

REQUEST FOR A PLAN CHANGE UNDER CLAUSE 21 OF THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991

To: **Queenstown Lakes District Council**

Remarkables Park Limited

PO Box 28 067, Remuera, Auckland (**RPL or the Applicant**), c/- Brown & Pemberton Planning Group Ltd, P.O. Box 1467, Queenstown, requests a change to the *Queenstown Lakes District Council Operative District Plan (DP or the Plan)* as described in this request and associated documentation.

1 The land to which the requested plan change relates

The land is located to the north of the Kawarau River, to the east of Riverside Road, and to the west of the Shotover River embankment. The land is legally described as follows:

<i>Title identifier</i>	<i>Legal Description</i>	<i>Area</i>
17563	Lot 5, Deposited Plan 25644 and Lot 26 Deposited Plan 304345	17.1530ha
17558	Lots 6 & 27 Deposited Plan 304345	47.0323ha
347189	Lot 8, 386734 and Lots 7, 24-25 Deposited Plan 304345	41.7064ha
OT17A/956	Lot 6, Deposited Plan 25112	0.8000 ha
OT17C/1175	Lot 2, Deposited Plan 25643	9.2862ha
OT17C/1182	Lot 108, Deposited Plan 25645	0.1024 ha
OT17C/1183	Lot 109, Deposited Plan 25645	0.1101 ha

A copy of the Certificates of Title are attached as **ANNEXURE A**. The titles collectively contain approximately 116 hectares.

The location of the land is shown on the copy of planning maps 31 and 33 attached as **ANNEXURE B**.

The land described above is hereafter referred to as **the Site**.

2 Statutory requirements for a requested plan change

Section 73(2) of the Resource Management Act 1991 (**the Act**) states that any person may request a territorial authority to change a district plan, and the plan may be changed in the manner set out in Schedule 1 (**the First Schedule**) to the Act. Clause 21(1) of the First Schedule states that any person may request a change to a district plan.

This request is made under clause 21 of the First Schedule.

Clause 22(1) of the First Schedule requires that a request made under clause 21 shall:

- explain the purpose of and reasons for the change; and
- contain an evaluation under section 32 for any objectives, policies, rules, or other methods proposed.

Clause 22(2) requires that, where environmental effects are anticipated, the request shall describe those effects, taking into account the provisions of the Fourth Schedule, in such detail as corresponds with the scale and significance of the actual or potential effects anticipated from the implementation of the change.

These requirements are addressed in Parts **3 – 6** below.

3 The purpose of and reasons for the requested plan change

The Remarkables Park Special Zone (**RPZ**) (Parts 12.10 and 12.11 of the DP) occupies around 150 hectares on the Frankton Flats north of the Kawarau River and west of the Shotover River. The RPZ provides for a range of urban activities, managed by way of objectives and policies and related provisions, a Structure Plan, rules and assessment matters.

The RPZ development presently comprises low density residential uses (in Activity Area 1) and a commercial/retail precinct (in AA5).

In March 2008 RPL requested changes to the RPZ. The Council numbered that request Plan Change 34 (**PC34**). PC34 was subject to further information requests, and has been on hold since late 2008. The period from 2008 to 2010 has seen a number of important changes in the planning environment of the Frankton Flats and environs, and RPL has reconsidered the various issues and has fully redrafted its PC34 request. A redrafted request, as is contained in this application and supporting material, is more appropriate than re-submitting a tracked change version of the 2008 request.

Accordingly, RPL requests PC34 in the form set out in this revised documentation. Overall, the purpose of PC34 is to enable the RPZ to better respond to the growth of the District. It provides further opportunity for large format retail activities in the RPZ; it enhances the mix of activities in the Zone; and it corrects various anomalies and otherwise updates various provisions of the Zone.

The PC34 changes are set out in:

- The revisions to the planning maps (shown in **ANNEXURE C**, attached) and
- The tracked change version of Parts 12.10 and 12.11 of the Plan, including Figures 1 – 3 (all contained in **ANNEXURE D**).

PC34 has **13** components. The purpose of and reasons for the changes, and the specific changes sought, are described for each component in Parts 3.1 – 3.13 below.

3.1 Component [1] – expand Activity Area 5

3.1.1 Purpose of and reasons for Component [1] changes

Activity Area 5 (**AA5**) of the RPZ contains the established commercial / retail centre. It commenced development in 1999 with Queenstown's first larger format supermarket, and has since established as the Wakatipu's main large format retail centre. It has grown to the point that it is nearing the capacity of the AA5 land available.

To enable expansion of the existing commercial and retail centre in AA5 of the RPZ, additional land for, in particular, large format retail (**LFR**) activities, needs to be provided. The existing commercial/retail centre is located on the main road entrance to Remarkables Park from the west (via Lucas Place and Hawthorne Drive), and the expansion proposed is in two locations:

- Towards the east, on land presently zoned Activity Areas 4 and 6, which will encourage use of the intervening land, within Activity Area 8 (**AA8**), for carparking and landscaping; and
- To the north, on a property owned by RPL and presently within the Airport Mixed Use Zone (**AMUZ**) a 1.2131 hectare parcel of land (Lots 1 and 33, DP 304345, Certificate of Title 338091, hereafter referred to as **CT338091**). CT338091 is located immediately north of Hawthorne Drive, approximately 75 metres east of the intersection with Lucas Place.

