the landscape by creating a clearly legible landscape buffer;
 - d. as part of the landscaped gateway treatment required by Policy 4.2.2.21 c. above, require, on each of the northern and southern boundaries of the state highway corridor, a continuous, legible and uniformly designed walkway and cycleway linkage that integrates development with the bus services along the highway and enables active travel along the full length of the Zone;

...

The modified policies are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion:
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	Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 4.2.2A</p> <p>A compact, integrated and well designed urban form within the Urban Growth Boundaries that:</p> <p>(i) is coordinated with the efficient provision, use and operation of infrastructure and services; and ...</p>	<p>The inclusion of “<i>including education activities</i>” and “<i>an increased supply of housing</i>” in the policy is appropriate as the additions provide further clarity and meaning for plan users, and do not carry any costs.</p> <p>The change to the first bullet point in clause (c) is a simple wording change that adds clarity that the land in question is not just that at the immediate edge of the highway.</p> <p>The change to the second bullet point in clause (c) is a revision supported by Mr Lowe. The change better defines the intent of the policy, which is, in addition to containing urban development, the need for a clearly legible landscape buffer. This better focusses the issue on the key effect at the rural / urban boundary than the more ambiguous “containment of urban development within the landscape”. The change to the wording is beneficial in this respect, and is more efficient by better identifying the plan-making issue and directing the intent of the TPLM Variation provisions.</p> <p>There are no costs associated with the change.</p> <p>The inclusion of new clause (d) is necessary to ensure that the provisions accurately sets the scene for the AAA and the open space are south of the highway, and the expectations for those areas – i.e. that they contain a continuous, legible and uniformly designed walkway and cycleway linkage that integrates development with the bus services along the highway and enables active travel along the full length of the Zone.</p> <p>The benefit of the addition is the clear statement of the role of the two public areas.</p> <p>There are no costs arising from the additional clause.</p> <p>The clause is effective and efficient as it provides plan users with the clear expectation of the function of the AAA and the open space area.</p> <p>The addition better achieves the relevant Chapter 4 objective for urban growth, in that it contributes to a compact, integrated and well designed urban form.</p>

B.38 Policy 4.2.2.22

Modification to the policy as follows:

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 Pūtahi Ladies Mile Zone, to ensure a sufficient population to support viable public transport and social amenities.

The modified policy is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits

	This topic matter is discussed in relation to Policy 49.2.2.1 above and is not repeated here.
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CHAPTER 7: QUEENSTOWN COUNTRY CLUB

B.39 Policy 7.2.1.8

Modification to the policy as follows:

Within the Queenstown Country Club Village site, provide for:

- (a) Retirement village housing within 75m of State Highway 6 and outside the Building Restriction Area adjacent to State Highway 6, where the layout, scale, form, and density of development retains a level of spaciousness, is consistent with the character of the Queenstown Country Club, maintains views to the wider ONLs, and addresses the public realm.

The modified policy is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 7.2.1</p> <p>Development within the zone provides for a mix of compatible suburban densities and a high amenity low density residential living environment for residents as well as users of public spaces within the zone.</p>	<p>The policy is beneficial in that it sets the scene for the expected development within the currently vacant part of the QCC land between the 75m setback area (as imposed by the QCC consent) and the 25m setback area adjacent to SH6. The policy promotes the various intentions for the development.</p> <p>There are no particular costs or risks arising from the policy.</p> <p>The policy is effective and efficient because it provides the developer with the right message as to the development expected.</p> <p>The policy properly serves and contributes of the achievement of Objective 7.2.1 for the LDSRZ.</p>

B.40 Rule 7.4.11 – Queenstown Country Club specific rules

The rules are modified as below:

	Rules – Activities	Activity Status
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 75m 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>RD</u>

	<p><u>Discretion is restricted to:</u></p> <p>a. <u>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>b. <u>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>c. <u>The activation of the highway frontage and avoidance of the rear of buildings facing the highway;</u></p> <p>d. <u>Design and integration of landscaping and fencing, including existing vegetation;</u></p> <p>e. <u>Infrastructure, access and parking design; including the avoidance of parking areas visible from located between buildings and the highway;</u></p> <p>f. <u>Stormwater management.</u></p> <p><u>Information requirements:</u></p> <p>a. <u>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>	
	Rules – Standards	Activity Status
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>7.5.1.4 Queenstown Country Club within 120m of the boundary with SH6: Maximum of 6m</p> <p>7.5.1.45 All other locations <u>except buildings within the Queenstown Country Club</u>: Maximum of 8 metres.</p> <p><u>Queenstown Country Club</u></p> <p><u>7.5.1.5 Within 75m of the boundary with SH6: Maximum 6m</u></p> <p><u>7.5.1.6 Beyond 75m of the boundary with SH6: Maximum of 8m</u></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>	NC

	<u>Except this rule does not apply to the Queenstown Country Club.</u>	
<u>7.5.X</u>	<u>Maximum number of residential units</u> <u>7.5.X.1 Queenstown Country Club within 120m 75m of the boundary of SH6 – A maximum of 42 units.</u>	<u>NC</u>
<u>7.5.X</u>	<u>Maximum Floor Area</u> <u>7.5.X.1 Queenstown Country Club within 120m 75m setback from the boundary with the highway – individual buildings shall have a maximum floor area of 310m².</u>	<u>D</u>

