

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH**

ENV-2007-CHC

IN THE MATTER

of the Resource Management Act
1991

AND

IN THE MATTER

of an appeal pursuant to Clause
14 of the First Schedule of the
Resource Management Act 1991

BETWEEN

**HIGHSIDE LIMITED, FUTURE
RECOVERY LIMITED, AND
PHILIP SLEIGH FAMILY TRUST**

Appellant

AND

**QUEENSTOWN LAKES
DISTRICT COUNCIL**

Respondent

**NOTICE TO ENVIRONMENT COURT OF AN APPEAL ON A DECISION ON
PLAN CHANGE 10 UNDER CLAUSE 14 OF THE FIRST SCHEDULE OF
THE RESOURCE MANAGEMENT ACT 1991**

**ANDERSON LLOYD
LAWYERS
QUEENSTOWN**

Solicitor: Vanessa Walker

Appellant's Solicitor
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To: The Registrar
Environment Court
Christchurch

1. Highside Limited, Future Recovery Limited, and Philip Sleigh Family Trust ("Appellants") appeal the decision of the Queenstown Lakes District Council ("Respondent") on Plan Change 10 (the "Decision") of the Queenstown Lakes District Partially Operative District Plan ("District Plan").
2. The Appellant made a Submission on Plan Change 10.
3. The Appellant received notice of the Decision on 17 October 2007.
4. The Decision was made by the Respondent.
 - a. The Decision is in respect of improvements to the amenity values of the High Density Residential Zone, located within the Queenstown and Wanaka urban areas, amending the district plan in relation to objectives and policies, new sub-zones, changes to activity status, introduction of new rules, and changes to bulk, location and appearance of standards. The Appellant is appealing the decision in its entirety.
5. The Appellant is the owner of the land located at:
 - a. 14 Huff Street legally described as Lot 1 DP 20122 Certificate of Title OT11B/48 owned by Future Recovery Limited; and
 - b. 37, 41, and 43 Hamilton Road legally described as Lots 2, 3 and 4 DP 7671 Certificate of Title 3838 owned by Highside Limited; and

- c. 34, 26, 40, 42, 46, and 48 Hamilton Street legally described as Lots 28, 29 and 30 DP 7671 Certificate of Title 3837 owned by Philip Sleigh Family Trust, collectively the "Land". The Land is located in the High Density Residential Zone ("HDRZ") Sub-Zone B pursuant to the Plan Change 10 Decision. The Appellant made a submission on the notified Plan Change provisions.
6. The reasons for the Appellants' appeal are:
 - a. The Respondent erred in its assessment, conclusions and recommendations, in particular failing to adequately consider that the recommended provisions are not the most appropriate way:
 - i. to achieve the purposes of the Resource Management Act 1991 ("Act"); and
 - ii. of implementing the relevant objectives and policies of the District Plan.
 - b. The Respondent failed to properly identify, quantify or adequately analyse the factual situations existing prior to notification of Plan Change 10, and the anticipated outcomes of the recommended Plan Change 10 provisions, in particular consented but not yet built development which when built will change the existing character of the HDRZ.
 - c. The Respondent failed to adequately consider bulk, location and topographical features in respect of Sub-zone B generally and in respect of the Appellants' Land specifically, resulting in onerous constraints on developments from the following Plan Change rules and related assessment matters:

- i. Multi-unit development activity status
 - ii. Setbacks from road and internal boundaries;
 - iii. Continuous building length;
 - iv. Maximum building size (maximum building footprint);
 - v. Building coverage.
 - vi. Landscape coverage
 - vii. Height limits
 - viii. Earthworks
- d. In drawing its conclusions the Respondent has erred in placing too much focus on residential amenity issues and has failed to clarify and distinguish between the purpose and intended outcomes of the HDRZ compared to the Low Density Residential Zone ("LDRZ") in the District Plan to the extent that:
- i. Plan Change 10 adversely impacts on the Appellant and landowners ability within Sub-zone B to develop land for activities consistent with the purpose of the HDRZ, and to a higher density compared to the LDRZ; and
 - ii. By reducing the ability to develop to a higher density in the HDRZ, Plan change 10 blurs the distinction between the HDRZ and the LDRZ, with the result that the HDRZ is effectively a de facto LDRZ.
- e. The Respondent erred in its consideration of the District Wide issues under Part 4 of the District Plan as Plan Change 10 makes significant changes to Part 7 without addressing essential linkages with Part 4. Overall, the Respondent has failed to adequately address the extent to which the changes

are or are not consistent with the District Wide Issues, objectives and policies of Part 4.

- f. The Respondent erred in finding that the matter of HDRZ height limits is beyond the scope of Plan Change 10 as it directly relates to the bulk and location provisions addressed by the Plan Change. Constraints resulting from the Plan Change in respect of site coverage and building footprint size, which do not reflect the significant range of topographical characteristics of the land contained within the HDRZ, can be suitably offset by an increased height limit.
- g. The Respondent erred by stating that visitor accommodation is beyond the scope of the Plan Change as in its decision it has embodied visitor accommodation matters into Part 7 Issues, Objectives and Policies of the District Plan.
- h. The Respondent erred in concluding that earthworks remain a restricted discretionary activity and that matters relating to earthworks in respect of ground level that the Plan Change although encouraging excavation does not provide scope to the standards triggers for resource consent or status of earthworks activities.
- i. The Respondent has failed to adequately consider that the HDRZ contains the majority of land zoned to provide for visitor accommodation and is therefore critical to the District's ability to provide for future visitor accommodation growth and to enable the resultant flow on to economic and social benefits for the District, and justifies the Community money spent on infrastructure such as the upgrading of the Queenstown airport to accommodate tourist / visitors, and the significant sum invested in attracting tourists to the District.

- j. The Respondent failed to adequately take into account the inconsistency and impact of the Plan Change 10 rules and on consolidation within existing zones and the established principles of urban growth – the essence of which is to consolidate growth in existing zones, encourage compact urban form and higher density living environments in order to:
- i. Protect the outstanding natural landscape and natural values of the District;
 - ii. Achieve transport and energy efficiency
- k. The Respondent's decision has failed to encourage comprehensive development as a development that exceeds 3 units per site that fully complies with the relevant rules in Part 7 of the District Plan shall be a restricted discretionary activity. The failure to encourage such development, which can be suitably provided for by the Appellant and others in Sub-zone B results in:
- i. Unreasonable development restrictions on the Appellant and others in Sub-Zone B that economically inhibits the Appellants ability and that of others in Sub-Zone B, to provide accommodation in a cost efficient manner which in turn creates pressure on the limited supply of land for urban growth; and
 - ii. Adverse economic and social consequences to the Appellant and others in Sub-Zone B; and
 - iii. Contradiction with the principles and purposes of the Act which seeks to achieve efficient use and development of natural and physical resources, and enable people and communities to provide for their economic and social well-being, and
 - iv. Negative effects on the vitality of adjoining urban centres from reduced residential density; and

- v. Contradiction with the vision of the community as detailed in the District Plan.

7. The Appellant seeks the following relief:

a. That the Appeal be allowed and that:

- i. Plan Change 10 be cancelled or withdrawn in its entirety.

b. In the event that the above relief is not granted, then the Appellant seeks the following relief:

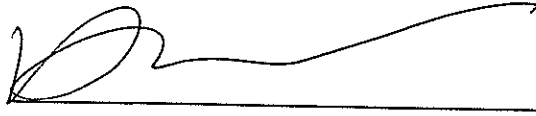
- i. To identify a specific Sub-zone that includes the Appellants Land and reflects the location, topographical characteristics and general amenity which results in the Land and the surrounding area being suitable for large scale high density residential and/or visitor accommodation development. The Appellant considers that the extent of the specific subzone should be the same as that part of the proposed Queenstown Subzone B identified on the planning maps which form part of Plan Change 10 which is located west of Gorge Road and north of proposed Subzone A ("Part Subzone B"); and

ii. To include a site specific height provision applicable to Part Sub-zone B, or alternatively to the Appellants' Land which allows for:

- A height of 24 metres or such greater or lesser height as is considered appropriate with respect to the area; and
- Requires discretionary or restricted discretionary activity consent in relation to that area for proposed activities which fail to comply with the relevant height restriction.

- iii. Such further additional, amended or consequential changes to any relevant part of the District Plan as are considered necessary to address the issues and concerns raised in this Appeal and relief sought.
 - c. In the event that the above relief is not granted, then the Appellant seeks the following relief:
 - i. Plan Change 10 be withdrawn or cancelled insofar as it applies to Part Sub-zone B or the Appellants' Land and that the HDRZ provisions prior to notification of Plan Change 10 be re-instated;
 - ii. Such further additional, amended or consequential changes to any relevant part of the District Plan as are considered necessary to address the issues and concerns raised in this Appeal and relief sought.
 - d. In the event that the above relief is not granted, then the Appellant seeks the following relief:
 - i. Should Plan Change 10 be retained generally in its current form then Part Sub-zone B or alternatively the Appellants' Land be re-zoned Sub-zone A; and
 - ii. Such further additional, amended or consequential changes to any relevant part of the District Plan as are considered necessary to address the issues and concerns raised in this Appeal and relief sought.
8. The following documents are attached to this Notice:
- a. A copy of the relevant decision.
 - b. A copy of the District Plan Objectives, Policies and Rules as per the recommendations of the Respondent.
 - c. Sub-zone Maps as attached to the decision
 - d. A copy of the Appellant's original Submission.

- e. A list of all names and addresses of persons to be served with a copy of this Notice.



Vanessa Walker – Counsel for the Appellant

Date: 29/4/07

Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission on the matter of this appeal and you lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court within 30 working days after this notice was lodged with the Environment Court.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (see form 38).

How to obtain copies of documents relating to appeal

The copy of this notice served on you does not attach a copy of the Appellant's Submission or the Decision (and associated documents attached to the Decision) appealed. These documents may be obtained, on request, from the appellant.

Advice

If you have any questions about this notice, contact the Environment Court Unit of the Department for Courts in Auckland, Wellington, or Christchurch.