The expansion would enable in the order of 30,000 m² of additional gross floor area (**GFA**), comprising around 9000 m² GFA for small format retail and food and beverage uses, and around 21,000 m² GFA for large format retail.

The retail demand analysis and the GFA proposed are addressed in detail in the section 32 evaluation (**ANNEXURE E**), the assessment of effects on the environment (**AEE**) (**ANNEXURE F**) and the report by Market Economics Ltd (**ANNEXURE G**).

3.1.2 Component [1] changes proposed:

The specific changes of PC34 **Component [1]** are:

- (a) Change **Planning Maps 31, 31a, and 33**, to rezone **CT338091** from the **AMUZ** to the **RPZ**.
- (b) Change the **Remarkables Park Zone Figure 1 – Activity Areas Structure Plan** (the **Structure Plan**) as shown on **Figure 1**, attached. The specific changes are as follows:
 - (i) Change the external boundary of the Structure Plan to reflect the amendment in (a) above;
 - (ii) Include the parcel of land **CT338091** (referred to in (a) above) in **AA5** of the RPZ;
 - (iii) Relocate the boundaries between Activity Areas 4, 5, 6 and 8 to expand the area of AA5 in the area south of Hawthorne Drive and immediately east of the southern leg of AA8.
- (c) Change the **Remarkables Park Zone Figure 2 – Airport Measures and Activity Areas** to include **CT338091** (referred to in (a) above) in the shading

labelled (in the legend) “**NO RESIDENTIAL, VISITOR ACCOMMODATION OR COMMUNITY ACTIVITIES AREA**”.

- (d) Under Objective 2 of Part 12.10.3 of the DP, change the *Explanation and Principal Reasons for Adoption* for AA5 to recognise that the commercial /retail centre in AA5 is existing, and provides for future expansion. The specific changes are:

Activity Area 5 - Commercial/Retail area-Centre

~~*Within an area in the northwest part of This mixed use area comprises the established Remarkables Park land is available for commercial/retail centre, which provides for retail and other commercial activities including office and service activities. As the first of the Activity Areas reached when arriving in the Zone by road, a true mixed use approach is found here, including Activity Area 5 also provides opportunities for education, visitor accommodation, and carefully designed higher density residential activities, and for future expansion of the commercial/retail centre, including for large format retail activities.*~~

- (e) Change Part 12.10.3 of the DP to include a new policy (8) under Objective 7 – Future Retail and Related Activities. The new policy is:

8 To encourage large format retail and supporting activities in Activity Area 5.

- (f) Under Objective 8 of Part 12.10.3 of the DP, change the last clause of the *Explanation and Principal Reasons for Adoption* to recognise that the commercial/retail centre in AA5 is existing.

3.2 Component [2] – rezone area of Rural General land to RPZ Activity Area 2a

3.2.1 Purpose of and reasons for Component [2] changes:

Most of the escarpment adjacent to the Kawarau River between the Remarkables Park peninsula and the Shotover Delta is within Activity Area 2a (**AA2a**) of the RPZ, but a small area of the escarpment, at the northeast part of the RPZ adjacent to AA7, is zoned Rural General. Component [2] of PC34 seeks to rezone this part of the escarpment from Rural General to the RPZ AA2a.

The land in question, as with the balance of the escarpment land including that zoned AA2a, is unformed legal road and is owned by the QLDC. Any works therein would therefore require a licence to occupy, or equivalent authorisation from the Council.

3.2.2 Component [2] changes proposed:

The specific changes of PC34 Component [2] are:

- (a) Change **Planning Maps 31, 31a, and 33**, to rezone the land at the eastern end of the RPZ north of the Kawarau River from the **Rural General Zone** to RPZ; This change is shown on the revised **Planning Maps**, attached;
- (b) Change Figures 1, 2 and 3 of the RPZ to include the land referred to in 3.2.2(a) above within Activity Area 2a.

3.3 Component [3] – modifications to RPZ Activity Area 3

3.3.1 Purpose of and reasons for Component [3] changes

Activity Area 3 (AA3) is located on the riverside peninsula at the southern end of the RPZ. The existing AA3 provisions enable development of a wide range of activities, including retail, offices and other commercial, residential, visitor accommodation and other visitor facilities, restaurants and cafés, and riverside facilities including for ferry transport. It is expected that AA3 will develop as a vibrant mixed-use precinct.

In addition to the activities described above, RPL anticipates a potential demand for educational facilities, particularly for tertiary and research institutions, in AA3. Currently, educational facilities are a discretionary activity in AA3. PC34 seeks to change that status to a controlled activity.

The description of AA3 in the *Explanation and Principal Reasons for Adoption* for AA3 to Objective 2 of the RPZ does not reflect that commercial activities are enabled in AA3 as controlled activities, and that the development will complement the river ferry facilities on the adjacent AA2a.

3.3.2 Component [3] changes proposed:

The specific changes of PC34 **Component [3]** are:

- (a) Under Objective 2 of Part 12.10.3 of the DP, change the *Explanation and Principal Reasons for Adoption* for AA3 to:
 - (i) recognise that commercial activities and recreational activities are controlled activities in the mix of activities within AA3;
 - (ii) recognise that development in AA3 will link directly and integrate with the riverside facilities in adjacent AA2a for ferry transport; and
 - (iii) recognise education as one of the activities enabled within AA3.