The modified rules are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 7.2.1</p> <p>Development within the zone provides for a mix of compatible suburban densities and a high amenity low density residential living environment for residents as well as users of public spaces within the zone.</p>	<p>The package of rules have been addressed in more detail in the evidence of Mr Farrell and in his presentation at the hearing, and the subsequent supplementary statement dated 21 December 2023. It is also addressed in detail in the s42A Reply at Part 15.</p> <p>The rules enable appropriate development of the remaining QCC land between the current development and the 25m setback from the highway, which (in line with the above discussion regarding the AAA and open space area south of SH6 is reduced to a 10m setback in some stretches).</p> <p>The benefits of the package of rules is that it enables development in an appropriate location, close to the public and active transport links and the TPLM Zone's Commercial Precinct, with easier access across SH6 through the now proposed signalised intersection at Howards Drive.</p> <p>The provisions address the expectation that views to The Remarkables will be protected from the highway corridor, and will provide a high quality urban character adjacent to the corridor and for users of the adjacent active travel routes.</p> <p>The RDA status is preferred (and is understood to be agreed now by Mr Farrell) as it still enables the consent authority to refuse an application if the proposal does not fulfil the expectations of the policy and taking into account the overall setting as part of the urban gateway.</p> <p>The RDA status carries a cost, in the potential for an application to be refused, but this is outweighed by the benefits of the intent for high quality urban development in this location, and noting that the existing QCC development is of very high quality and a visual asset in this location, and also noting that the density of the development anticipated by the provisions would be of higher density than the existing QCC development (but still "low density" as per the LDSRZ expectations for density).</p>

	The rules are efficient for plan users as they are clear and will be effective in achieving the objective.
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CHAPTER 9: DOOLYTTLE & SON LTD

B.41 Objective 9.2.11

A new objective as follows:

On Lot 2 DP 36321 and Lot 403 DP322452 (Doolytle site, 466 Howards Drive) provide for high density residential development that complements the lower density environment nearby, and ensure that development is integrated with timing of transport infrastructure upgrades.

Policy 9.2.11.1

A new policy as follows:

On Lot 2 DP 36321 and Lot 403 DP322452 (Doolytle site, 466 Howards Drive):

- restrict building height so that development is compatible with nearby land uses;
- promote more opportunity for permanent residents by restricting Residential Visitor Accommodation;
- require that development is preceded by transport infrastructural works, to avoid additional adverse effects of high density development on the roading network.

The objective and policy are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 9.2.1 High density housing development occurs in urban areas close to town centres, to provide greater housing diversity and respond to expected population growth.</p> <p>Objective 9.2.2 High density residential development provides a positive contribution to the environment through quality urban design.</p> <p>Objective 9.2.3 High density residential development maintains a minimum level of existing amenity values for neighbouring sites as part of positively contributing to the urban amenity values sought within the zone.</p>	<p>The Doolytle change to the HDRZ is addressed in detail in the s42A Reply report at Part 13, and in the rebuttal statement of Mr Dun (paragraphs 45 to 49). Mr Shields addresses the traffic impacts in his Reply statement at paragraphs 41 – 43.</p> <p>The objective and policy provide the setting for the rules to follow, referencing building height, RVA, and traffic infrastructure triggers.</p> <p>The objective serves the higher order objectives of the HDRZ and of Chapter 4 of the PDP (Objective 4.2.2A), and hence achieves the purpose of the Act. It sets out what the zoning is to enable, and how it is regulated.</p> <p>The policy provides more detail as to the regulatory expectations of the high density development, and appropriately serves the objective.</p> <p>Options for other activities on the Doolytle land, including commercial options, have been considered and rejected, by Ms Hampson and Mr Dun, and in the s42A Reply at Part 7, paragraphs 13.2 – 13.5.</p>

B.42 Rules 9.5.1, 9.5.15, 9.5.18 – Doolytle rules

The rule is modified as below:

	Standards for activities located in the High Density Residential Zone	Activity Status
9.5.1	<p>Building Height – Flat Sites in Queenstown</p> <p>...</p> <p><u>9.5.1.6 On Lot 2 DP 36321 and Lot 403 DP322452 (Doolytle site, 466 Howards Drive), a maximum building height of 12m</u></p>	<p>...</p> <p><u>NC</u></p>
9.5.15	<p>Residential Visitor Accommodation where:</p> <p>...</p> <p><u>9.5.15.6 On Lot 2 DP 536321 and Lot 403 DP322452 (Doolytle site, 466 Howards Drive) no more than 50% of units in any building may be used for Residential Visitor Accommodation.</u></p> <p>Note: 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 9.5.15.1 to 9.5.15.6</p>	<p>...</p> <p><u>NC</u></p>
<u>9.5.18</u>	<p><u>Staging development to integrate with transport infrastructure</u></p> <p><u>Development (except for utilities, the specified transport infrastructural works, and other physical infrastructure) on Lot 2 DP 536321 and Lot 403 DP322452 (Doolytle site, 466 Howards Drive) shall not occur prior to all the corresponding transport infrastructure works listed below being completed:</u></p> <p>(a) <u>QLDC engineering design standard compliant site access from Howards Drive;</u></p> <p>(b) <u>Provision of sealed footpath on Howards Drive between the site access and SH6 to provide a safe walking route to the proposed bus stops on SH6; and</u></p> <p>(c) <u>Provision of sealed footpath on Howards Drive between the site access and the Jones Avenue intersection to provide a safe walking route to the existing bus stops on Jones Avenue and to the Kawarau Park Centre.</u></p>	<p><u>NC</u></p>