Schedule B – Persons to be served with a copy of this notice

Queenstown Lakes District Council

C/- MacTodd

PO Box 653

Queenstown

Queenstown Lakes District Council

C/- Scott Figenshow

Policy Analyst

Private Bag 50072

2 Architecture Studio	PO Box 112		ARROWTOWN
Archimedia	PO Box 741		QUEENSTOWN
Baker, M. A.	180 Beacon Road		Wanaka
John Barton	16 Westburn Terrace	Burnside	CHRISTCHURCH
R. O. Boyd	1 Baker Grove		WANAKA
Vance and Carol Boyd	Box 53		QUEENSTOWN
Gregory and Jane Birck	19 Cornell Road		WELLESLEY, MA NEW ZEALAND
Jay and Jewell Cassells	5 Brisbane Street		02482
Mark Chapman	C/- Grovely	RD2	QUEENSTOWN
Anne Cooper	38 Helwick Street		Christchurch 8021
J Crawford Anderson	9 Peak View Ridge		Wanaka
Fiona Crutchley	8 Helwick Street		Wanaka
Marie de Groot	100 Kings Drive		Wanaka
Joy Durrant	Body Corp Secretary 'Sesia Vista'	PO Box 10-982	WELLINGTON
Edwin Elliott	PO Box 1115		QUEENSTOWN
Stewart Fletcher	28 Missy Crescent	RD 3	Pisa CROMWELL
Dale Fluit	4 Elderberry Cres		Wanaka
Marilyn Fraser	1 Hunter Cres		Wanaka
Lucy Fullerton	Loess Lane		HAWEA FLAT
Adrienne Gardner	4 Kidson Lane		Wanaka
Goodman Steven Tavendale and Reid	PO Box 442		Christchurch
H & J Smith Holdings Limited	C/- J. Smith	H & J Smith Limited	PO Box 1741 INVERCARGILL
Michael Harris	58 Hunter Road	RD 1	QUEENSTOWN
Tina Haslett	PO Box 204		ARROWTOWN
T E Hunt	23 Bills Way		WANAKA
IHG Queenstown Limited and Carter Queenstown Limited	C/- Philip Carter	PO Box 2726	CHRISTCHURCH
Carolyne Johnson	Stonebridge	188 Domain Road	QUEENSTOWN
Gerald Johnson	188 Domain Road		QUEENSTOWN
Helen Johnston	14a Little Oak Common		Wanaka
Janey Johnston	219 Lakeside Road		Wanaka
Rob Johnston	219 Lakeside Road		Wanaka
Shona Johnstone	99 Youghal Street		Wanaka

Ned Jolly	36 Upton Street		WANAKA
Mary Jowett	PO Box 999		QUEENSTOWN
Lynn Kane	22 Tenby Street		WANAKA
Richard Kane	22 Tenby Street		WANAKA
Martin Kennedy	50 Oregon Drive		QUEENSTOWN
Jack Kilpatrick	33 Faulks Terrace		Wanaka
Ngairi Kilpatrick	33 Faulks Terrace		Wanaka
Bill & Loris King	120 Brownston Street		WANAKA
Lake House Consultants	PO Box 515	193 Frankton Road	QUEENSTOWN
Allan Leahy	227 Riversdale-Waikaia Road		
Melinda Leahy	227 Riversdale-Waikaia Road	RD6	Gore
William Lee	18 Brinkburn Street		OAMARU
Sharon Lind	54 Bills Way		Wanaka
David Neil Little	5 Oakwood Place		Wanaka
Victoria Lund	PO Box 876		QUEENSTOWN
Gill and Rick Maclean	PO Box 295		WANAKA
Richard Mayes	PO Box 138		WANAKA
Sarah Mayes	P.O. Box 138	Wanaka New Zealand	
Donald McKinlay	PO Box 281	82 Golf Course Rd	Wanaka
Carolyn McPhee	24 Tenby Street		Wanaka
Tom McPhee	24 Tenby Street		WANAKA
Diana Meathen	8 Sycamore Place		Wanaka
Grant Meldrum	56 Panorama Terrace		QUEENSTOWN
Susie Meya	10A Tenby Street		WANAKA
Michael Morel	PO Box 1047		QUEENSTOWN
Murray Cockburn Partnership Ltd	23 McKerrow Place		Queenstown
Andy Nielson	9 Kennedy Crescent		WANAKA
Deborah Odering	Hayes Road	Ladbrooks RD 4	Christchurch
Rex Patton	Hayes Road	Ladbrooks RD4	CHRISTCHURCH
Christine Pawson	PO Box 205		Wanaka 9343
Julie Perry	28B Fairlands Avenue	Waterview	AUCKLAND
Peter Flemming and Associates	PO Box 498		QUEENSTOWN
Dorothy Pittaway	9 Botting Place		Wanaka
Norman William Pittaway	9 Botting Place		Wanaka
A J Preen	335 Church Street		TIMARU

R Gould Family Trust	C/- B Gould	Anderson Lloyd	PO Box 201	QUEENSTOWN
Jennifer Reid	3 Waimana Place			Wanaka
Lynley Barkman Rodger	22 Wilely Road			Wanaka
Gwenda Ross	36 Upton Street			WANAKA
Leith Rowley	8/62 Tenby Street			Wanaka
Elizabeth Russell	26 Norman Terrace			Wanaka
William Russell	26 Norman Terrace			Wanaka
Murray Sheppard	21 Heddlitch Street			WANAKA
Roma Simpson	10B Tenby Street			Wanaka
Ronald Simpson	10B Tenby Street			WANAKA
J.W.A Smith	PO Box 824			INVERCARGILL
E M Spijkerbosch	PO Box 247			QUEENSTOWN
Terry and Susan Stevens	2128 Gibbston Highway	RD1		QUEENSTOWN
Simon Stewart	Box 333			Wanaka
Gordon Robert Stretch	18 Stonebrook Drive			Wanaka
E. Patricia Stuart	32 Warren Street			Wanaka
J K Stuart	32 Warren Street			WANAKA
Beverley Sutherland	Aspiring Lodge Motels	16 Dunganon Street		WANAKA
Ian Sutherland	16 Dunganon Street			Wanaka
Graham Taylor	114 Shortcut Road	RD2		Wanaka
Robert Taylor	PO Box 600			QUEENSTOWN, 9197
Richard Thomson	975 Frankton Road			QUEENSTOWN
Dennis Thom	PO Box 25-896			AUCKLAND
Whitney Thurlow	10a Tenby Street	St Heliers		WANAKA
Nicky Tompkins	PO Box 989			QUEENSTOWN
Transit New Zealand	PO Box 5241			DUNEDIN
Alexander Turnbull	19 Bills Way			Wanaka
Bert & Jenny Turnbull	80 Youghal Street			WANAKA
Joyce Turnbull	19 Bills Way			WANAKA
Bryan Lloyd Umbers	36 Dunganon Street			Wanaka
Grant Umbers	45 Rata Street			Wanaka
Julie Umbers	45 Rata Street			Wanaka
Anne Urliwin	PO Box 259			Wanaka
Roger Urliwin	1 Blacksmiths Road			WANAKA
Fred Van Brandenburg	PO Box 2016			Wanaka
Brian Watt	80a Hunter Cres			QUEENSTOWN
				Wanaka

Jocelyn Wilson	19 Blacksmiths Lane	Wanaka		
W J Wright	19 Berkshire Drive	Hyde Park	Avonhead	CHRISTCHURCH
Jamie Mackay	80 Ruia Street			GORE
John Borrell	Phil Marshall	Po Box 158		QUEENSTOWN
Brecon Street Partnership Ltd	C/- Brown & Pemberton Planning Group	PO Box 1467		QUEENSTOWN
Perron Developments Limited	C/- Brown & Pemberton Planning Group	PO Box 1467		QUEENSTOWN
Peninsula Road Limited	C/- Jeff Brown	PO Box 1467		QUEENSTOWN
Clearsky Mountains NZ Limited	C/- Clark Fortune McDonald & Associates	PO Box 553		Queenstown
Alta Apartments	C/- John Edmonds and Associates Ltd	PO Box 95		QUEENSTOWN
Belfast Corporation Limited	C/- John Edmonds and Associates Ltd	PO Box 95		QUEENSTOWN
Cadex Finance Limited	C/- John Edmonds and Associates Ltd	PO Box 95		QUEENSTOWN
J Leeder	C/- John Edmonds and Associates Ltd	PO Box 95		QUEENSTOWN
Stone Crest Apartments	C/- John Edmonds and Associates Ltd	PO Box 95		QUEENSTOWN
Clearsky Mountains NZ Limited and Medcentre Queenstown Limited	C/- Chris Ferguson	PO Box 553		QUEENSTOWN
Wensley Developments Limited	C/- Chris Ferguson	PO Box 553		QUEENSTOWN
Domicile Development Limited	C/- Scott Freeman	PO Box 1081		QUEENSTOWN
Chris and Tim Goodwin	C/- Scott Freeman	PO Box 1081		QUEENSTOWN
James Hadley	C/- Scott Freeman	PO Box 1081		QUEENSTOWN
Reefa Enterprises Limited	C/- Scott Freeman	PO Box 1081		QUEENSTOWN
Sebastian Smith	C/- Scott Freeman	PO Box 1081		QUEENSTOWN
Laurent Rabot	C/- Brett Giddens	PO Box 1081		QUEENSTOWN
Graeme Leonard	C/- Brett Giddens	PO Box 1081		QUEENSTOWN
Maximum Mojo Holdings Limited	C/- Brett Giddens	PO Box 1081		QUEENSTOWN
Queenstown Units Pty Ltd	C/- Brett Giddens	PO Box 1081		QUEENSTOWN
Queenstown Ventures Ltd	C/- Brett Giddens	PO Box 1081		QUEENSTOWN
Viking Properties	C/- Brett Giddens	PO Box 1081		QUEENSTOWN
595 Frankton Road Partnership	C/- Vanessa Walker	Anderson Lloyd Lawyers	PO Box 201	QUEENSTOWN
Bowen Street Enterprises	C/- Vanessa Walker	Anderson	PO Box 201	QUEENSTOWN

Limited		Lloyd Lawyers		
CDL Hotels Limited	C/- Vanessa Walker	Anderson Lloyd Lawyers	PO Box 201	QUEENSTOWN
Fox on the Hill Ltd	C/- Vanessa Walker	Anderson Lloyd Lawyers	PO Box 201	QUEENSTOWN
Highside Limited, Future Recovery Limited, The Phillip Sleigh Family Trust	C/- Vanessa Walker	Anderson Lloyd Lawyers	PO Box 201	QUEENSTOWN
Infinity Investment Group Limited	C/- Vanessa Walker	Anderson Lloyd Lawyers	PO Box 201	QUEENSTOWN
John Thompson and Mc Farlane Investments Limited	C/- Vanessa Walker	Anderson Lloyd Lawyers	PO Box 201	QUEENSTOWN
Brian Kretf	C/- Vanessa Walker	Anderson Lloyd Lawyers	PO Box 201	QUEENSTOWN
Stuart and Pam Maclean	C/- Vanessa Walker	Anderson Lloyd Lawyers	PO Box 201	QUEENSTOWN
Mondrian Property Limited	C/- Vanessa Walker	Anderson Lloyd Lawyers	PO Box 201	QUEENSTOWN
Pasadena Villas Queenstown Ltd	C/- Vanessa Walker	Anderson Lloyd Lawyers	PO Box 201	QUEENSTOWN
Youth Hostel Association of New Zealand Incorporated	C/- Vanessa Walker	Anderson Lloyd Lawyers	PO Box 201	QUEENSTOWN
Emma Jane Ltd	C/- Goodman Steven Tavendale and Reid	PO Box 442		Christchurch New Zealand
Olwyn Pezaro	C/- A M B Green	PO Box 240		AUCKLAND 1
5 Shotover Street	C/- John Edmonds and Associates Ltd	PO Box 95		QUEENSTOWN
Bumbles Backpackers	C/- John Edmonds and Associates Ltd	PO Box 95		QUEENSTOWN
Erin Property Ltd	C/- John Edmonds and Associates Ltd	PO Box 95		QUEENSTOWN
Goldfields Investments Ltd	C/- John Edmonds and Associates Ltd	PO Box 95		QUEENSTOWN
Heartland Developments Wanaka	C/- John Edmonds and Associates Ltd	PO Box 95		QUEENSTOWN