The specific changes are:

Activity Area 3 - Riverside Peninsula

~~The~~ This riverside apartment-development area situated on the river peninsula and adjoining the Riverside Public Recreation Area will enable development for commercial and retail activities, offices, condominiums, visitor facilities and visitor accommodation, church, plaza, restaurants, and cafes, educational, recreational, and riverside facilities (including ferry-based transport). The intention is for the Riverside Peninsula area to develop as a vibrant mixed use precinct that includes pedestrian activities.

- (b) Under Objective 7 of Part 12.10.3 of the DP, change Policy 3 to better recognise the mix of uses in AA3 and its commercial/retail role being complementary to that of AA5. The specific changes are:
 - 3 ~~To enable the new-commercial/retail centre to function as the focal point for~~ complement a range of nearby activities including community, recreation, education and residential, and the mixed use precinct in Activity Area 3.
- (c) Under Part 12.11.1 of the DP (Zone Purpose), in the last paragraph include reference to future commercial development in AA3 (in addition to AA5).
- (d) In Rule 12.11.3.6 (Table 1), change the activity status of Educational Facilities in AA3 from a discretionary activity (“DIS”) to a controlled activity (“CON”).

3.4 Component [4] – modifications to RPZ Activity Area 4

3.4.1 Purpose of and reasons for Component [4] changes:

Activity Area 4 (AA4) is located in the core of the RPZ and links the commercial activities enabled in AA5 to the north and AA3 to the south. It is intended primarily for higher density residential, visitor accommodation and educational facilities. In addition to a range of residential types, AA4 has potential for student and worker accommodation in close, walkable distance to employment and education facilities, particularly smaller tertiary institutions. Commercial recreation is also enabled in AA4, as a controlled activity.

Health and day care facilities are presently discretionary activities in AA4. PC34 seeks that this activity status be changed to controlled, to promote a better mix of activities in this area. Health care facilities include the provision of services relating to the physical and mental health of people and animals, and day-care facilities include the care during the day of elderly persons with disabilities and/or children (other than those residing on the site). These activities are appropriate in the location of, and compatible with the existing mix of uses enabled by, AA4.

3.4.2 Component [4] changes proposed:

The specific changes of PC34 **Component [4]** are:

- (a) Under Objective 2 of Part 12.10.3 of the DP, change the *Explanation and Principal Reasons for Adoption* for AA4 to:
 - (i) recognise that AA4 is appropriate for a wider range of residential opportunities and densities than is implied by the term “housing” in the title and text of the clause, and in particular recognise that the area is suitable for student and staff accommodation; and
 - (ii) include health and day care facilities as one of the activities enabled in AA4.

The specific changes are:

Activity Area 4 - Higher Density Accommodation

A significant proportion of this area is proposed to be devoted to higher density ~~housing-visitor and residential accommodation, including student and staff accommodation, educational, health and day care facilities. Such housing-Units will maximise views and sun and will be built at relatively high density and will have regard to sunlight access and views.~~

- (b) In Rule 12.11.3.6 (Table 1), change the activity status of Health and/or Day Case Facilities in AA4 from a discretionary activity (“DIS”) to a controlled activity (“CON”).

3.5 Component [5] – changes to zone standards for nature and scale of activities and hours of operation

3.5.1 Purpose of and reasons for Component [5] changes:

The existing zone standards for nature and scale of activities and hours of operation limit the manner in which some non-residential activities can be undertaken, by restricting the number of persons who may be employed on the site, restricting the gross floor area that can be devoted to the activity, and restricting the hours of operation.

Although there are exceptions provided for in the introductory clauses of the standards, these apply to only some of the controlled activities and discretionary activities in the various activity areas of the zone. Any other proposed activity is restricted by the standards; any breach of the standards would require consent to a non-complying activity. It is likely that an otherwise controlled or discretionary activity (as listed in the activity table in rule 12.11.3.6) would be non-complying because it could not comply with the standards.

The list of activities provided for in the exemption is very limited – many other activities provided for in the activity table are not exempted. There is no apparent resource management rationale as to why some activities are exempted and others are not.

The standards act in contrast to the objectives and policies and the overall mixed-use purpose of Activity Areas 2 – 8 of the Zone. Non-residential activities in these activity areas are better managed through the objectives and policies, activity status and assessment matters rather than by the zone standards.

3.5.2 Component [5] changes proposed:

The specific changes of PC34 **Component [5]** are:

- (a) Modify zone standard 12.11.5.2(vi) (nature and scale of activities) by deleting the exceptions in the introductory clause of the rule, to enable more flexibility in the mixed-use live-work activities within the RPZ, and to ensure that the standards only apply in the established low density residential precinct in AA1.
- (b) Modify zone standard 12.11.5.2(vii) (hours of operation) for the same reasons as in (a) above.
- (c) In Part 12.10.4 – Environmental Results Anticipated, change the 11th bullet point to clarify, as a result of the changes in (a) and (b) above, that the controls relating to scale and nature and hours of operation pertain to AA1 only.