The modified rules are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 9.2.1</p> <p>Objective – High density housing development occurs in urban areas close to town centres, to provide greater housing diversity and respond to expected population growth.</p>	<p>The rules define the expectations for the high density development on the Doolytle block: 12 m height, an RVA provision akin to that on the TPLM HDR Precinct, and the traffic infrastructure trigger expectations.</p> <p>These are costs from lost opportunity for greater height, more RVA and development that is not time-dependent on the traffic works being completed, however these costs are necessary in the circumstances given, respectively:</p> <ul style="list-style-type: none"> • The location adjacent to lower density residential development, requiring a lower scale of height than would otherwise be allowed in the HDRZ;

	<ul style="list-style-type: none"> • The need for as many units as possible to be available for permanent living, but allowing for some RVA to enable development to gain funding prior to construction; and • The traffic congestion problems, necessitating traffic infrastructure triggers. <p>These costs are outweighed by the benefits of high density development in this location, as discussed in the s42A Reply at Part 7, paragraph 13.7.</p> <p>The rules are clear to the plan user and are efficient and effective, and will achieve the relevant objectives.</p> <p>As discussed by Ms Hampson in her EIC, Rebuttal and Reply statements, the commercial zoning option sought by the submitter would have considerable dis-benefits / costs and would not be efficient because it would dilute the viability and efficiency of the TPLM Commercial Precinct which is the intended key centre for the Eastern Corridor.</p>
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CHAPTER 27: OBJECTIVES AND POLICIES

B.43 Objective 27.3.24

The objective is modified as below:

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

B.44 Policy 27.3.24.3

Modification to the policy as follows:

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.](#)

The modified policy is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 27.3.24</p> <p><u>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:</u></p> <p>a) <u>complements and integrates with existing urban development and the surrounding landscapes; and</u></p> <p>b) <u>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.</u></p>	<p>The additions to the objective and policy, sought by Kāi Tahu and accepted by the Council witnesses, are necessary to give further strength in the policy framework for ecological factors and stormwater management.</p> <p>This was addressed in detail in the s42A Report at Section 11, Theme I, including an examination of the various options available for stormwater management, and taking into account the expert analysis of the stormwater witnesses.</p> <p>The detail is not repeated here save to reiterate that the preferred option is reflected in the objective, policy and in the extensive suite of rules that follow.</p>

B.45 Policy 27.3.24.6

Modification to the policy as follows:

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.

The modified policy is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 27.3.24</p> <p><u>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:</u></p> <p>a) <u>complements and integrates with existing urban development and the surrounding landscapes; and</u></p> <p>b) <u>brings about a significant modal shift away from reliance on the private car to</u></p>	<p>The additional wording clarifies that the transport infrastructural works are only required for the specific Sub Areas as listed in the various Chapter 49 rules.</p> <p>This topic is addressed in detail in the s42A Reply at Part 3, and in the various statements from Mr Shields, which explains the rationale for the triggers and the correlation with the Sub-Areas, and is not repeated here.</p>

<p><u>enhanced use of public and active transport and creates a community with a strong sense of place.</u></p>	
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B.46 Policy 27.3.24.7, 27.3.24.7A

Modification to the policy as follows:

~~27.3.24.7~~ ~~Require subdivision design to sustain and enhance the mauri and health of fresh water and a~~ ~~Avoid the adverse effects of stormwater on Waiwhakaata Lake Hayes by requiring~~ Require the mauri and health of fresh water to be sustained and enhanced by subdivision design that avoids the adverse effects of stormwater on Waiwhakaata Lake Hayes, and requires:

- (a) An integrated stormwater management system for the entirety of the TPLM Zone north of State Highway 6 and the contributing Slope Hill catchment; and
- (b) Soakage to ground of runoff generated by the 1% AEP event for development in the TPLM Zone north of State Highway 6; and
- (c) For the contributing Slope Hill catchment, ~~requiring~~ ~~require~~ soakage to ground of runoff generated by the 1% AEP event or as close as possible to the 1% AEP event; and
- ~~(d) Requiring that~~ The design of stormwater management systems to avoid stormwater discharges (other than ~~co-ordinated~~ overland flow) to Waiwhakaata Lake Hayes.

27.3.24.7A Avoid the adverse effects of discharges to the Shotover and Kawarau Rivers, the State Highway network, groundwater resources, and to neighbouring sites.

The modified policy is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 27.3.24 <u>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:</u></p> <ul style="list-style-type: none"> <u>c) complements and integrates with existing urban development and the surrounding landscapes; and</u> <u>d) brings about a significant modal shift away from reliance on the private car to</u> 	<p>The additional wording of Policy 27.3.24.7 was proposed by Mr Bathgate following the hearing, and amended slightly (by myself). The additional wording is preferred as it strengthens the intent of the policy, by introducing and giving weight to mauri and health of fresh water as elements to be considered, in the duty to avoid adverse effects on Waiwhakaata Lake Hayes.</p> <p>The other water bodies and locations are addressed in Policy 27.3.24.7A.</p> <p>There are costs that may arise from any additional assessment required, but these are likely to be insignificant in the context of the policy which otherwise requires the avoidance of adverse effects (which is unqualified, in both policies).</p> <p>The policies are effective in that they are directive and certain as to their outcomes.</p>

<u>enhanced use of public and active transport and creates a community with a strong sense of place.</u>	Policy 27.3.24.7 sets out the methods by which the avoidance can be achieved, and is therefore clear and effective for plan users, which is considered to be necessary for the sensitivity of Lake Hayes in particular.
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B.47 Policy 27.3.24.7B

Modification to the policy as follows:

27.3.24.7B Ensure staged subdivisions that create balance or bulk lots are designed with connections to a reticulated water supply, stormwater disposal and/or sewage treatment and disposal system that are of sufficient capacity for the intended future urban development.