John Edmonds and Associates Ltd	PO Box 95	QUEENSTOWN
Milburn Trust Ltd	C/- John Edmonds and Associates Ltd PO Box 95	QUEENSTOWN
Mulwood Investments Ltd	C/- John Edmonds and Associates Ltd PO Box 95	QUEENSTOWN
Pinpoint Trustees Ltd	C/- John Edmonds and Associates Ltd PO Box 95	QUEENSTOWN
Pounamu Hotel Nominee Limited	C/- John Edmonds and Associates Ltd PO Box 95	QUEENSTOWN
Queenstown Lodge	C/- John Edmonds and Associates Ltd PO Box 95	QUEENSTOWN
Queenstown Villas Ltd	C/- John Edmonds and Associates Ltd PO Box 95	QUEENSTOWN
Queenwood Investments	C/- John Edmonds and Associates Ltd PO Box 95	QUEENSTOWN
Ray Harper - Lakeside	C/- John Edmonds and Associates Ltd PO Box 95	QUEENSTOWN
E Richeceour	C/- John Edmonds and Associates Ltd PO Box 95	QUEENSTOWN
Shotover Property Investments Ltd	C/- John Edmonds and Associates Ltd PO Box 95	QUEENSTOWN
Station Properties Ltd	C/- John Edmonds and Associates Ltd PO Box 95	QUEENSTOWN
Wanaka 57 Ltd	C/- John Edmonds and Associates Ltd PO Box 95	QUEENSTOWN
Waterlight Investments Limited	C/- John Edmonds and Associates Ltd PO Box 95	QUEENSTOWN
Wimbledon Investments Ltd	C/- John Edmonds and Associates Ltd PO Box 95	QUEENSTOWN
Woodlot Properties Limited	C/- Carey Vivian PO Box 1559	QUEENSTOWN
Denis and Marilyn Columb	C/- Bryce Whiting PO Box 1043	QUEENSTOWN
Sharon Duncan	C/- Bryce Whiting PO Box 1043	QUEENSTOWN
Heather King	C/- Bryce Whiting PO Box 1043	QUEENSTOWN
G Kingston-Smith	C/- Bryce Whiting PO Box 1043	QUEENSTOWN
Ruth and Trevor Luzmoor	C/- Bryce Whiting PO Box 1043	QUEENSTOWN
Evan Patterson	C/- Bryce Whiting PO Box 1043	QUEENSTOWN
Kay Shaw	C/- Bryce Whiting PO Box 1043	QUEENSTOWN
Michael and Chris Stone	C/- Bryce Whiting PO Box 1043	QUEENSTOWN
A G Swan	C/- Bryce Whiting PO Box 1043	QUEENSTOWN
Leonie Sykes	C/- Bryce Whiting PO Box 1043	QUEENSTOWN
Tim Sykes	C/- Bryce Whiting PO Box 1043	QUEENSTOWN

P.F.B and Jan Williams

C/- Bryce Whiting

PO Box 1043

QUEENSTOWN

Shotover Park

C/- John Young

Brockfields

PO Box 240 AUCKLAND 1

COPY

Submission on a Publicly Notified Plan Change

1. **To:** Queenstown Lakes District Council
2. **Name of Submitter:** **Philip Sleigh Family Trust, Highside Limited, Future Recovery Limited**
3. **Address for Service:** Anderson Lloyd Caudwell
PO Box 201
Queenstown.
Tel: (03) 450-0700.
Fax: (03) 450-0799.
Email: warwick.goldsmith@alclegal.com
4. **This is a submission on the following proposed Plan Change.**
5. Plan Change 8 ("PC8") to the Queenstown Lakes District Partially Operative District Plan ("District Plan") – Car Parking Requirements.
6. **The specific provisions of the proposal that my submission relates to are:**
This submission relates to the entire Plan Change.
7. **My submission is:**
 - 7.1 **Summary**
 - 7.1.1 In summary this submission:
 - a. Opposes PC8 in its current form on the basis that it has been inadequately researched, it is unduly onerous and factually unjustified, and the new provisions inserted by PC8 (particularly when considered together with Plan Changes 6 and 10) are inconsistent with the District Plan in general and the purpose of the High Density Residential Zone in particular and are contrary to the purpose and principles of the Resource Management Act 1991 ("the Act").

- b. Proposes amendments to the District Plan to better implement the HDRZ and to achieve car parking requirements that are appropriate for the HDRZ.

7.2 Inadequate Section 32 Analysis

- 7.2.1 The information used as the basis for PC8, as set out in the accompanying section 32 documentation, is cursory and anecdotal. It does not satisfactorily identify the exact nature of the perceived problem, whether it is a District-wide problem, or whether the problem is specific to certain locations in the District. At best the information provided about the perceived problem presents a reason for the Council to undertake further research to become more informed about the issues, but does not in itself provide justification for the changes proposed in PC8.
- 7.2.2 Prior to undertaking the Plan Change the Council should have undertaken comprehensive research. This research should be part of a broader comprehensive strategy for transportation within the Queenstown District.
- 7.2.3 PC8 is misconceived and has not been properly assessed or justified under section 32 of the Act. In particular, the section 32 process for PC8 is inadequate in that it has not properly identified or evaluated alternatives, costs or benefits. The section 32 documentation:
 - a. does not adequately examine whether PC8 is the most appropriate way to achieve the purpose of the Act;
 - b. has not had sufficient regard to the efficiency and effectiveness of the new rules and whether they are the most appropriate method for achieving the relevant objectives of the District Plan;
 - c. does not adequately provide a risk assessment in relation to the uncertainty or insufficiency of the information about the subject matter.
- 7.2.4 The section 32 analysis does not properly identify either the problems with the current car parking requirements or the anticipated outcomes of PC8.

- d. There is inadequate analysis of the level of car parking required in the High Density Residential Zone.
- e. There is inadequate analysis of the consequential effects of PC8 on the ability to provide high density residential and visitor accommodation.
- f. There is inadequate analysis of the economic and social consequences of the changes implemented through PC8.
- g. There is inadequate analysis of and justification for the significant additional requirements imposed upon landowners as a consequence of PC8.

7.2.5 The Council has not undertaken sufficient consultation with stakeholders and landowners who have land and/or interests in the HDRZ and the LDRZ.

7.2.6 The section 32 report places too much reliance on Report 209. This has a number of inadequacies including:

- a. low sample size
- b. it does not take into consideration that for multi unit developments it is only necessary for the total number of car parks to be a whole number, rather than rounding the amount required up to two spaces for every unit.
- c. it does not accurately reflect the unique circumstances of high density development in the Queenstown Lakes District

7.3 PC8 introduces unfeasible parking requirements

7.3.1 PC8 is unjustified and does not take into consideration:

- a. the size/capacity and intended market of the residential and accommodation units;
- b. the proximity of the development to town centres or places of employment;

- c. public transportation routes;
- d. the proportion of guests at a visitor accommodation facility that will or will not have a car or more than one car;
- e. the fact that many residential units in the district are holiday homes and the owners or visitors when on holiday are only likely to have one car.

7.4 Failure to Consider District Wide Provisions of the District Plan

7.4.1 The District Plan is structured with Part 4 containing district wide issues, objectives and policies followed by subsequent Parts such as Part 7 addressing different zones and Part 14 addressing Transportation. PC8 does not address essential linkages between Parts 4, 7 and 14 and does not address the extent to which the proposed changes are or are not consistent with the objectives and policies in these parts.

7.4.2 It is necessary that any plan change which imposes such onerous requirements addresses the issue of consistency between Parts 4, 7 and 14 and makes appropriate changes to these parts to ensure that the District Plan is internally consistent.

7.5 Inconsistent with Transport Objectives of the District Plan

7.5.1 Queenstown faces particular challenges in the area of transport resulting from growth pressures. State Highway 6A between Frankton and Queenstown has capacity limitations. The community is considering public transport and mass transit options which are feasible, by land and/or by water.

7.5.2 Vibrant urban areas and a sense of community exists where there is a low level of car dependence and movement is safe and easy for all users. This is not recognised by PC8.

7.5.3 PC8 will encourage the use of the private cars, as opposed to alternative means of transport.

7.5.4 PC8 is inconsistent with Part 4 and Part 7 objectives and policies which promote the use of compact urban form in order to reduce the need for vehicles.

7.5.5 PC8 is also inconsistent with Part 14 objectives and policies which promote the urban consolidation of new areas of residential development within identified areas to achieve efficient use of transport resources, to maintain and improve safety and accessibility by adopting parking standards that are based on the intended function of activities, and to encourage an efficient pattern of public transport.

7.6 Contrary to Purpose of HDRZ

7.6.1 PC8 does not take into consideration high density development in the Queenstown Lakes District. The purpose of the HDRZ as stated in Section 7.5.1.2 of the District Plan can be summarised as to make provision for higher density residential activity and visitor accommodation. PC8 is contrary to the purpose of the HDRZ as stated in the District Plan, both when considered on its own and when considered in conjunction with PC6 and PC10.

7.6.2 The nature of development anticipated by this zone is restricted by PC8 which does not reflect the practical issues associated with providing for this level of car parking.

7.6.3 These Plan Changes provide an opportunity to strengthen policy support for the HDRZ in order to strengthen and clarify the purpose of the HDRZ and to strengthen the links between the objectives and policies and rules relevant to the HDRZ, all of which will assist to maintain and enhance the vitality of the town centres.

7.7 Compounds Existing Inconsistencies Within the District Plan

7.7.1 Prior to notification of these Plan Changes there was a lack of clarity and distinction between the purpose and intended outcomes of the HDRZ compared to the purpose and intended outcomes of the Low Density Residential Zone ("LDRZ"). PC8 compounds that existing degree of inconsistency by requiring the same level of car parking in the LDRZ and the HDRZ.

7.7.2 The notification of these Plan Changes creates an opportunity to address issues which existed prior to notification of PC8 to ensure that the District Plan consistently identifies and distinguishes the objectives for and outcomes anticipated from the HDRZ compared to the LDRZ.

7.7.3 Section 7 promotes a range of housing types. Therefore a further point of inconsistency with the District Plan is that PC8 discourages the construction of one bedroom units and therefore will not promote this form of housing.

7.8 Opportunity to Refine the HDRZ

7.8.1 Any change should be based on accurate research into the specific situation of high density multi unit developments and visitor accommodation activities in the Queenstown Lakes District and differences between such activities in different parts of the district.

7.8.2 Plan Change 10 refines the HDRZ by creating subzones. The subzones proposed may be more refined during the submission process. As discussed above it is not appropriate for PC8 to impose a blanket approach to carparking, whereby the same level of carparking is required with no consideration of the proximity to town centres, places of employment and public transport routes. It would be possible and potentially appropriate for car parking requirements to be related to specific subzones in order to reflect the variety of different locations.