3.6 Component [6] – changes to enable parking in AA4 and AA8

3.6.1 Purpose of and reasons for Component [6] changes:

Vehicle parking is generally provided for and required (by Part 14 of the Plan) in conjunction with developments that create a need for parking. There may be some situations where parking may be promoted for convenience and efficiency, and not necessarily in conjunction with specific development. Such situations may arise in AA4 and AA8. An example is in the southern leg of AA8, which, given its location in relation to airport activities, is not suitable for buildings and not suitable for any activities other than vehicle access and parking, pedestrian routes, and landscaping.

3.6.2 Component [6] changes proposed:

The specific changes of PC34 Component [6] are:

- (a) Under Objective 2 of Part 12.10.3 of the DP, in the *Explanation and Principle Reasons for Adoption* for AA8 in the first paragraph add the words “and parking” after the word “infrastructure”.
- (b) In Rule 12.11.3.2(ii), after the words “Day Care Facilities” add the words “Parking Facilities”, and add a new matter of control, as follows:

- *Landscaping within car parking areas*

- (c) In Rule 12.11.3.6 (Table 1), add a new row titled “Vehicle parking in Activity Areas 4 and 8” and add the controlled activity (“**CON**”) status in the columns for AA4 and AA8.

3.7 Component [7] – changes to facilitate passenger ferry transport

3.7.1 Purpose of and reasons for Component [7] changes:

The RPZ provisions for AA2a anticipate river transport opportunities. The logical location for a passenger ferry terminal for linking the RPZ with other locations (particularly the Queenstown CBD and Frankton Arm locations) is near the tip of the peninsula of AA2a adjacent to the mixed use precinct of AA3. However, there are other opportunities for a secondary ferry stopping point further downstream, in AA2a adjacent to AA7.

The Component [7] modifications recognise the opportunity for an additional ferry stopping point serving the RPZ.

3.7.2 Component [7] changes proposed:

The specific changes of PC34 Component [7] are:

- (a) Under Objective 2 of Part 12.10.3 of the DP, change the *Explanation and Principal Reasons for Adoption* for AA2 to recognise that water-based transport includes opportunities for passenger ferries in addition to water taxis.
- (b) Under Objective 2 of Part 12.10.3 of the DP, change the *Explanation and Principal Reasons for Adoption* for AA2 to recognise that there is potential for more than one stopping point for water-based ferry transport.
- (c) Under Objective 5 of Part 12.10.3 of the DP, change clause (b) of the *Implementation Methods* to recognise that there is potential for more than one staging point for water-based transport.

3.8 Component [8] – changes to airport-related controls in the RPZ

3.8.1 Purpose of and reasons for Component [8] changes:

Item (i) under the table in Rule 12.11.5.2(ii), and Figure 3 (Height Restrictions Plan) to the RPZ together control the height of buildings in relation to the airport’s cross-wind runway. RPL and the Queenstown Airport Corporation (**QAC**) have agreed to changes to this zone standard, to simplify the method of implementation.

The words in Rule 12.11.5.2(iv) (Airport Measures – Queenstown Airport) describing areas within Figure 2 – Airport Measures do not match the legend contained on Figure 2. The words need to be modified for consistency between the Rule and the Figure.

The modifications are different from some modifications to the RPZ sought by Plan Change 35 (**PC35**) (a private plan change promoted by the QAC). PC35 is discussed further in part 5.8 of the section 32 evaluation for PC34 (**ANNEXURE E**).

3.8.2 Component [8] changes proposed:

The specific changes of PC34 Component [8] are:

- (a) In Rule 12.11.5.2(ii), modify the table of maximum building heights as follows:
 - (i) In the first row entitled “*Activity Areas 4, 5 and 6 ...*”, delete the words “except within that area marked “A” on attached Figure 3” and replace with “except as provided in clause (i) below”; and
 - (ii) Delete the second row entitled “*Activity Areas 4, 5 and 6 ...*”.
- (b) In Rule 12.11.5.2(ii)(i), delete “5%” and replace with “10%”, and delete “1:7” and replace with “1:5”.
- (c) Modify Figure 3 – Height Restrictions Plan to reflect the changes in (a) and (b) above.
- (d) In Rule 12.11.3.6 (Table 1), modify the rows entitled “*Buildings within ...”, “*Residential, Visitor Accommodation ...”, and “*Residential Activities, Visitor Accommodation ...” to ensure the descriptions of the coding of areas match the coding and legend on Figure 2 – Airport Measures.
- (e) Change Rule 12.11.5.2(iv) to ensure that the descriptions of coding of areas in the Rule match the coding and legend on Figure 2 – Airport Measures.
- (f) In Assessment Matter 12.11.6(m), change the heading to reflect the changes in (d) and (e) above.

3.9 Component [9] – changes to noise controls in the RPZ

3.9.1 Purpose of and reasons for Component [9] changes:

Rule 12.11.5.2(iii)(a) (Noise) controls noise from non-residential activities. The second item of Rule 12.11.5.2(iii)(a) provides some exceptions to the controls in the first item. Some non-residential activities are appropriate in AA2a, and AA6 anticipates certain non-residential activities, but these are not recognised in the exceptions in the second item. Component [9] seeks to remedy this.