The modified policy is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 27.3.24</p> <p><u>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:</u></p> <p>a) <u>complements and integrates with existing urban development and the surrounding landscapes; and</u></p> <p>b) <u>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.</u></p>	<p>This is part of the newly introduced provisions for guiding subdivisions that create bulk lots which are intended to be later further subdivided and developed (often by a third party). This is likely to be a common feature of the development of the TPLM Zone.</p> <p>There are no particular costs and the policy. The policy and the provisions that flow from the policy (addressed below) are efficient in that they will significantly reduce the potential for bulk lot subdivisions to provide deficient or inefficient infrastructure that will not be sufficient for the intensity of development expected in the Zone.</p> <p>There are no particular provisions for bulk lot subdivisions in the PDP, and it is beneficial for plan users to have such guidance and regulation for the TPLM Zone. The policy and the related provisions are therefore efficient and effective in this regard.</p>

CHAPTER 27: RULES

B.48 Rule 27.7.28

The rule is modified as below:

	Zone – Location Specific Rules	Activity Status
<u>27.7.28</u>	<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><u>Discretion is restricted to:</u></p> <p>a. <u>the matters contained in Rule 27.5.7;</u></p> <p>b. <u>the spatial layout of the subdivision, and</u></p>	<u>RD</u>

	<p><u>its relationships to and integration with other sites and development, taking into account the location of:</u></p> <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> <p>c. <u>how the subdivision design will enable the achievement of the minimum residential density requirements set out in the relevant Zone provisions;</u></p> <p>x. <u>how the subdivision design will enable buildings and development that achieves the development standards for the relevant Precinct.</u></p> <ul style="list-style-type: none"> 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</u> 	
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	<p><u>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></p> <p>i. <u>Within the Crossing Curtilage Area Overlay shown on the Structure Plan,</u> the integration of the subdivision layout and potential future development with the Key Crossing.</p> <p>j. <u>The design and ownership / management of the Amenity Access Area and the active travel link on the south side of State Highway 6. The preference is for the Amenity Access Area to be formed and vested in the Council as Local Purpose Reserve (Connection).</u></p> <p>x. <u>How the stormwater management proposed for the subdivision will be managed as part of an integrated stormwater management system for the TPLM Zone north of SH6 to achieve soakage to ground for the 1% AEP event, including management of overland flow paths and levels of ground surfaces to facilitate the system integration and any legal mechanisms required to achieve integration;</u></p> <p>x. <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 for the 1% AEP event, or as close as possible to the 1% AEP event, including coordinated overland flow paths to ensure no adverse effects on downstream properties and any legal mechanisms required to achieve integration.</u></p> <p>x. <u>For bulk lot or staged subdivision, the provision of infrastructure servicing (access and all utilities) to each lot that is of sufficient capacity and size to accommodate the zoned development potential, and allows connection of the services associated with the future development that the bulk lot provides for, including provision of legal access arrangements where relevant.</u></p> <p><u>Information requirements:</u></p> <p>a. <u>A statement demonstrating how the subdivision layout</u></p>	
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	<p><u>will enable:</u></p> <ul style="list-style-type: none"> <u>i. the densities expected in the relevant Precinct; and</u> <u>ii. 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; and</u> <u>iii. buildings and development that will achieve the development standards for the relevant Precinct.</u> <p><u>b. A statement, supporting plans, specifications (and modelling when required) with a level of detail as necessary to demonstrate how the stormwater management proposed will be managed as part of an integrated stormwater management system for the TPLM Zone north of SH6, including:</u></p> <p><u><i>Catchment modelling and technical information</i></u></p> <ul style="list-style-type: none"> <u>i. A pre-development catchment-wide (encompassing Slope Hill and the full TPLM Zone) hydraulic model for all critical design storms up to and including the 1% AEP event. The hydraulic model is to be produced in accordance with the QLDC Code of Practice Section 4.3.5 Design Criteria and the QLDC Stormwater Modelling Specification. Surface infiltration tests are necessary across the TPLM Zone north of SH6 to calibrate the model for pre-development infiltration rates.</u> <u>ii. Predicted post-development hydraulic model update demonstrating how the stormwater management system(s) proposed in the application will:</u> <ul style="list-style-type: none"> <u>• achieve or contribute to a fully integrated stormwater management system for the Zone; and</u> <u>• achieve soakage to ground of runoff generated for the 1% AEP event (or for the contributing Slope Hill catchment soakage to ground for the 1% AEP event or as close to possible to the 1% AEP, and no less than the 5% AEP event);</u> <u>iii. how the stormwater management system(s) have been designed considering climate change adjusted rainfall (RCP 6-0 8.5 for the period 2081-2100);</u> <p><u><i>Integration</i></u></p> <ul style="list-style-type: none"> <u>iv. the manner by which the system within the land subject to the application will:</u> <ul style="list-style-type: none"> <u>• contribute to a fully integrated stormwater management solution for the TPLM Zone north of SH6 (including Slope Hill);</u> <u>• be coordinated across development</u> 	
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	<p>blocks with reference to the Guiding Principles for Stormwater Management:</p> <ul style="list-style-type: none"> • <u>minimise the number of stormwater facilities (detention basins, and/or soakage devices and/or including underground chambers) across the TPLM Zone north of SH6;</u> • <u>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>v. <u>the manner by which land owned by the Applicant along the toe of Slope Hill will be made available for stormwater management;</u></p> <p>vi. <u>the easements to be easements to be provided as required for new stormwater trunks and swales crossing private property;</u></p> <p>vii. <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>viii. <u>How co-ordinated overland flow paths through the developments will be provided to ensure no adverse effects on upstream or downstream properties; and</u></p> <p><u>Treatment</u></p> <p>ix. <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>x. <u>Applications for staged subdivisions involving the creation of larger balance or 'bulk' lots intended for future subdivision and/or development shall demonstrate (by way of technical assessments and Three Waters modelling) infrastructure servicing for access and all utilities that is sufficient to cater for the anticipated, zoned land use and density capacity that the lot provides for, including:</u></p> <ul style="list-style-type: none"> i. <u>Provision for access approvals or legal instruments necessary for the provision of infrastructure services to the bulk lots;</u> ii. <u>Methods to integrate with existing or adjacent developments;</u> iii. <u>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.</u> 	
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	<p><u>27.7.28.2</u> Subdivision that is inconsistent with Structure Plan in 27.13.XX, except as set out in Rule 27.7.28.3 and for the following:</p> <ol style="list-style-type: none"> <u>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.</u> <u>The location where Collector Road Type C intersects with State Highway 6 may be varied by up to 20m to integrate with this intersection</u> <u>The location of the Key Crossing shown on the Structure Plan may be varied by up to 30 40m.</u> <p><u>27.7.28.3</u> Within the Amenity Access Area – Wide shown on the Structure Plan, development shall be consistent with the “State Highway 6 Typical Road Section” [insert final name] in the Structure Plan in 27.13.XX.</p> <p><u>27.7.28.4</u> Within the Amenity Access Area – Narrow shown on the Structure Plan, the Amenity Access Area shall comprise the following:</p> <ul style="list-style-type: none"> <u>Minimum overall width of 10m;</u> <u>2.4m minimum footpath;</u> <u>0.6m minimum buffer;</u> <u>3m minimum two-way cycleway;</u> <u>one row of trees between the road carriageway and cycleway, with spacings to be consistent with the AAA – Wide long section;</u> <u>space to accommodate a bus board and a lighting area.</u> <p><u>27.7.28.5</u> Any driveway or other vehicle access within the AAA – Wide or AAA - Narrow</p>	<p><u>NC</u></p> <p><u>RD</u> Discretion is restricted to:</p> <ol style="list-style-type: none"> <u>Integration between, and passive surveillance of, walkway and cycleway linkages;</u> <u>Consistency of landscaping and pathway treatments throughout the Amenity Access Area;</u> <u>Connectivity of any access or road.</u> <p><u>NC</u></p>
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The modified rules are evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 27.3.24 <u>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</u></p>	<p>The deletion of the Crossing Curtilage area provision is discussed elsewhere in this evaluation (see B.17 above) and is not repeated here.</p> <p>In relation to all the updated stormwater provisions: these were addressed in detail in the s42A Report at Section 11, Theme 1, which addressed alternative options and weighed up costs and benefits, the JWS of the stormwater experts, in the evidence and summary</p>