7.8.3 PC8 applies to HDRZ and LDRZ areas in both Queenstown and Wanaka without differentiating between Queenstown and Wanaka. Different locational and community issues arise in Queenstown compared to Wanaka. PC8 has failed to address those differences.

7.9 Promote Inefficient Use of Land

7.9.1 The District has a limited supply of land suitable for urban growth, particularly in the Wakatipu Basin in the vicinity of Queenstown. Increasing growth pressures on that limited land resource has and will result in increased land prices which adversely affect the ability of residents to provide for their social and economic wellbeing in terms of access to residential accommodation. PC8 requires car

parking that is surplus to requirements and which will unreasonably detract from the availability of land for development.

7.9.2 The provisions of PC8, in combination with Plan Changes 6 and 10, will result in an inefficient use of a limited land resource. This is contrary to the purpose and principles of the Act which seek to:

- a. Achieve the efficient use and development of natural and physical resources.
- b. Enable people and their communities to provide for their economic and social wellbeing.

7.9.3 The community's vision for the District summarised in Part 3.6 of the District Plan commences with the following statement:

"A sustainable District is efficient in the way it uses resources. It is likely to have compact urban centres and strong town centres or retail centres..."

7.9.4 PC8 will result in a less efficient use of a limited land resource and will adversely affect the ability to achieve and maintain compact urban centres and strong town centres. Accordingly the provisions of PC 8 are contrary to the vision of the community as detailed in the District Plan.

8.0 I seek the following decision from the Local Authority:

General Relief Requested

- 8.1 The Submitter seeks that PC8 be withdrawn or cancelled.
- 8.2 If the relief sought in paragraph 8.1 is refused, the Submitter seeks the following:
- a. That PC8 be amended so that the car parking requirements are related a specific zone or subzone.
 - b. That PC8 be amended so as to achieve the optimal provision of on-site parking for a particular type of development. This provision should be based on accurate research and assessment and should include a reasonable level of flexibility so that variables such as those listed below are taken into consideration for any particular development:
 - i. The size/capacity and intended target market of the residential or visitor accommodation units;
 - ii. Proximity of the development to town centres or employment locations; and
 - iii. Public transport options
 - c. That the rules introduced by PC8 be amended to provide for one car park per residential unit in the HDRZ, or such greater number between one and two car parks per residential unit as it is considered to be appropriate following the research and assessment referred to in subparagraph b above.
 - d. That Part 4 of the District Plan be amended as detailed in Appendix A, or in such other manner as the consent authority considers appropriate to take account of and respond to issues arising for determination as a consequence of this Submission.

- e. That Part 7 of the District Plan be amended as detailed in Appendix B, or in such other manner as the consent authority considers appropriate to take account of and respond to issues arising for determination as a consequence of this Submission.
 - f. That Part 14 of the District Plan be amended as detailed in Appendix C, or in such other manner as the consent authority considers appropriate to take account of and respond to issues arising for determination as a consequence of this Submission.
 - g. That the consent authority make such further additional, and/ or amended and/ or consequential changes as are considered necessary to address the issues and concerns raised in this Submission.
- 8.3 The Submitter requests that PC8 be considered in conjunction with Plan Change 6 and Plan Change 10 because of the interrelationship between the issues raised by these three plan changes.
9. I do wish to be heard in support of my submission.
10. I will consider presenting a joint case with others at a Hearing.

DATED this 9th day of December 2005



Signed on behalf of the Submitter
by its solicitors Anderson Lloyd Caudwell
per W P Goldsmith

APPENDIX A

DISTRICT WIDE ISSUES

4.9 Urban Growth

4.9.1 Introduction

The international visitor industry nationally is a major component to continued economic growth within New Zealand and the ability for New Zealand to derive income to provide for the future needs of New Zealand residents. The District is a popular and growing destination for visitors. It has a critical role to play in accommodating and providing for growth in international visitors to New Zealand and the quality of the experience that international visitors have when they visit New Zealand.

The manner and rate in which urban growth occurs has a major bearing on resource use, social and economic well being and environmental quality. The District has faced major changes in the past as a result of cyclical urban growth pressures.

The District is a desirable place to live and work in, as witnessed by continued population growth. The people and communities who make up the District are facing new and different challenges. The fundamental consideration is to ensure continued growth is managed in a way which sustains the District's resources, character and amenities.

4.9.2 Issues

The Council can play an important role in the sustainable management of growth as it relates to other important District wide issues, including protection and enhancement of the landscape and avoiding the adverse effects of development on the natural and physical resources of the District while at the same time providing for and accommodating the growth in the number of visitors to the District which is important economically and socially to both the District and New Zealand as a whole. It is not possible to be precise about the level of growth to be planned for, but increased growth is anticipated in:

- tourism and visitor numbers
- hotels and visitor accommodation
- housing demand
- increased range and scale of retail activity
- increased demand for educational and recreational facilities such as schools.

The District Plan anticipates that most of the growth will occur within the existing and proposed residential zoned areas. Urban growth will result in changes to the natural and built environment and has the potential to affect the character of the District in terms of its impact on landscape amenity, provision of infrastructure, and the social and economic well being of the community.

The principal issues identified are:

- the management of urban growth in order to protect water resources and ground water recharge, safeguard the life supporting capacity of soils, wetlands and air, avoid natural hazards including sheer slopes and flood plains and protect and enhance landscape values and visual amenity.
- the provision for and accommodation of growth in visitor numbers to the District efficiently and in a manner which respects and takes advantage of appropriate topographical and locational factors advantageous to visitor accommodation development.

- the encouragement of economic growth for the benefit of residents of the District and to New Zealand nationally.
- the provision of efficient transport services, including public transport and mass transit services where appropriate, for the benefit of residents in the District and visitors to the District.
- the lifestyle preferences of the District's present and future population.
- the effects of urban growth on the identity, cohesion, and economic and social well being of the existing residential, farming and settlement communities.
- how best to accommodate urban growth.
- the effect on energy use.
- the effect on access to facilities and services, i.e. health, education and
- shops.
- the effect on the major infrastructure resources such as the airports, sewerage, treatment works, landfills, recreation facilities.
- the needs of the takata whenua. (Refer to Section 4.3)

4.9.3 Objectives and Policies

Objective 1 - Natural Environment and Landscape Values

Growth and development consistent with the maintenance of the quality of the natural environment and landscape values.

Policies

1.1 To ensure new growth occurs in a form which protects the visual amenity, avoids urbanisation of land which is of outstanding landscape quality, ecologically significant, or which does not detract from the values of margins of rivers and lakes.

1.2 To ensure growth does not adversely affect the life supporting capacity of soils unless the need for this protection is clearly outweighed by the protection of other natural or physical resources or important amenity values.

Implementation Methods

Objective 1 and associated policies will be implemented through a number of methods:

i District Plan

(a) Comprehensive policy and rules to ensure protection and enhancement of the District's important natural resources and amenities.

(b) Identification of a pattern of land uses through zoning and policy supporting a strategy of urban consolidation.

(c) Subdivision and development policies which safeguard the life supporting capacity of the District's soils and outstanding landscape areas.

(d) Residential and urban zones which protect the existing urban areas.

- (e) (d) To provide strong policy direction to ensure opportunities exist for new urban growth.

Explanation and Principal Reasons for Adoption

The Council recognises the need for opportunities to be provided for urban growth, in a location and form which preserves the significant natural resource and amenity values of the District.

The various communities in the District have indicated they wish the Council to protect the environment. This is seen to include rivers and lakes, the sustainable management of land, and scenic and visual amenities.

The pattern of urban growth is important to sustainable management of the District's natural resources in terms of protecting or enhancing matters such as water and air quality, the life supporting capacity of soils and ecological values.

Objective 2 - Existing Urban Areas and Communities

Urban growth which has regard for the built character and amenity values of the existing urban areas and enables people and communities to provide for their social, cultural and economic well being.

Policies:

2.1 To provide for and enable redevelopment of existing visitor accommodation and development of new visitor accommodation.

2.2 To protect and enhance the vitality of the urban centres by providing for high density residential development adjacent to the urban centres and adjacent to transport routes connecting to the urban centres.

2.1-2.3 To ensure new growth and development in existing urban areas takes place in a manner, form and location which protects or enhances the built character and amenity of the existing low density residential areas and small townships.

2.2-2.4 To protect the living environments of existing low-density residential areas by limiting higher density development opportunities within these areas.

Implementation Methods

Objective 2 and associated policies will be implemented through a number of methods including:

i District Plan

(a) Identification of a rural-urban interface for larger towns and small settlements in order to enhance the character of urban areas.

(b) Identification of areas suitable for visitor accommodation development and high density residential development.

(c) Identification of lower density residential areas where existing character will generally be maintained and enhanced.

(b) Residential zones which protect the character of urban areas.

(ed) Zoning provision to provide for new urban growth.

Explanation and Principal Reasons for Adoption

The character of urban areas is dependent on the relationship of those areas to the landscape and compact nature of settlement within the landscape. Proposals for new urban growth and development should seek to enhance that relationship. Much of the mountain, hill and lakeshore areas have outstanding landscape value and are the key to the District's identity and its social and economic well being.

The policies focus on the social well being of the communities and in particular residential or "community cohesion". Within a management regime which focuses more on the physical effects of activities it is easy to overlook the importance of community well being and social effects. There are many factors which contribute to community well being including, commonality of aspirations, outlook, purpose and interests. Each of these interacts with the others to give rise to a sense of community at both a general level, or at a residential neighbourhood level.

The community accepts that the District has a nationally important role to play in providing for visitor accommodation and growth in the visitor accommodation industry. The community recognises that that will result in a significant degree of change to some existing residential areas. It is important to ensure that those areas are appropriately identified and located in order to maximise the economic benefits which derive from growth in the visitor accommodation industry while minimising adverse effects on the urban centres as a whole.

The community considers it important to retain the vitality of the urban centres. An important part of that vitality comes from residents living near the urban centres and interacting with visitors to the urban centres. This requires high density areas appropriately located with respect to the urban centres and to transport routes which connect to the urban centres.

Provision for visitor accommodation and high density residential areas can result in effects such as traffic congestion. This requires consideration of, and may require provision for, public transport and/or mass transit services to enable more efficient use of the transport network and minimise adverse effects of growth and transport requirements.

One of the major issues to have impacted on the character and form of future urban growth is the protection of the current low-density residential living environs. Although it would be feasible to accommodate a significant part of future urban growth within the current low density residential zones, this could impact on the residents living there.

The low density residential areas of the District in both large and small towns have developed a sense of well being through the cohesion of residential activity and the character of the living environments, particularly as they relate to the topography, residential density and outlook. The Council has determined that influencing the form and location of urban growth is a part of managing the effects of growth.

Provision for high density areas which are clearly differentiated from low density areas can reduce pressure for development within low density areas.

Objective 3 - Residential Growth

Provision for residential growth sufficient to meet the District's needs.