3.9.2 Component [9] changes proposed:

The specific changes of PC34 Component [9] are:

- (a) Modify Rule 12.11.5.2(iii) as follows:

Except:

In Activity Areas 2a, 3, 4, 5, 6, and 7, non-residential activities may be conducted within the following noise limits so long as they are not exceeded at any point within the boundary of any other site within Activity Areas 2a, 3, 4, 5, 6, and 7: ...

3.10 Component [10] – changes to descriptions of prohibited activities

3.10.1 Purpose of and reasons for Component [10] changes:

In Rule 12.11.3.6 (Table 1), the row titled “Panelbeating ...” prohibits various activities. However, some of those activities are undertaken as ancillary activities to permitted or controlled activities in the RPZ. For example, the existing cafés and restaurants in the RPZ store empty bottles before disposal, and the supermarket stores goods in the warehouse area.

Similarly, various activities are “Service Activities” but are ancillary to the main uses of the site.

Additional words are required to clarify these matters.

3.10.2 Component [10] changes proposed:

The specific changes of PC34 Component [10] are:

- (a) In Rule 12.11.3.6 (Table 1), modify the wording of the row commencing “Panelbeating ...” to clarify the rule, to add the words “bulk” and “processing” in relation to bottle and scrap storage.
- (b) In Rule 12.11.3.6 (Table 1), in the row commencing “Service Activities”, add the words “(unless ancillary to a permitted, controlled or discretionary activity)” to clarify that the activity status does not apply to service activities that are ancillary.

3.11 Component [11] – changes relating to site and building design within the zone

3.11.1 Purpose of and reasons for Component [11] changes:

The RPZ objectives and policies, rules, assessment matters and other methods promote high quality site and building design. However, some of the language used in these provisions is highly subjective and vague, and does not promote a clear, objective expression of how urban and building design should be undertaken or assessed. Component [11] of PC34 seeks to remedy this.

The Remarkables Park Design Review Board is required to review applications for buildings that exceed the specified height. The Queenstown Urban Design Panel would in some cases review other applications. This duplication of responsibility is unnecessary and inefficient, and Component [11] seeks to remedy this also.

3.11.2 Component [11] changes proposed:

The specific changes of PC34 Component [11] are:

- (a) Modify Policy 2 of Objective 4 of Part 12.10.3 of the DP, as follows:
 - 2 ~~To ensure that the provide variety of built form, scale and height within the Zone. built environment reflects the qualities of a mountain village, including pitched roofs and variety in form, scale and height of buildings.~~
- (b) Delete Policy 3 of Objective 4, and renumber the subsequent policies.
- (c) Modify Policy 3 (as renumbered) of Objective 4 as follows:

4.3 To encourage the use of colours and materials which are complementary to the ~~local~~urban environment.

- (d) In the Implementation Methods for Objective 4, modify clause (ii) (Other Methods) as follows:

~~A~~The Remarkables Park Design Review Board shall be used to evaluate proposals for development exceeding the specified height limits (site standard) against the relevant assessment criteria, prior to lodgement of a resource consent application. The structure and protocol of ~~the~~this Review Board will be determined by the Board. Liaison with the Design Review Board is encouraged early in the design process.

The Remarkables Park Design Review Board shall consider any other proposal for a development in the Remarkables Park Zone if requested by the applicant or if otherwise deemed necessary.

The Remarkables Park Design Review Board shall be established by the Council and shall consist of a panel of four independent members, agreed to by the Council and Remarkables Park Limited. Two members are to be appointed by the Council and two members are to be appointed by Remarkables Park Limited. This panel may include the following independent experts: architect; urban designer; resource management planner; landscape architect; developer. The reasonable costs of the Design Review Board shall be met by the applicant.

- (e) Modify Policy 2 of Objective 7 as follows:

2 To enable a consolidated medium density commercial/~~retail~~ centre that can incorporate open space, shops opening onto streets, lanes and plazas, ~~and~~ higher density residential and visitor accommodation, and a consolidated urban form which increases the potential for multi purpose trips.

- (f) Modify Policy 5 of Objective 7 as follows:

5 To enable a built form which ~~reflects and is sympathetic~~complementary to , and has regard to views of, the surrounding alpine landforms, ~~lakes and views of both.~~

- (g) Modify Policy 5 of Objective 8 as follows:

5 To ensure landscaping ~~gives~~contributes to a distinct village town identity, and ~~promotes the image of a consolidated commercial centre but does not destroy~~ has regard to important viewshafts. ~~from the centre.~~

- (h) In Site Standard 12.11.5.1(iii), modify the last clause by deleting the last two sentences (relating to the Remarkables Park Design Review Board) and insert a cross reference to the Implementation Methods for Objective 4.

- (i) In Part 12.11.6(b) (Assessment Matters – Private Open Space), modify the first bullet point as follows:

- Private open space for residential units is clearly defined for private use.

- (j) In Part 12.11.6(b) (Assessment Matters – Private Open Space), Modify the last clause by adding at the end of the clause: “or by student accommodation providing communal outdoor space.”