<p><u>cycleways, that:</u></p> <p>c) <u>complements and integrates with existing urban development and the surrounding landscapes; and</u></p> <p>d) <u>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.</u></p>	<p>statements of the stormwater experts, and in Reply statement of Mr Gardiner.</p> <p>They are also addressed in the s42A Reply report at Part 4, which addresses the further changes since the 8 December 2023 version was provided to the Panel and the parties.</p> <p>The costs and benefits, efficiency and effectiveness of the provisions are extensively covered in those assessments, and do not need to be covered again here.</p> <p>The outcome now is a set of provisions that will be effective in protecting the values of Lake Hayes and the other downstream receiving environments, through the integrated stormwater management system that is a mandatory outcome of the provisions.</p> <p>In relation to the new provision for the AAA: the AAA is discussed in the s42A Reply at Section 7 and in this evaluation at B.36 above, and is not further repeated here.</p> <p>In relation to the new provisions for bulk lot subdivisions: as discussed in relation to Policy 27.3.24.7B, the newly introduced provisions will apply appropriate regulation for subdivisions that create bulk lots which are intended to be later further subdivided and developed.</p> <p>The costs and benefits of the provisions were addressed under Policy 27.3.24.7B above, and to reiterate, the provisions are efficient in that they will ensure that bulk lot subdivisions provide sufficient and efficient infrastructure for the expected higher intensity of built development expected in the Zone.</p>
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B.49 Assessment Matter 27.9.8.1

The Assessment Matter is modified as below:

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 development standards for built development and 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 and the QLDC Engineering Code of Practice](#);
- (ca) a stormwater management system which will achieve soakage to ground of runoff generated by the 1% AEP event, and for the contributing Slope Hill catchment the 1% AEP, or as close as possible to the 1% AEP event (and no less than 5% AEP).
- (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;
- (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~~ a layout that 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~~ a layout that [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.

Guiding Principles for stormwater management in the TPLM Zone:

In conjunction with the requirements in the Code of Practice, the following stormwater guidelines will be applied:

Water sensitive design

- 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. Align 'blue' stormwater solutions and the wider 'green' landscape and open space strategies wherever possible.

Design standards

- 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 direct discharges from the development area into Lake Hayes (other than overland flow);
- h. That runoff from all roads is managed through appropriate treatment device(s);
- i. Stormwater devices must be constructed to capture, treat and discharge runoff from the catchment of the device.