Policies

3.1 To enable urban consolidation to occur where appropriate.

3.2 To encourage new urban development, particularly residential and commercial development, in a form, character and scale which provides for higher density living environments and is imaginative in terms of urban design and provides for an integration of different activities, e.g. residential, schools, shopping.

3.3 To provide for high density residential development in appropriate areas and to enable efficient use and development of the land in those areas.

3.4 To provide for lower density residential development in appropriate areas and to ensure that controls generally maintain and enhance existing residential character in those areas.

Implementation Methods

Objective 3 and associated policies will be implemented through a number of methods:

(i) Through the District Plan:

(a) The identification of a pattern of land uses supporting a strategy of urban consolidation and a compact urban form for the existing settlements with greater opportunities for a variety of living environments (e.g. residential densities) in existing and new settlement areas.

(b) Ensuring opportunities for urban growth consistent with identified environmental and economic outcomes for the District and individual communities.

(c) Providing for a variety of residential densities in different areas.

(ed) Management of the location of new urban growth and residential development.

Explanation and Principal Reasons for Adoption

It is important to the social and economic well being of the District that new growth is undertaken in a manner which sustains and enhances the natural resources, water, soil, air, amenity values, landscape, and aspirations of the community. The Council recognises the need for additional residential activity and has chosen to accommodate urban growth through policies of consolidation, because this is considered to be more cost effective and efficient in terms of infrastructure.

Consolidation can occur by peripheral expansion of the existing residential areas, increased density within the existing residential areas, or opportunities for new settlement. Consolidation is considered by the Council to be the most sustainable urban growth option as it enables the protection of landscape values, soil and water resources, low density living environments, the cohesion and character of existing towns and urban areas, the efficient use of energy and infrastructure and regard for major infrastructure such as airports and state highways.

Objective 4 - Business Activity and Growth

A pattern of land use which promotes a close relationship and good access between living, working and leisure environments.

Policies:

4.1 *To promote town centres, existing and proposed, as the principal foci for commercial, visitor and cultural activities.*

4.2 *To promote and enhance a network of compact commercial centres which are easily accessible to, and meet the regular needs of, the surrounding residential environments.*

4.3 To promote provision of public transport and/or mass transit services where appropriate to enable efficient use of transport infrastructure and to minimise adverse effects arising from growth in transport activities.

Implementation Methods

Objective 4 and associated policies will be implemented through a number of methods:

(i) District Plan

- (a) Identification of a land use pattern, existing and future, supporting a pattern of urban consolidation.
- (b) The location of town centres convenient to living environments.
- (c) Encouraging and providing opportunities for activities that are able to co-exist.
- (d) Zoning for existing and new consolidated urban areas.
- (e) Zoning for visitor accommodation and high density residential activities adjacent to urban centres and adjacent to transport routes.

(ii) Other Methods

- (a) Provision of works and services in the existing town centre areas, e.g. roading improvements.
- (b) Protection and enhancement of existing urban heritage features and areas to retain the amenity and attractiveness of the existing town centre.
- (c) Promotion of public transport and/or mass transit services.

Explanation and Principal Reasons for Adoption

One of the important factors in managing urban growth is the interrelationship between the work place, living environments and leisure activities. While the Council does not expect all people to use the facilities nearest to their residence, there are valid resource management reasons why the opportunities should be available. These include ease of access between home and facilities (shopping) for those who have limited access to transport, providing for a range of transport options.

The District contains a range of compact commercial centres, which are the focus for much economic activity, and their well being is an essential part of the consolidation strategy. These centres must remain accessible and vibrant.

In addition to the above, the Council recognises the longer term retail needs of the community as well as the need to protect and enhance the amenity values of the Queenstown and Wanaka Town Centres.

Objective 5 - Visitor Accommodation Activities

To enable visitor accommodation activities to occur while ensuring any adverse effects are avoided, remedied or mitigated.

Policy:

5.1 To provide areas for visitor accommodation to accommodate future growth in the visitor accommodation industry in order to generate the local and national economic and social benefits which derive from the visitor accommodation industry.

5.2 To manage visitor accommodation to avoid any minimise adverse effects on the environment and local communities while enabling the economic and social benefits which flow from the visitor accommodation industry.

Implementation Methods

Objective 5 and the associated policy will be implemented through a number of methods:

(i) District Plan

- (a) Provision for visitor accommodation sub-zones and zones.
- (b) Provisions controlling visitor accommodation activity.

Explanation and Principal Reasons for Adoption

The value of the visitor industry to the District and the nationally important role the District plays in helping generate economic growth for New Zealand is recognised and is a major factor in generating urban growth in terms of the demand it places on infrastructure, the need for housing and the extent of retail expenditure. ~~The Act requires the~~ The Council needs to balance the potentially competing needs of providing for visitor accommodation and economic growth while ensuring to ensure that the adverse effects of any such increases in visitor accommodation are avoided, remedied or mitigated.

Objective 6 – Frankton

Integrated and attractive development of the Frankton Flats locality providing for airport operations, in association with residential, recreation, retail, visitor accommodation and industrial activity while retaining and enhancing the natural landscape approach to Frankton along State Highway No. 6.

Policies:

6.1 To provide for the efficient operation of the Queenstown airport and related activities in the Airport Mixed Use Zone.

6.2 To provide for expansion of the Industrial Zone at Frankton, away from State Highway No. 6 so protecting and enhancing the open space and rural landscape approach to Frankton and Queenstown

6.3 To provide areas zoned for an appropriate range of activities in appropriate locations.

6.4 To provide areas for residential, retail and visitor accommodation activities which together operate as a secondary urban centre which complements, but does not undermine, the Queenstown Town Centre as the primary focus of residential and visitor accommodation activities in the Wakatipu Basin.

6.5 To provide appropriate termini and foci for public transport and/or mass transit services to connect Frankton as a secondary urban centre with Queenstown as the primary urban centre.

Implementation Methods

Objective 6 and associated policies will be implemented through a number of methods:

(i) District Plan

(a) Provision for the airport designation and related activities.

(b) Specific high density, low density and mixed use zoning in appropriate locations.

(bc) Retention of open space and rural zoning along the greater part of the State Highway 6 approach to Frankton and Queenstown.

(ii) Other Methods

(a) Enabling and encouraging public transport and/or mass transit services connecting Frankton with Queenstown by road and/or by lake.

Explanation and Principal Reasons for Adoption

~~The Frankton Flats~~ is an important area in terms of providing for the growth necessary to ensure the social and economic well being of present and future generations.

Extensive research into alternative options for the airport operation has been completed and these demonstrate unequivocally that the airport should remain on its current site.

Frankton is a preferred location for new school facilities. Reviews by the Ministry of Education conclude that a new primary school is needed in the area. A secondary school is also anticipated for the area.

Expansion of industrial activity at Frankton is possible in a manner which does not detract from the amenities of other uses or the surrounding natural and physical resources.

The community has recognised that the Queenstown Town Centre, while it will always remain the primary focus for residential and visitor accommodation activities, cannot provide the full range of services and cannot accommodate all of the pressure for commercial, residential and visitor accommodation growth. The location, topographical characteristics, and proximity to the airport of Frankton are such that Frankton can play a valuable role as a secondary centre of retail, residential and visitor accommodation activities in a manner which will not undermine the vitality of Queenstown Town Centre.

It is recognised that Frankton is located at a central point in terms of the arterial road network and as such development can take place in a manner which can be efficiently accessed.

The growth pressures which are and will in future occur, and the limited capacity of State Highway 6A between Frankton and Queenstown, are such that it is desirable to provide for and encourage public transport and/or mass transit services between Frankton and Queenstown by road and/or by lake.

4.9.4 Environmental Results Anticipated

Implementation of the policies and methods for management relating to urban growth will result in:

(i) Urban growth and residential growth provided in a form which recognises the social and economic well being of the residential community.

(ii) Visitor accommodation growth creating local and national economic and social benefits in a manner which, while recognising that that will necessitate change, avoids, remedies or mitigates adverse effects on the environment and the community.

(iii) Avoidance of development in locations that will adversely affect the landscape values of the District and encouragement of development in locations where it can appropriately be accommodated.

(iiiv) A primary emphasis on urban consolidation.

(iv) Avoidance of costly extensions to, or the duplication of public services or infrastructure.

(vi) Encouragement for public transport and/or mass transit services to minimise adverse effects which can arise from growth.

(vii) Improved and sustainable use of and provision for urban facilities including shops, recreation and community facilities.

(viii) Safeguarding the life-supporting capacity of the soils.

(ix) Provision for high density residential development in order to sustain the vitality of the urban centres.

(xvii) Protection of the amenity of the low density residential areas.

(xiviii) Commercial and community development which reflects and takes advantage of the outstanding natural setting.

APPENDIX B

RESIDENTIAL AREAS

7. Residential Areas

7.1 Issues, Objectives and Policies

7.1.1 Introduction *8

The District's housing stock represents one of its most important physical resources. People's well being is among other things a reflection of their quality of housing and the environment in which that is set.

Enabling people to provide for their residential needs within the District is one of the Council's functions authorised under the Act. The purpose of the Act is the sustainable management of natural and physical resources, which includes enabling people and communities to provide for their social, economic and cultural well being and for their health and safety. This can only be achieved within a framework which adequately addresses the needs of present and future generations, the life-supporting capacity of air, water, soil and ecosystems, and the adverse environmental effects of activities including the effects on the visual amenity of outstanding landscapes of the District.

Meeting the residential needs of the District's urban population cannot be accommodated within the existing towns, settlements or "rural lifestyle" areas without significantly affecting current residential amenity values ie density levels, protection of views, privacy, or detracting from the significant landscape values and natural features of the District. The Council recognises there is a demand for low-density residential living within rural areas by people wishing to enjoy the quietness and natural environment. However, in deciding how best to meet the residential needs of the District, the Council must have regard to several other matters of relevance under Section 7 of the Act, most importantly:

- the efficient use and development of natural and physical resources;
- the maintenance and enhancement of amenity values. and natural features;
- the maintenance and enhancement of the quality of the environment.

7.1.2 Issues *8

i Growth and Availability of Land

The provision for and location of new residential activity
In considering the provision for and location of land for residential use, the Council must balance the need for and location of residential activity against the need to promote the sustainable management of the District's resources and amenities. These include services, energy efficiency, the life supporting capacity of soils, natural hazards, landscape, rural amenity, and social well being.

· *Natural Hazards*

Parts of the towns and settlements are subject to flooding and other hazards. In other areas, residential expansion in areas at risk from flooding will, in the long-term, increase the amount and value of property vulnerable to flooding damage. The location of new development should minimise that risk.

Refer also Part 4.8

· *Productive Land*

The future welfare of the District is not fully reliant on primary production of these soils but subdivision and development will result in the loss of their productive capacity. Any expansion over versatile soils needs to be balanced against the sustainable management of other natural and physical resources such as energy, infrastructure, services and the effects on important amenities.