- (k) Modify Part 12.11.6(d) (Assessment Matters – Building Design and Appearance) as follows:

d Building Design and Appearance

- ~~That the architectural style and building forms shall be evocative of a mountain region, building forms shall be~~ are sympathetic complementary to the mountain alpine setting and local context.
- ~~That the relationships between building forms has~~ have been considered with a village like quality regard to the purpose of the Activity Area. the character and scale to be achieved.
- ~~That clusters and groupings of buildings are designed to fit the form and contour of the land.~~
- ~~That orientation of buildings optimises~~ has regard to views, and sun exposure and orientation to open space.
- ~~That buildings are an integral part of the landscape.~~
- ~~Building facades shall help define and give character to open spaces, squares, streets, paths and parks.~~
- ~~That building materials are appropriate to the area and have an appropriate alpine character which has local application~~ local context including the purpose of the Activity Area.
- ~~Roof colours and materials are such as to not result in an obtrusive impact when viewed from above.~~
- ~~That sloping roofs are strongly encouraged~~ where appropriate for variety and for their visual character, taking into account the purpose of the Activity Area, and to enhance snow removal and for their visual character.

3.12 Component [12] – height of buildings in AA8

3.12.1 Purpose of and reasons for Component [12] changes:

The height of buildings in AA8 (except in the southern leg of AA8, adjacent to AA5, in which buildings are prohibited) is currently 7 metres (zone standard 12.11.5.2(ii)). The activities promoted in AA8 are commercial recreational activities. Therefore, buildings are likely to be associated with a golf course, a gymnasium, or indoor facilities for sports, to complement outdoor recreational facilities. Buildings of this nature may need to be higher than 7 metres. For commercial recreational facilities in AA8, a building height maximum of 18 metres is more suitable.

The maximum height of buildings in the adjoining AMUZ land is 9 metres, and in adjoining RPZ activity areas the maximum height is 18 metres. Proposed PC19, for land to the north of the airport, promotes building heights of between 10 and 18.5 metres. This PC19 land is more visible when viewed from the state highway in the forefront of the vistas to outstanding natural landscapes than AA8 land. Buildings up to 18 metres in AA8 are therefore appropriate in the context of potential development in the area and the impacts on landscape values.

3.12.2 Component [12] changes proposed:

The specific changes of PC34 Component [12] are:

- (a) In Site Standard 12.11.5.1(iii) (building height), add a new bullet point as follows:
- Activity Area 8 9m
- (a) In Zone Standard 12.11.5.2(ii) (building height), in the row labelled “Activity Area 8”, delete “7m” and replace with “18m”.

3.13 Component [13] – miscellaneous other changes to the RPZ provisions

3.13.1 Purpose of and reasons for Component [13] changes:

In addition to the changes set out in 3.1 – 3.12 above, the existing provisions contain words and clauses that are either out-of-date since when first included in the Plan, or inconsistent with other provisions, are ambiguous, or which otherwise can be more clearly expressed. It is appropriate to make these minor changes during the process for the substantive changes to the RPZ, as set out in 3.1 – 3.12 above.

3.13.2 Component [13] changes proposed:

The specific changes of PC34 Component [13] are:

- (a) Change Figure 1 – Activity Areas Structure Plan (with consequential changes to Figures 2 and 3) as follows:
- (i) Change the northern boundary of the RPZ to reflect ownership changes between the applicant and the QAC. The modification concerns 1.4 hectares. The changes are shown on the plan Figure 1, attached;
 - (ii) Relocate the boundary between AA6 and AA8 north by 20 metres, due to the realignment of the (unformed) eastern access road 20 metres south (as approved by resolution of the Council, 25 August 2009).
 - (iii) Other modifications to reflect the roading layout consented by RM090321.
- (b) Changes as follows:

Part 12.10.3, Objective 2 In the *Explanation and Principal Reasons for Adoption* section, second paragraph, the words “*second home owners*” are added because there is already a large number of holiday homes in AA1.

Various places In relation to the commercial/retail centre, the word “new” is removed because the centre in AA5 now exists

Part 12.10.4 The words “commercial/retail” is added in relation to the “centre”, to clarify that the centre refers to the existing centre in AA5.

Rule 12.11.3.2(i)	In the 4 th bullet point, the heights are modified to ensure consistency with the specified and maximum heights set out in the specific site and zone standards (respectively) for building height.
Rule 12.11.3.6 (Table 1)	In the row “Health/Day Care Facilities”, insert “and/or” between “Health” and “Day” to clarify that the two activities can be dealt with separately.
Rule 12.11.5.1(iii)	Delete this rule (relating to lift towers) because it is inconsistent with Rule 12.11.5.2(ii)(iii). There is no resource management reason why only visitor accommodation facilities should have an additional assessment for a lift tower that exceeds the maximum height.
Rule 12.11.5.2(x)	There is no resource management reason why domestic pets cannot be kept in the activity areas that promote residential activities.
Part 12.11.6(a)	Fifth bullet point – modifications to ensure consistency with the equivalent rules for height of buildings.

- (c) In Parts 12.10 and 12.11 of the Plan, make various changes, as set out in the tracked change version of the provisions, [ANNEXURE D](#), attached, to clarify, update, correct and/or remove ambiguity from the relevant clause and/or to ensure consistency with other clauses. The specific modifications are discussed in detail in the section 32 evaluation, at [ANNEXURE E](#).