Integration

- 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. Any legal mechanisms proposed to achieve an integrated stormwater system across legal boundaries;

Overland flow

- l. Land to the north of and adjacent to Collector Road A is used as swale to collect, treat and discharge runoff from Slope Hill to ground and allow for overland flow in the Te Putahi Ladies Mile Zone to be directed towards Lake Hayes in extreme rainfall events greater than 1% AEP;
- m. Additional overland flows may be required.
- n. That there are no overland flows across SH6 for 1% AEP events or less;
- o. 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.

- p. Overland flow paths from Slope Hill are co-ordinated through the TPLM Variation Area.

The modified Assessment Matter is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 27.3.24 <u>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:</u></p> <ul style="list-style-type: none"> a) <u>complements and integrates with existing urban development and the surrounding landscapes; and</u> b) <u>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.</u> 	<p>For the assessment matters related to stormwater: as for the rules and matters of discretion above, these were addressed in detail in the s42A Report at Section 11, Theme 1, which addressed alternative options and weighed up costs and benefits, the JWS of the stormwater experts, in the evidence and summary statements of the stormwater experts, and in Reply statement of Mr Gardiner.</p> <p>They are also addressed in the s42A Reply report at Part 4, which addresses the further changes since the 8 December 2023 version was provided to the Panel and the parties.</p> <p>The costs and benefits, efficiency and effectiveness of the provisions are extensively covered in those assessments, and do not need to be covered again here.</p> <p>The outcome now is a set of provisions, including the assessment matters, that will be effective in protecting the values of Lake Hayes and the other downstream receiving environments, through the integrated stormwater management system that is a mandatory outcome of the provisions.</p> <p>For the assessment matter relating to emergency vehicle access: this theme was addressed above in relation to the assessment matters at 49.7.1(d), and the same evaluation applies here and is not repeated.</p> <p>For the assessment matter (c)(i)(a): relating to accommodating development intended by the Zone including development contemplated by the development standards as well as the required residential densities, this was inserted in response to questions from the Panel. It is beneficial in that it ensures that subdivision would not foreclose the opportunity for land use that is anticipated by and is consistent with the objectives and policies of the Zone and the specific Precincts.</p> <p>There are no costs of including the additional wording, and a cost and risk of not including them in that a poorly designed subdivision could result in some anticipated land uses not being able to be developed in conformity with the development standards.</p>

	The addition is therefore efficient for the overall development and will be effective in implementing the Zone.
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B.50 Rules – 27.10 Non-notification of Applications

Modification to the rules as follows:

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:

...

- d. 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.

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 27.3.24 <u>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:</u></p> <p>a) <u>complements and integrates with existing urban development and the surrounding landscapes; and</u></p> <p>b) <u>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.</u></p>	<p>This theme was addressed under Rule 49.7.10 above which has identical wording, and the evaluation is identical and is adopted for this rule.</p>

CHAPTER 29 – RULES

B.51 Rule 29.5.12A

The rule is modified as below:

	Table 29.3 –Standards for activities outside roads	Non-compliance status
29.5.12A	<p><u>Maximum Parking Requirements</u></p> <p><u>On land located in the Te Pūhahi Ladies Mile Zone, the number of parking spaces shall not exceed the following rates:</u></p> <p><u>Residential Activity – spaces</u></p> <p style="padding-left: 40px;"><u>Studio or 1 bedroom - 0.5</u></p> <p style="padding-left: 40px;"><u>2 bedrooms – 1 space</u></p> <p style="padding-left: 40px;"><u>3 or more bedrooms – 1.5 spaces</u></p> <p style="padding-left: 40px;"><u>3 or more bedrooms in the LDR Precinct only – 2 spaces</u></p> <p style="padding-left: 40px;"><u>4 or more bedrooms – 2 spaces</u></p> <p><u>Offices – 1 per 50m²</u></p> <p><u>GFA 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>Supermarket – 1 per 25m² GFA</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><u>RD</u></p> <p><u>Discretion is restricted to:</u></p> <p>a. <u>The adequacy of parking for the activity;</u></p> <p>b. <u>Effects on residential intensification and urban design; and</u></p> <p>c. <u>Effects on the transportation network, including on the uptake of public and active transport modes.</u></p>

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.6</p> <p><u>Development in the Zone</u></p> <p><u>Minimises the generation of additional private vehicle trips along State Highway 6, and reduces, as far as practicable, car dependence and private vehicle trips along State Highway 6 generated by the adjoining residential areas at Ladies Mile by promoting travel mode shift, including by providing for a range of activities to serve residents of the Eastern Corridor and the wider Wakatipu Basin; integrating the TPLM Zone with the existing Eastern Corridor communities through roading and active travel links; providing for efficient and convenient public transport and active transport;</u></p>	<p>For the residential carparking rates: These changes were sought by Waka Kotahi and are supported by Mr Shields, who addressed them in his s42A Reply statement at paragraph 8. He identifies research and NZTA policy guidance demonstrating that maximum parking rates are a suitable and valuable mechanism that contribute to mode shift.</p> <p>The rationale for the parking maxima are addressed in more detail in the s42A Report at Section 11, Theme D, and in Appendix D.</p> <p>There are benefits of the parking maxima for modal shift, as addressed by Mr Shields. The costs are that less carparking will be available for residents and others visiting the Zone. Taking into account the research on parking rates and mode shift, the minima are necessary and the costs are ultimately outweighed by the benefits. The reduced parking availability will be efficient in that it will allow more space (indoor or outdoor) for built development or other activities, not car parking, and</p>