Refer also Part 5

· *Servicing*

Servicing infrastructure is a major physical resource and its efficient utilisation is of concern to the District. The costs of providing infrastructure to the community and future land areas is an important factor where the success of resource management can be measured in terms of efficiency. Efficient use of existing infrastructure must also be measured against other fundamental District objectives such as residential forms and protection of the visual amenities.

ii Landscape

· *The relationship of urban areas to the natural landscape*

The District is dominated by a landscape of outstanding quality which provides a sense of place and belonging for all communities as well as the source of economic activity and recreation. The attraction and quality of the residential environments and any extensions to those environments must be closely related to the need to protect and enhance the visual amenity of the District.

Refer also Part 4.2

iii Character and Scale

~~The essential elements that give towns, suburbs and settlements their character, image and attractiveness are being lost due to large scale development that is unsympathetic to residential character. *8~~

- The character and scale of development within residential areas should reflect the variety of outcomes anticipated within different residential areas.

The existing identity of any particular town or settlement is reflected in its character and scale. These are matters which influence where people choose to live. Components of character and scale include open space, density of development, building height, dominant styles in built form and topographic influences. There is undoubtedly a difference in character and scale between suburban residential and low density rural living environments. There can also be contrast in the character and scale within or between settlements. Change in the character and scale of residential areas can result from closer subdivision and construction of

additional houses at higher densities, redevelopment and replacement of existing houses, and loss of existing open space, garden and tree plantings, loss of views and diminution in the sense of community cohesion and well being.

Some changes may be necessary to provide for the needs of people wanting smaller properties, newer and smaller houses, or houses residential accommodation closer to town urban centres, and visitor accommodation. Such changes needs to be managed to provide appropriate higher density areas for high density residential development and visitor accommodation and to avoid or mitigate adverse effects on affecting the character and scale of low density residential areas most valued by residents. The main low density residential areas have developed a low density character with general protection for views, sunlight admission and privacy. This Low density residential character is even more profound in smaller settlement areas where development densities have remained low. Pressure for growth will inevitably bring pressure for infill development within these areas. Other areas have and will develop a higher density character where the need to enable higher density residential development and visitor accommodation is a priority.

iv Residential Amenity

Amenity values of living environments are being degraded leading to a loss in people's social well-being.*8

Protection and enhancement of people's social wellbeing resulting from the amenity value of their living environments.

People's perception of well being is enhanced by a coherent and pleasant living environment. The main components of this amenity are the location and scale of open space, density of residential development generally and within sites, heights of buildings and dominant building styles. Most of these components lead to a general appreciation of an area, while others relate to the development of individual sites. The way individual sites are developed and their relationship to adjoining sites are important factors in ensuring residential properties have adequate sunlight, daylight and privacy and a feeling of not being closed in or overlooked. In controlling these matters the desirability of allowing reasonable individual flexibility in siting, layout and building design must be acknowledged, including the need to maximise the benefits from good access to solar energy. Control of these matters must also be balanced against the need to provide for higher density residential living environments and visitor accommodation.

The local and national economic and social benefits deriving from visitor accommodation require the provision of significant areas where visitor accommodation can be enabled. Infrastructure and transport requirements mean that the majority of visitor accommodation must be located close to urban centres and transport routes. It is undesirable that a broad range of commercial activities can be allowed to spread through all residential areas. As a consequence it is necessary that some areas zoned for residential development also be zoned for visitor accommodation development to enable visitor accommodation to be provided.

Residential areas have always contained a range of complementary non-residential activities relating to the educational, spiritual, social, recreational, and day-to-day economic needs of the residents. Many of these require a residential location because of the service they provide to residents. Some of these activities can have a significant impact in terms of traffic and on-street parking, noise or glare. It is important to ensure a compatibility between residential and non-residential activities and areas.

Home occupations are an important aspect of non-residential activity which provides residents with a source of employment with many social and economic advantages, but

which can cause problems in residential areas. The range of activities and their character and scale vary considerably and it is often the traffic-generating and noise aspects of these activities which is of concern. Limitations on the extent of retailing, the scale of activities in terms of area or floorspace and the involvement of persons not living on the site are commonly adopted to mitigate these adverse effects. Refer also Part 4.9

7.1.3 District Wide Residential Objectives and Policies

Objective 1 - Availability of Land

Sufficient land to provide for a diverse range of residential and visitor accommodation opportunities for the District's present and future urban populations, subject to the constraints imposed by the natural and physical environment.

Policies:

1.1 To zone sufficient land to satisfy anticipated residential and visitor accommodation demand.

1.2 To enable new residential and visitor accommodation areas in the District.

1.3 To promote compact residential and visitor accommodation development.

1.4 To enable residential and visitor accommodation growth in areas which have primary regard to the protection and enhancement of the landscape amenity.

1.5 To maintain a distinction between the urban and rural areas in order to assist in protecting the quality and character of the surrounding environment and visual amenity.

Implementation Methods

Objective 1 and associated policies will be implemented through:

(i) District Plan,

(a) To enable a broad range of residential and visitor accommodation areas.

Explanation and Principal Reasons for Adoption

The population of the District is growing and the Council recognises and accepts the need to provide for growth of residential and visitor accommodation activities.

While the residential and visitor accommodation areas of the District comprise only a small percentage of the total land area there are, in the context of the natural and physical resources, constraints on further expansion and severe limitations on the amount of land available and suitable for development. The major concern for the Council in accommodating future residential and visitor accommodation growth is the impact on natural and physical resources and on the landscape amenity.

The Council seeks to achieve urban consolidation. As such the objectives and policies do impact on the form of development to the extent the effects on specific resources and amenities (eg landscape amenities) are anticipated and managed.

Refer also Part 6

Objective 2 - Residential Form

A compact residential form readily distinguished from the rural environment which promotes the efficient use of existing services and infrastructure.

Policies:

2.1 To contain the outward spread of residential areas and to limit peripheral residential or urban expansion.

2.2 To limit the geographical spread and extent of rural living and township areas. Where expansion occurs, it should be managed having regard to the important District-wide objectives.

2.3 To provide for rural living activity in identified localities.

2.4 In new residential areas encourage and provide for development forms which provide for increased residential density and careful use of the topography.

2.5 To encourage and provide for high density residential development in appropriately located areas close to the urban centres and adjacent to transport routes.

Implementation Methods

Objective 2 and associated policies will be implemented through:

(i) District Plan:

(a) The identification of a pattern of land uses in support of a strategy of urban consolidation.

(b) Zoning provisions for a range of living environments.

(c) Zoning areas for rural living activities.

(d) Associated rules for subdivision (lot size) and transport.

Explanation and Principal Reasons for Adoption

The spatial pattern of a settlement and the way in which it uses its resources determines the character and scale of the urban environment. This is a key factor influencing the magnitude of energy consumption and the efficient use of existing resources, including land and infrastructure. The policies are aimed at a compact urban form, with residential activity related to central commercial areas and readily accessible by all modes of transport.

The Council believes this policy will be most effective in protecting the significant landscape amenities of the District, reducing the use of private motor vehicles and have a beneficial effect in terms of the efficient use of existing resources and infrastructure, while catering for the residential needs of the District's population.

In the new residential areas, Council wishes to promote new and imaginative residential developments which have regard to the surrounding landscape amenity as well as for energy efficiency, convenience and social well being. Refer also Parts 4, 10 and 11

Objective 3 - Residential Amenity.

Pleasant living environments within which adverse effects are minimised while still providing the opportunity for community needs. *8

Policies:

- 3.1 To protect and enhance the cohesion of residential activity and the sense of community and well being obtained from residential neighbours.
- 3.2 To provide for and generally maintain the dominant low density development within the existing Queenstown, Wanaka and Arrowtown Low Density Residential Zones, small townships and Rural Living areas.
- 3.3 To provide for and encourage high density residential development within the high density residential zones.
- 3.43 To ensure the external appearance of buildings reflects the significant landscape values and enhance a coherent urban character and form as it relates to the landscape.
- 3.45 To ensure hours of operation of non-residential activity do not compromise residential amenity values, social well being, residential cohesion and privacy.
- 3.65 To ensure a balance between building activity and open space on sites to provide for outdoor living and planting.
- 3.76 To ensure residential developments are not unduly shaded by structures on surrounding properties.
- 3.87 To ensure noise emissions associated with non-residential activities are within limits adequate to maintain amenity values.
- 3.98 To encourage on-site parking in association with development, particularly in low density residential areas, in residential areas to ensure the amenity of neighbours and the functioning of streets is maintained.
- 3.109 To provide for and encourage new and imaginative residential development forms within the major new residential areas.
- 3.110 To require acoustic insulation of buildings located within the airport Outer Control Boundary, that contain critical listening environments.
- 3.124 To ensure the single dwelling character and accompanying amenity values of the Low Density Residential Zone are not compromised through subdivision that results in an increase in the density of the zone that is not anticipated.

Implementation Methods

Objective 3 and associated policies will be implemented through a number of methods including:

(i) District Plan:

(a) Provision of different zones for high density residential living and low density residential living.

(ba) Rules relating to building height, sunlight and outlook for neighbours, street scene, separation from neighbours and outdoor living space.

(cb) Rules for heritage and amenities, relocated buildings, protected historic buildings, places and objects and protected trees.

(de) Rules for health and safety, eg for noise and glare.

(ed) Rules for subdivision, natural and other hazards, supply of services (water, energy, telecommunications and disposal of wastes), provision of land for open space and recreation and rules for building location.

(fe) Rules for transport, parking, access and manoeuvring.

(ii) Other Methods:

(a) Implementation of the powers prescribed in Part XII of the Resource Management Act relating to enforcement orders, abatement notices and excessive noise.

(b) Provision of works and services, roading, road linkages and traffic management programmes, and maintenance and development of public open space.

Explanation and Principal Reasons for Adoption

The purpose of policies is to achieve the consolidation of residential activity and protection of residential amenity values. Although non-residential activities are an integral part of the residential environment they have the potential to create adverse effects relating to noise, visual detracting, traffic and loss of residential neighbours. A high standard of amenity is sought for residential areas which are sensitive to adverse effects. Although it ~~may not be~~ is not possible or desirable to prohibit all non-residential activities from residential neighbourhoods, it is necessary to ensure the establishment of such activities does not adversely affect people's social well being. The effect on community cohesion, and hence well being, arises from the removal of permanent residents as much as from the visual disruption and loss of amenity caused by establishment of these activities.

The rising cost of land close to the urban centres has the potential to encourage development of larger and fewer residential dwellings which, combined with a growing trend towards sale of property to people who do not reside within the District, leads to a danger of resident depopulation of areas adjacent to the urban centres and consequential loss of vitality in the urban centres. Provision of higher density residential areas close to the urban centres and accessible to transport routes will enable residential environments which may be more conducive to residents than non resident landowners.

The relationship between open spaces and built form is one of the main determinants of the character of an area. The policies reflect the importance of open space in providing opportunity for outdoor living and amenity.

Access to sunlight is an important factor in residential amenity and the policies are directed at ensuring that, with the exception of major topographical features, buildings are not unduly shaded by neighbouring buildings in a manner which diminishes the amenity of a site or a neighbourhood.

The residential areas are sensitive noise environments and this is a major factor which must be taken into account when considering the impact of other activities. Noise in a residential area is likely to result from non-residential activities and as such the plan includes provisions setting noise standards for non-residential activities in the residential zones. Noise from normal residential living, including animals and social events will be controlled through the excessive noise provisions of the Act.