4 Evaluation under Section 32 of the Act

The evaluation under section 32 of the Act is contained in [ANNEXURE E](#), attached.

5 Assessment of effects on the environment

The assessment of the effects of the proposed change on the environment (**AEE**) is contained in [ANNEXURE F](#).

The assessment includes and relies on technical assessments of traffic effects, infrastructure effects and effects relating to the provision of additional large format retail space. These assessments are attached as separate Annexures, as follows:

ANNEXURE G: *Queenstown Catchment Assessment of Retail and Service Growth* prepared by Market Economics Limited (12 October 2010);

ANNEXURE H: *Transport Assessment* prepared by Traffic Design Group (October 2010);

- ANNEXURE I:** *Servicing Capability Report* prepared by Airey Consultants Limited (October 2010);
- ANNEXURE J:** *Assessment of Landscape and Visual Effects* prepared by Vivian + Espie Ltd (November 2010)
- ANNEXURE K:** *Cultural Values Report for Frankton Flats Proposed Plan Change* prepared by KTKO Ltd (17 August 2006).

These specialist reports are an integral part of the AEE and the plan change request.

6 Consultation

Over the course of preparing the original version of PC34, and/or during the subsequent processing of that version, and/or in the course of preparing the current version, the applicant has consulted with persons/groups considered to be potentially affected by the proposed plan change. The following parties have been consulted on PC34:

- The Queenstown Airport Corporation;
- The QLDC (planning officers);
- The Queenstown Golf Club;
- The Ministry of Education;
- Kai Tahu Ki Otago Ltd;
- The Otago Regional Council.

The consultation is discussed in more detail in the AEE ([ANNEXURE F](#)).

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*for Brown & Pemberton Planning Group Limited
 on behalf of*

Remarkables Park Limited

23 December 2010

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Address for service of applicant:

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c/-Brown & Pemberton Planning Group Limited
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Remuera
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Attention: Deb Taylor / Alastair Porter

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Email: d.taylor@remarkablespark.com

Figure 1

Remarkables Park Zone Structure Plan modifications

Annexures

- A** Certificates of title
- B** Location Plan
- C** PC34 – modifications to planning maps 31, 31a and 33
- D** PC34- requested plan change modifications and modified structure plan
- E** Section 32 evaluation
- F** Assessment of effects on the environment
- G** *Queenstown Catchment Assessment of Retail and Service Growth* – Market Economics Limited
- H** *Transport Assessment* – Traffic Design Group
- I** *Servicing Capability Report* – Airey Consultants Limited
- J** *Assessment of Landscape and Visual Effects* – Vivian + Espie Ltd
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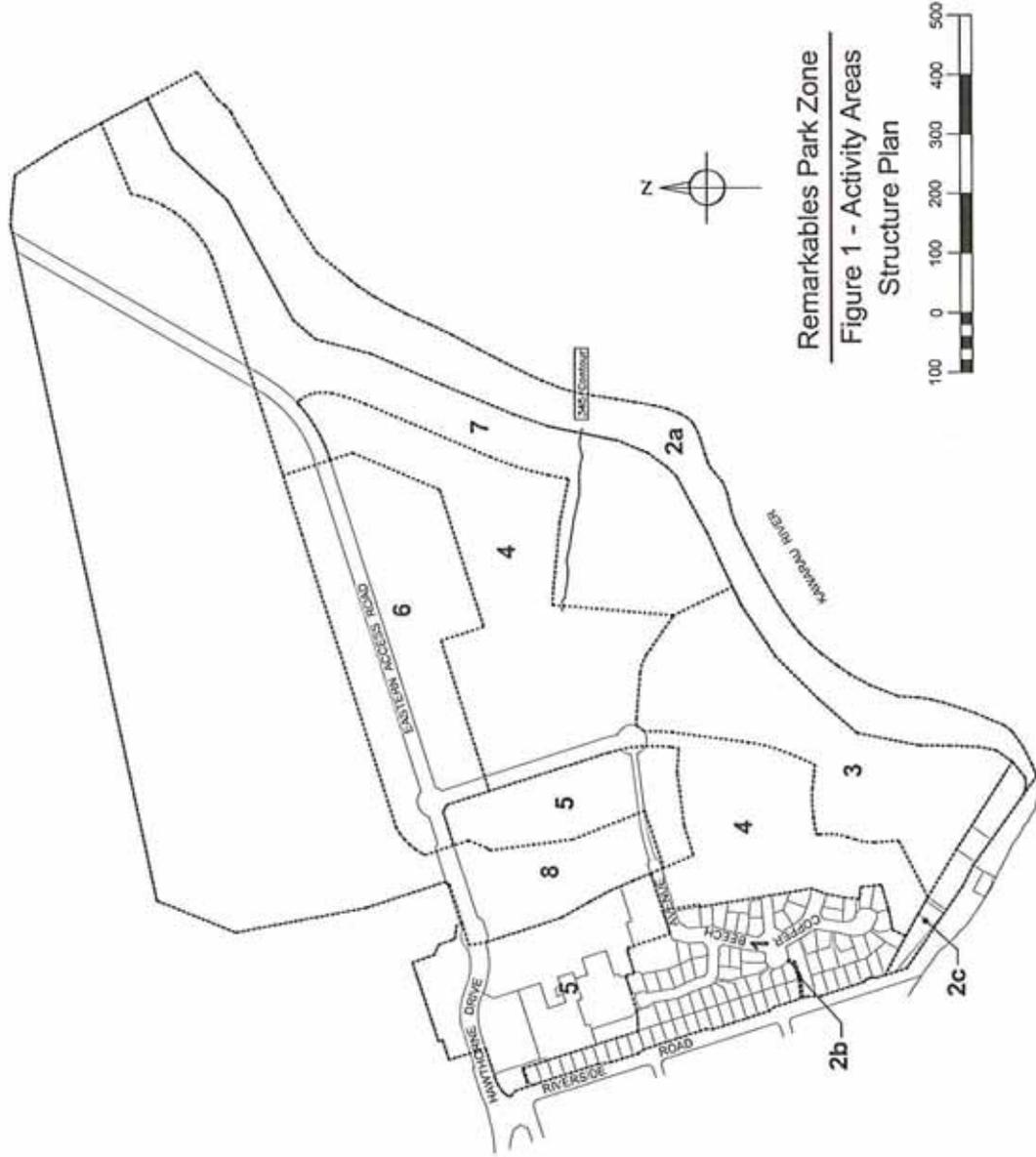