<p><u>and requiring medium and high residential densities north of State Highway 6 to sustain public transport and the commercial and social amenities within the Zone.</u></p> <p>Objective 29.2.1</p> <p>An integrated, safe, and efficient transport network that:</p> <ol style="list-style-type: none"> provides for all transport modes and the transportation of freight; provides for future growth needs and facilitates continued economic development; reduces dependency on private motor vehicles and promotes the use of shared, public, and active transport; contributes towards addressing the effects on climate change; reduces the dominance and congestion of vehicles, particularly in the Town Centre zones; and Enables the significant benefits arising from public walking and cycling trails. <p>Objective 29.2</p> <p>Parking, loading, access, and onsite manoeuvring that are consistent with the character, scale, intensity, and location of the zone and contributes toward:</p> <ol style="list-style-type: none"> providing a safe and efficient transport network; compact urban growth; economic development; facilitating an increase in walking and cycling and the use of public transport; and achieving the level of residential amenity and quality of urban design anticipated in the zone. 	<p>contribute to modal shift and the broader efficiencies that are associated with that.</p> <p>For the supermarket: The additional parking rate for the supermarket is addressed by Mr Shields in his Reply statement.</p> <p>The benefit of the additional rule for supermarkets is the reduction of a consenting hurdle for the supermarket operator which will inevitably need more parking than the notified rate for retail GFA because supermarkets by nature are vehicle-oriented activities, and the supermarket within the Commercial Precinct will contribute to the reduction in private vehicle trips westwards from the Eastern Corridor.</p> <p>There are no particular costs associated with the added rules, and it is efficient and effective in that it is clear for plan users. It contributes to achieving Objective 49.2.6, and Chapter 29 objectives including Objective 29.2.1 and 29.2.2.</p> <p>For sites greater than 2000m² in Sub-Area H2: this is part of the “grandfathering” of rules that is discussed in the s42A Reply report at Part 18 for Koko Ridge. The provision is beneficial in that it allows owners of “legacy” 2000m² lots with the ability to use those lots as if they were still zoned LLR-A.</p> <p>There are no particular costs of this, and the grandfathering rule is an efficient way to address the transition over time between the two zones.</p>
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B.52 Rule 29.5.24

The rule is modified as below:

	Table 29.3 –Standards for activities outside roads	Non-compliance status
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29.5.24	<u>Roading and access within the Te Pūtahi Ladies Mile Zone</u> 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-Navigational Aid on Slope Hill.</u> ...	RD <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>
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The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
Objective 49.2.1 Development complements and integrates with adjoining urban development at Te Pūtahi Ladies Mile and development south of State Highway 6.	The addition is from the submission by the Airways Corporation and is addressed in more detail in the submissions of Ms Preen Singh in her presentation to Panel at the hearing. The additional words are beneficial, efficient, and effective in providing certainty of access to the navigational aid, and there are no costs arising.

B.53 Rule 29.5.25

The rule is modified as below:

	Table 29.3 –Standards for activities outside roads	Non-compliance status
29.5.25	<u>Carparking within the Te Pūtahi Ladies Mile Zone</u> 29.5.25.1 <u>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).</u> ...	RD <u>Discretion is restricted to:</u> a. <u>Effects on safety, efficiency, and amenity of the site and of the transport network, including the pedestrian and cycling environment;</u> and b. <u>Effects on the amenity of the Zone when viewed from the street</u>

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 49.2.6</p> <p>Development in the Zone Minimises the generation of additional <u>private</u> vehicle trips along State Highway 6, and reduces, as far as practicable, <u>car dependence and private</u> vehicle trips along State Highway 6 generated by the adjoining residential areas at Ladies Mile <u>by promoting travel mode shift, including by providing for a range of activities to serve residents of the Eastern Corridor and the wider Wakatipu Basin; integrating the TPLM Zone with the existing Eastern Corridor communities through roading and active travel links; providing for efficient and convenient public transport and active transport; and requiring medium and high residential densities north of State Highway 6 to sustain public transport and the commercial and social amenities within the Zone.</u></p>	<p>The changes are appropriate, beneficial and effective because they add clarity to the provision. The latter addition makes it clear that the former addition does not enable more car parks.</p> <p>There are no particular costs, and they will be of benefit to designers in building and site design in interpreting the rule.</p>

B.54 Rule 29.5.25A

The rule is modified as below:

	Table 29.3 –Standards for activities outside roads	Non-compliance status			
29.5.25A	<p>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.</p> <p>b. All shared private vehicular accesses in the Te Pūtahi 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:</p> <p>(i)</p> <table border="1" data-bbox="564 1787 1161 2011"> <tr> <td data-bbox="564 1787 804 2011"> The greater of the actual number of units proposed to be serviced or the potential number of units able to be serviced by the </td> <td data-bbox="804 1787 1011 2011"> Formed Width (m) </td> <td data-bbox="1011 1787 1161 2011"> Minimum legal width </td> </tr> </table>	The greater of the actual number of units proposed to be serviced or the potential number of units able to be serviced by the	Formed Width (m)	Minimum legal width	<p>RD</p> <p>Discretion is restricted to:</p> <p>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.</p>
The greater of the actual number of units proposed to be serviced or the potential number of units able to be serviced by the	Formed Width (m)	Minimum legal width			