The District contains landscapes of national significance and urban development can have a significant effect on the enhancement and protection of that amenity. The Council proposes to influence building design in the residential areas by the implementation of the policies and rules contained in this Plan. *8 This will enhance the character and coherence of the residential built environment as it relates to the visual amenity of the natural landscape.

Traffic is an integral part of all residential environments, but also has the potential to affect the amenity of residential streets. The Plan seeks to ensure adequate provision for off-street parking in a manner which protects the amenity of local streets.

Within the major new areas of residential zoning the Council strongly encourages a more imaginative approach to subdivision and development. The Council believes the quality of the District's residential environments would be significantly enhanced by design solutions that moved away from traditional subdivision solutions. In this respect the Council will be looking to encourage a range of residential densities, variations in roading patterns, imaginative use of reserves, open space and pedestrian and roading linkages, attention to visual outlook and solar aspect, and extensive use of planting.

Subdivision of residential flats is not desirable because it can facilitate delineation between the unit and flat through separate curtilage. Consideration must also be given to the potential implications of allowing the first subdivision to take place and the fact that additional residential flats could then be developed on the site as a permitted activity, provided the other site and zones standards of the District Plan have been complied with. The result of this process would be the incremental subdivision of the low Density Residential Zone, which could result in a development pattern similar to that anticipated in High Density Residential Zone. Therefore, this policy considers the effects subdivision can have on the single dwelling character of the Low Density Residential Zone. *6

Objective 4 - Non-Residential Activities

Non-Residential Activities which meet community needs and do not undermine residential amenity located within low density residential areas.

Policies:

4.1 To enable non-residential activities in residential areas, subject to compatibility with residential amenity.

4.2 To enable visitor accommodation activities in areas which are suitable for such activities due to topography or location.

4.23 To enable specific activities to be acknowledged in the rules so as to allow their continued operation and economic well being while protecting

the surrounding low density residential environment.

Implementation Methods

Objective 4 and associated policies will be implemented through a number of methods including:

(i) District Plan

(a) The identification of the living environment and associated rules, site density, building height, sunlight, street scene and landscaping.

(b) Identification of specific areas suitable for visitor accommodation activities.

(b)c) The opportunity for a range of non-residential activities to be located in low density residential zones as permitted activities, subject to rules to protect residential amenity. These rules include matters relating to scale of activities, residential coherence, hours of operation, site size and traffic generation.

(ii) Other Methods

(a) Provision and operation of community facilities.

Explanation and Principal Reasons for Adoption

Non-Residential Activities are an integral part of the residential environment in that they provide a service to local residents or enable people to work at home. However, non-residential activities do have the potential to detract from residential amenity by way of noise, traffic and scale of operation.

The Plan acknowledges the practical requirement of visitor accommodation and the historical development of that activity within the residential areas, particularly close to the main town centres and fronting main roads. It is also a recognition of the importance of the activity to the economic and social well being of the District. All the major operations are protected. Redevelopment of existing visitor accommodation activities and the development of new existing visitor accommodation activities in appropriate areas are ensured by zoning or scheduling.

A number of non-residential activities have developed in residential areas and currently provides either a service to the area or are not incompatible with residential amenity. These activities have been acknowledged to provide security of the activity and protection for residential amenity.

It is recognised non-residential activities have the potential to create adverse effects in respect of matters such as noise and hours of operation. A high standard of amenity will be sought for non-residential activities in residential areas, particularly low density residential areas.

7.1.4 High Density Residential Zones – District Wide *8

7.1.4.1 Issue

~~Development Pressure~~

~~Developments in the High Density Residential Zone are having a significant~~

~~negative impact on the character and amenity of our neighbourhoods. Loss of the character and amenity values threatens the sustainable well-being of our neighbourhoods and community.~~

It is necessary to provide for visitor accommodation activities and high density residential development in order to provide for the economic and social needs of the District and the nation and to maintain the vitality of the urban centres.

Visitor accommodation activities can have adverse effects on residential amenities and neighbourhoods. There is a need to provide for visitor accommodation growth and a corresponding need to manage potential conflicts. Zoning for visitor accommodation activities, to ensure that they are appropriately located, is one method of managing such conflicts.

High density residential neighbourhoods have a different character and generate different outcomes compared to low density residential neighbourhoods. Zoning different densities enables provision of rules designed to minimise conflicts between high density and low density living environments.

7.1.4.2 Objectives and Policies

Objective 1 – Amenity Values

Sustainable residential communities and neighbourhoods that have high quality amenity values of a quality and character anticipated in a high density residential environment.

Policies

1. To ensure development enables high density residential living and achieves the character and amenity values anticipated in a high density residential living zone by:

~~enhances the character and amenity values in the zone, by:~~

- ~~Improving~~ Enhancing the aesthetic appeal of the built environment.
- Ensuring buildings integrate well with the ~~neighbouring locality~~ anticipated character of the zone and provide visual connections with the surrounding built and natural environment.
- Providing attractive pedestrian access ways and linkages and protecting those that currently exist.
- Ensuring the maintenance of road setbacks that are free of structures.
- Ensuring development is of a high architectural quality that ensures the use of articulation within the building form and avoids unattractive, repetitive and continuous building forms or facades.
- ~~Ensuring that open space is maintained between buildings on sites, and between neighbouring sites.~~
- ~~Encouraging the provision of underground car parking.~~

2. To avoid visually dominant buildings that overshadow public places, block views and degrade the built environment. ensure that buildings enable appropriate sunlight access to public places.

3. To enhance the attractiveness of the zone, including the streetscape, by providing for onsite landscaping while not unreasonably detracting from the ability to use the land efficiently for residential and visitor accommodation development.

by:

- Ensuring landscaped areas are dominated by greenery and mature trees in scale and proportion to the size of the building.
- To require the retention of existing vegetation, especially established trees and native vegetation.
- Ensuring the effects of developments are internalised to the site and do not detract from the amenities of neighbouring sites and roads.

4. To encourage a mix of housing types and sizes while recognising that the zoning of the area anticipates large scale buildings and multi-unit developments.

Objective 2 – Visitor Accommodation and Multi-Unit Developments

Visitor accommodation and Multi-unit developments that are designed to a high standard, integrate well with their neighbourhood and streetscape, are located where they are supported by physical and social infrastructure, and any adverse effects on amenity values are avoided where possible or mitigated.

Policies

1. To ensure visitor accommodation and multi-unit developments are located where easy access to retail and public recreational facilities is available by foot or by existing or potential future public transport or mass transit services. within easy walking distance and promote safe pedestrian access, to all of the following:

- Existing or proposed shops offering a range of convenience goods and services.
- An existing or programmed public transport service.
- A substantial public reserve (or reserves) that provide a range of recreational opportunities.

2. To ensure that visitor accommodation and multi-unit developments are located in areas served by roads capable of handling increased traffic or by existing or potential future public transport or mass transit services. all

of the following:

- Roads capable of handling increased traffic.
- Road frontage or nearby kerb-side areas having adequate visitor parking spaces.
- Community facilities.
- Essential public services such as water supply, wastewater and stormwater management, and refuse collection.

3. To ensure visitor accommodation and multi-unit developments are designed to: achieve all of the following:

- Effectively where practical, incorporate existing significant vegetation and landforms.
- Effectively cater for traffic, parking and servicing.

- Mitigate any reverse sensitivity effects arising from the proximity of

~~non-residential activities in the vicinity.~~

~~– Incorporate suitable crime prevention through environmental design techniques in their layout and methods of access.~~

~~4. To ensure multi-unit developments are located on sites that:~~

~~– Enable units to face or relate well to public streets.~~

~~– Relate to nearby properties and public areas in ways that facilitate the integration of the development into the neighbourhood.~~

Objective 3 : Vitality of Urban Centres

To maintain and enhance the vitality and vibrancy of the urban centres as places where visitors and residents intermingle.

Policies

1. To provide for relatively dense residential living and visitor accommodation in the high density zone, near the urban centres with good linkages to the urban centres.

2. To enable efficient use and development of the land resource by allowing the land in the high density residential zone to be developed in an efficient way.

Explanation and reasons for adoption

By providing the opportunity for residential and visitor accommodation to locate near the urban centres in suitable high density zones, the vibrancy of the urban centres will be enhanced. It is desirable to have residents and visitors within walking distance of the urban centres to offer convenience to residents and visitors and to promote the strength and vitality of the urban centres.

Implementation Methods

(i) District Plan

(a) By the use of Sub-Zones to identify land having similar-particular character, location, topography, amenity and environmental values, within which appropriate development opportunities can be approved.

(b) District Plan Rules

(ii) Other methods

(a) Bylaws

(b) Urban Design Panels

(c) Urban design guidelines *8

7.2 Queenstown Residential Areas

Sunshine Bay-Fernhill, Queenstown Bay,
Frankton Road, Frankton and Kelvin
Peninsula

7.2.1 Resources, Activities and Values

Queenstown comprises Sunshine Bay-Fernhill, Queenstown Bay, Frankton Road, Frankton and Kelvin Peninsula. These areas contain almost half the District's population and the greater portion of its housing. The residential areas of Queenstown are characterised by lower density development which allows outstanding views of Lake Wakatipu and the mountains. Access to these views is a result of the natural topography and the development standards that have been applied. The greater part of the residential area is suburban in scale and of a generally low density and the policies in the Plan reinforce that position. Only part of the residential area is zoned for contains higher density development in appropriate locations to provide for and encourage visitor accommodation activities and high density residential development.

High Density Residential Areas. *8

Until recently these areas were characterised by a high historical density of single unit dwellings, interspersed with two or three large scale dedicated visitor accommodation developments and level multi-unit developments predominantly serving the visitor accommodation market. Lot sizes were historically based on the early tent settlements subdivision for residential purposes and underlying subdivision patterns reflected this with small lot sizes.

Redevelopments in the High Density Residential Zone are having a significant impact on the character, scale and density of the environment. These changes are anticipated because they flow from the desirability of efficiently using the land resource to provide for visitor accommodation and high density residential development. Controls are required to ensure that the changes which are occurring will result in environment outcomes suitable to the purposes of the zone. Increasingly multi-unit developments are starting to dominate with maximum density being achieved by combining lots, major earthworks and the creation of large bulky buildings on more than four levels. This is destroying the charm, feel and look of the Zone. Although the Zone is capable of absorbing some development of this size, it is not appropriate for every lot. It is essential that any large scale development is combined with increased and enhanced amenity provisions for the neighbourhood. *8

Mixing high density residential and visitor accommodation activities with low density residential activities has the potential to cause conflict. The Council recognises that there is a need to provide for high density residential and visitor accommodation to ensure suitable housing for residents and accommodation for visitors close to Queenstown and Frankton and adjacent to transport routes. The high density residential zone is intended to fulfil this function. The purpose of the zone is to enable this type of high density development to occur sustainably and in a manner which does not adversely affect activities in adjacent zones.