Figure 1

Figure 1

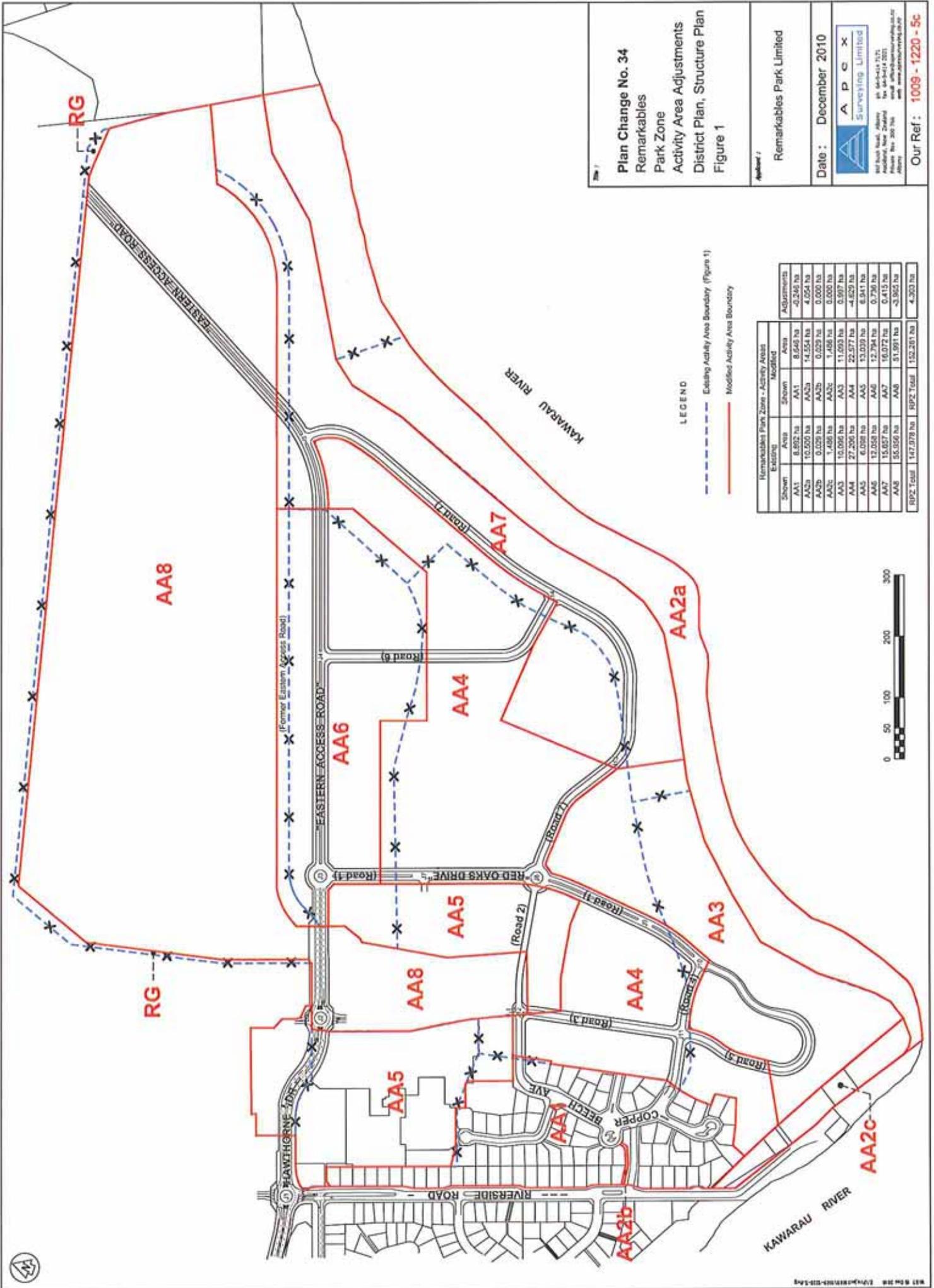


Figure 1