	<table border="1"> <tr> <td><u>permitted density</u></td> <td></td> <td></td> </tr> <tr> <td><u>1 to 6</u></td> <td><u>3.0</u></td> <td><u>4.0</u></td> </tr> <tr> <td><u>7 to 12</u></td> <td><u>5.5 – 5.7</u></td> <td><u>6.7</u></td> </tr> </table>	<u>permitted density</u>			<u>1 to 6</u>	<u>3.0</u>	<u>4.0</u>	<u>7 to 12</u>	<u>5.5 – 5.7</u>	<u>6.7</u>	
<u>permitted density</u>											
<u>1 to 6</u>	<u>3.0</u>	<u>4.0</u>									
<u>7 to 12</u>	<u>5.5 – 5.7</u>	<u>6.7</u>									
	<p>(ii) <u>Except:</u></p> <p>i. <u>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 of 6m, as measured from the legal road boundary.</u></p> <p>ii. <u>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).</u></p> <p>iii. <u>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.</u></p> <p>c. <u>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.</u></p> <p>d. <u>Private shared vehicle accesses shall have legally enforceable arrangements for maintenance put in place at the time they are created.</u></p> <p>e. <u>All vehicle access design shall comply with Schedule 29.2.</u></p> <p>f. <u>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.</u></p>	<p>b. <u>The design of the access, including the width of the formed and legal width.</u></p> <p>c. <u>The on-going management and maintenance of the access.</u></p> <p>d. <u>Urban design outcomes, including any positive effects on urban design quality.</u></p> <p>e. <u>The vesting of the access in Council.</u></p> <p>f. <u>Any positive effects on achieving planned intensification and compact urban form</u></p>									

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 29.2.1</p> <p>An integrated, safe, and efficient transport network that:</p> <p>a. provides for all transport modes and the transportation of freight;</p> <p>b. provides for future growth needs and facilitates continued economic development;</p> <p>c. reduces dependency on private motor vehicles and promotes the use of shared, public, and active transport;</p>	<p>The additions are sought by Fire and Emergency NZ. Very similar worded provisions are already in Chapter 29 rules, and they are adapted as a specific rule for the TPLM Zone.</p> <p>The provisions are necessary, given the safety imperative. They are beneficial, effective and efficient in setting out the transport requirements that must be considered by developers in site and building design.</p> <p>There are no particular costs.</p> <p>The provisions will assist in achieving the relevant Chapter 29 objective.</p>

<p>d. contributes towards addressing the effects on climate change;</p> <p>e. reduces the dominance and congestion of vehicles, particularly in the Town Centre zones; and</p> <p>f. Enables the significant benefits arising from public walking and cycling trails.</p>	
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B.55 Rule 29.9.10

The rule is modified as below:

Table 29.5			
	Activity	Development type	Threshold
<u>29.9.10</u>	<u>Development in the Te Pūtahi Ladies Mile Zone</u>	<u>Any building containing residential, commercial, retail, or educational facilities</u>	<u>For any residential development 10 residential units.</u> <u>Any other building containing commercial, retail, or educational facilities</u>

The modified rule is evaluated against the relevant objective(s) of the TPLM Variation as follows:

Relevant Objective(s)	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits
<p>Objective 29.2.1</p> <p>An integrated, safe, and efficient transport network that:</p> <p>a. provides for all transport modes and the transportation of freight;</p> <p>b. provides for future growth needs and facilitates continued economic development;</p> <p>c. reduces dependency on private motor vehicles and promotes the use of shared, public, and active transport;</p> <p>d. contributes towards addressing the effects on climate change;</p> <p>e. reduces the dominance and congestion of vehicles, particularly in the Town Centre zones; and</p>	<p>These additions are to the table of thresholds for high traffic generating activities (HTGA), and require RDA consent for any new land-use or subdivision activity that exceeds the thresholds in the table. The relevant Chapter 29 rules may require that an Integrated Transport Assessment (ITA) is provided with any application, and there are matters of discretion and assessment matters to assess the ITA.</p> <p>Note that this would be additional to, and would likely command the same information as, a travel demand plan under the TPLM Zone assessment. This is not particularly efficient because there will be a degree of doubling-up, but this is not avoidable, in the existing circumstances of the sensitive traffic environment in the Eastern Corridor.</p> <p>This is a consenting cost, but is necessary for the ongoing information about and monitoring of modal share over time, which will be beneficial for the consent authority's assessment of later applications and the cumulative traffic effects.</p> <p>The benefits of the additional rule in this respect outweigh the consenting costs.</p>

<p>f. Enables the significant benefits arising from public walking and cycling trails.</p> <p>Objective 49.2.6</p> <p><u>Development in the Zone</u> <u>Minimises the generation of additional private vehicle trips along State Highway 6, and reduces, as far as practicable, car dependence and private vehicle trips along State Highway 6 generated by the adjoining residential areas at Ladies Mile by promoting travel mode shift, including by providing for a range of activities to serve residents of the Eastern Corridor and the wider Wakatipu Basin; integrating the TPLM Zone with the existing Eastern Corridor communities through roading and active travel links; providing for efficient and convenient public transport and active transport; and requiring medium and high residential densities north of State Highway 6 to sustain public transport and the commercial and social amenities within the Zone.</u></p>	<p>The rule is effective for acquiring the necessary information on mode share over time and for ongoing monitoring of the effects of development.</p> <p>Over time, it may become apparent that the level of information required at consent stage is less, and there is discretion (under the RDA status) to be less stringent about the information to be provided. However, at this early stage in the process, more caution is preferred.</p>
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