7.2.2 Issues

The District wide residential issues impact on, and are relevant to, residential activity and amenity in Queenstown. In addition, a number of local issues exist:

- Protection of the predominantly low density residential environment in the low density residential zone.
- Ensuring that the high density residential zone can be efficiently developed for its purposes.
- Provision for visitor accommodation and high density residential living.

~~▲ The loss of amenity values as experienced from public spaces and neighbouring properties as a result of large scale developments. *8~~

- Protection and enhancement of amenity values appropriate to the different zones.
- ~~The potential loss of Retaining, and enhancing where practicable, public access to the lakeshore resulting from development adjacent to the lake. *8~~
- Controlling ~~The potential adverse effects that non-residential activities may have on residential activities through increased traffic and noise and decreased visual amenity.~~
- Opportunities for increasing the variety of residential activities.
- ~~Opportunities for improved~~ Retention of appropriate sunlight admission.
- Minimise the impact of the State Highway and the airport on adjoining and surrounding residential areas, while recognising the critical importance of those transport facilities
- Access to Frankton Road for new development.
- The need to acknowledge that settlement is a part of the landscape.
- Protection of airport operations from noise sensitive activities within the Outer Control Boundary.

7.2.3 Objectives and Policies - Queenstown Residential Areas

Objectives – *8

1. Residential development and associated activities at a scale, density and character that reflects the topographical and locational characteristics of the relevant subzones enhances and the outcomes anticipated by those subzones, the essential elements of the surrounding landscape, lakeshore and the visual outlook from residential buildings.
2. Provision for new consolidated high density residential and visitor accommodation development areas at identified locations.
3. Higher density residential and visitor accommodation development in appropriate locations around the periphery of the town centre of Queenstown and in new areas of residential development outside the main existing residential areas.

Policies:

- 1 To protect the character and amenity of the low density residential environments by limiting the peripheral expansion of the residential areas and promoting consolidation of the residential community with the retention of easy access to the rural area and lakeshore. *8
- 2 To resist any peripheral extension of zoned residential areas which would undermine clear distinctions between the residential and rural areas and result in dispersed and uncoordinated residential growth patterns.

3 To enhance the general character of established low density residential environments in terms of density, height, access to sunlight, privacy and views. *8

4 To provide for higher density residential and visitor accommodation activity around the town centre, adjacent to transport routes, near the airport, and in new areas of residential development.

5 To encourage additional consolidated residential and visitor accommodation activity in the District.

6 To provide for a residential environment which allows a range of housing types, including care for the elderly and dependent relatives.

7 To provide for non-residential activities in residential areas providing they meet residential amenity standards appropriate to the relevant subzone ~~and do not disrupt residential cohesion.~~

8 To ensure the scale and extent of any new Visitor Accommodation in the low density residential areas does not compromise residential amenity values.

Implementation Methods

The objectives and associated policies will be implemented through:

(i) District Plan

(a) Zoning ~~to~~ enable a broad range of residential areas.

(b) Zoning to provide for growth in visitor accommodation.

Explanation and Principal Reasons for Adoption

The policies reinforce the District wide objectives for residential activity of consolidation and enhancement of residential amenity values. ~~In addition, the~~ policies seek to maintain the general character of the majority of the existing residential environment which will provide a degree of certainty and security for residents by limiting changes to the scale, density and type of activity in the low density residential areas. This policy recognises the importance of the living environment to the social well being of the District's residents.

The Council has made provision for a increase in residential zoning in the Queenstown-Wakatipu Basin. The areas identified have been chosen because they are well situated to ensure growth takes place in a manner and location which enhances the District's natural and physical resources and amenity values. The policies promote and enable visitor accommodation activities and high density residential living in appropriate locations.

Refer 7.5.4

7.2.4 Environmental Results Anticipated

Implementation of the policies and methods for management relating to the established residential areas will result in:

(i) Maintenance of the general character and scale of existing low density residential areas with sites being dominated by open space rather than buildings,

providing the opportunity for tree and garden planting around buildings.

(ii) ~~Existing residential~~ Residential activity in the low density residential areas characterised by low building coverage and building height, but with opportunity for variety in building design and style.

(iii) Maintenance of a residential environment in the low density residential areas which is pleasant with a high level of on-site amenity in terms of good access to sunlight, daylight and privacy.

(iv) Maintenance of the opportunities for views consistent with the erection of low density, low height buildings in the low density residential areas.

(v) The exclusion or mitigation of activities which cause adverse environmental effects, such as excessive noise, glare, odour, visual distraction, traffic and on-street parking congestion, traffic safety and other hazards.

(vi) Residential coherence in the low density areas except in circumstances of established non-residential uses or where a local need prevails for non-residential activities ancillary to the surrounding residential environment.

(vii) Maintenance of water quality and availability for residential and other activities.

(viii) Provision for high density residential living adjacent to Queenstown and Frankton and adjacent to transport routes and near the airport.

(ix) Ensuring a standard of residential amenity in the high density residential areas which is appropriate to the purposes of that zone.

(xviii) New residential areas providing for higher density living environments with good integration of open space, aspect, circulation and regard for energy efficiency and convenience to facilities.

(ixi) Protection of the major visitor accommodation activities and provision for redevelopment and new visitor accommodation activities consistent with their significant value to the social and economic well being of the community district and New Zealand.

~~(x) Maintain and enhance the amenity of the High Density Residential Zone.~~

~~(xi) Redevelopment in the High Density Residential Zone providing for enhanced neighbourhood amenity. *8~~

7.3 Wanaka Residential Areas

7.3.1 Resources, Activities and Values

Wanaka is the second largest residential area in the District. The town provides an attractive environment for both permanent and holiday residents generally maintaining a low density residential environment. There is some high density development provided for. There is little intrusion of nonresidential activity in the main residential areas and residential development has generally occurred at a low density reflecting the preferred lifestyle of the residents and holiday home owners. The purpose of the policies in the Plan is to enhance that position.

High Density Residential Areas *8

Until recently these areas were characterised by a historical density of single unit dwellings. Lot sizes were historically based on subdivision for residential purposes and underlying subdivision patterns reflected this with small lot sizes.

Redevelopments in the high density residential zone are having a significant impact on the character, scale and density of the environment. These changes are anticipated because they flow from the desirability of efficiently using the land resource to provide for visitor accommodation and high density residential development. Controls are required to ensure that the changes which are occurring will result in environmental outcomes suitable to the purposes of the zone.

Mixing high density residential and visitor accommodation activities with low density residential activities has the potential to cause conflict. The Council recognises that there is a need to provide for high density residential and visitor accommodation to ensure suitable housing for residents and accommodation for visitors close to Wanaka and adjacent to transport routes. The high density residential zone is intended to fulfil this function. The purpose of the zone is to enable this type of high density development to occur sustainably and in a manner which does not adversely affect activities in adjacent zones.
~~These areas are characterised by single-unit dwellings with well-maintained, established gardens. New multi-unit developments are starting to change and dominate the character of the High-Density Residential Zone and for new developments maximum density is being achieved by major earthworks and the creation of large bulky buildings on more than two levels. Although the Zone can absorb some larger buildings, this should only occur if the essential character, scale and residential nature of the area is maintained.~~

7.3.2 Issues

The District wide residential issues impact on and are relevant to residential activity and amenity in Wanaka residential areas. In addition, a number of local issues exist:

- protection of the surrounding rural landscape from inappropriate development.

• the need for rural living opportunities in close proximity of or abutting the town.

• retention of low density residential development in low density residential areas.

• enabling high density residential and visitor accommodation development in specific areas.

• noise control.

• opportunities for peripheral expansion.

• The potential adverse effects that inappropriate development can have on the lakeshore.

• Tree planting can lead to the shading of neighbouring sites. *8

7.3.3 Objectives and Policies - Wanaka Residential Area

Objectives:

1. Residential development and associated activities at a scale, density and character that reflects the topographical and locational characteristics of the relevant subzones and the outcomes anticipated by the relevant subzones, which retains the current level of low density activity and is sympathetic to the surrounding visual amenities of the rural areas and lakeshores.

2. Low density rural living development in identified locations in close proximity to Wanaka.

3. Retention of the general character of the low density residential environments in terms of density, building height, access to sunlight, privacy and views.

4. Consolidated high density residential and visitor accommodation development at identified locations.

Policies:

1 To provide for some peripheral expansion of the existing residential areas of the towns in a manner which retains the consolidated form of the towns.

2 To provide for rural living opportunities as part of the Wanaka environs.

3 To provide limited opportunity for higher density residential development and visitor accommodation close to the Wanaka Town Centre.

4 To ensure non-residential activities in low density residential areas meet residential amenity standards and do not disrupt residential cohesion and social well being.

5 Avoid the planting and locating of inappropriate tree species so as to reduce the impact of excessive shading and loss of vistas

Implementation Methods

The objectives and associated policies will be implemented through:

(i) District Plan

(a) To enable a broad range of residential areas.

Explanation and Principal Reasons for Adoption

The Wanaka residential area contains a different character to Queenstown both as a result of different development pressures and community aspirations. The objectives and policies are directed at generally promoting and protecting the current general-form and density of development and to enhance the residential areas by way of greater care for the relationship of the residential areas to the surrounding rural and lakeshore environments. In all respects the policies seek to promote consolidation of the residential areas with some provision for peripheral expansion as well as areas of rural residential development. This will provide for a range of lifestyles while avoiding any adverse effects on the important surrounding visual amenity of the topography, lakes and rivers.

The growth opportunities identified at Wanaka are provided for in a form and location that will consolidate the urban area of town and accommodate anticipated residential growth and visitor accommodation.

APPENDIX C

The Submitter requests the following specific amendments to the District Plan or such other alternative, similar and/ or consequential amendments as is considered appropriate. Amendments to existing policies are highlighted by underlining.

1. Amend policy 14.1.3.1.8 as follows:

" 1.8 To consider options for encouraging and developing greater use of public transportation facilities and in particular to continue to investigate the options for reducing the use of private vehicles and increasing alternative transport means."

2. Add new policy 14.1.3.3.9 as follows:

"3.9 To encourage and enable the provision of public transport and mass transit services"

3. Amend policy 14.1.3.5.1 as follows:

"5.1 To set minimum parking requirements for each activity based upon parking demand for each land use and proximity of the activity to urban centres, employment locations, and public transport or mass transit options while not necessarily accommodating peak parking requirements "

4. Add the following paragraph at the end of the "Explanation and Principal Reasons for Adoption" in relation to Objective 5, just preceding the heading "Objective 6 – Pedestrian and Cycle Transport":

"Parking requirements vary in relation to different activities. In particular, visitor accommodation has lower parking requirements compared to residential accommodation because of the number of visitors who travel to Queenstown other than by motor vehicle. It is important that parking requirements are matched to reasonable parking demand in order to minimise inefficient use of land available for development."

5. Add new policy 14.1.3.7.6 as follows:

"7.6 To recognise the District Plan strategy of urban consolidation in areas zoned for high density residential and visitor accommodation activities when establishing parking requirements in order to encourage efficient development of land and provision of public transport and/or mass transit services."