

COMMENTS ON BEHALF OF AUKAHA ON MINOR OR TECHNICAL (INCLUDING LEGAL) ERRORS OR OMISSIONS RECEIVED ON DRAFT REPORT AND RESPONSE

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any)
Decision para 11.16	Aukaha	Wrong name for Kāi Tahu representative. Unsure if the reference is meant to be to both Jana Davis and Michael Bathgate as Kāi Tahu representatives. Following paras 11.18 and 11.23 reference Mr Davis.	Amend to: 'Messrs Bowman <u>Davis</u> (representing Kāi Tahu)'

COMMENTS ON BEHALF OF ANNA HUTCHINSON FAMILY TRUST (AHFT) ON MINOR OR TECHNICAL (INCLUDING LEGAL) ERRORS OR OMISSIONS RECEIVED ON DRAFT REPORT AND RESPONSE

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any)
13.4(a) / updated structure plan to include the AHFT Extension Area.	AHFT	<p>As a general comment applicable to all of the following, AHFT records that AHFT and the Council have been liaising following the production by Council of a draft updated structure plan that includes the AHFT Extension Area. AHFT raised a number of concerns / suggested refinements which it showed in the attached Saddleback version of the structure plan.</p> <p>It is understood that the Council is generally comfortable with the Saddleback version of the Structure Plan.</p>	Adopt the Saddleback version of the structure plan as it relates to the AHFT site (noting that the Saddleback plan also includes changes sought by Glenpanel Developments Limited, which are addressed separately).
13.4(a) / updated structure plan to include the AHFT Extension Area.	AHFT	<p>Detail of inclusion of the AHFT Extension Area – Internal local road alignment proposed by Council in its draft updated structure plan.</p> <p>The Council in its draft updated structure plan originally showed the internal local type road in a similar location as the AHFT plans dated 18 Dec 2023. However the Council’s update did not connect to Spence Road, rather it</p>	<p>The Panel has included, as a specific trigger for K3 in 49.5.10, that there is an “Access intersection from Spence Road”. This connection therefore needs to be shown: refer Saddleback version of the updated structure plan.</p> <p>It is understood that the Council agrees with this in light of the specific trigger, which it had overlooked when preparing the draft updated structure plan.</p>

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		<p>only showed the active travel connections to Spence Road.</p>	<p>AHFT is also concerned that the Council's proposed notation of the internal road was "Local Type F", which has little or no meaning (either in the Variation or elsewhere in the District Plan), as Local Type F is not a type provided for in the Variation. AHFT would prefer to simply have it identified as "Local Road", along with an asterisk to show that the location has flexibility.</p> <p>It is also understood that the Council now agrees with this.</p>
<p>13.4(a) / updated structure plan to include the AHFT Extension Area.</p>	<p>AHFT</p>	<p>The inclusion of a landscape buffer on the southern boundary of Sub-area K3, which the Council had identified in a draft structure plan as being intended by the Panel.</p> <p>The Panel's discussion on a defensible edge, which the landscape buffer is used to reinforce elsewhere in the structure plan, focuses for the AHFT site solely on the northern edge. AHFT considers that there is no identified basis in the Panel's draft recommendation for a formal landscape buffer to be shown in the K3 sub-area location.</p> <p>That said, AHFT acknowledges that it had sought identification of "existing trees to be</p>	<p>The Panel to consider whether a landscape buffer area is required in K3. If so, AHFT would accept this in the location identified in the Saddleback version of the Structure Plan.</p>

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		retained” in part of what the Council had shown as a southern landscape buffer in the K3 area. Given the discussion about replacing wilding pines with other more appropriate species, AHFT does not consider the “retention” mechanism is appropriate. It could however be replaced with a landscape buffer, to the extent shown in the Saddleback version of the Structure Plan. This leaves an area where the active transport access to Spence Road is to be provided.	
13.4(a) / updated structure plan to include the AHFT Extension Area.	AHFT	The Council team has depicted the proposed escarpment planting on both K2 and K3, however noted as “indicative location subject to survey” (as exact location can be confirmed at subdivision consent stage).	AHFT accepts the extent of the “escarpment planting” areas as proposed by the Council provided that the notation in the key remains (subject to survey), but considers that the areas should be identified as “escarpment”, rather than “escarpment planting”, given that the relevant rules refer to “escarpment” (rather than “escarpment planting”). In either case, the demarcation of the relevant area is more appropriately undertaken by a dashed line/ hatching that does not have a solid fill behind it, to reflect the fact that the boundaries are not currently surveyed boundaries. AHFT also suggests changing the colour indicating the area

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			<p>to more of a brown than a green, to avoid confusion with the “existing trees to be retained” notation.</p> <p>It is understood that the Council agrees with the mapping improvements, but is still considering the “escarpment” vs “escarpment planting” issue. The parties will continue dialogue on the point and, if agreed, would file a joint memorandum to that effect next week. AHFT notes the requirement for a landscaping plan to be submitted with the first application, which the Council acknowledges.</p>

Te Pūtahi Ladies Mile Structure Plan - General

Updated Structure Plan submitted by Anna Hutchison Family Trust and Glenpanel Developments Limited as part of their comments on 27 March 2024

Key

- Structure Plan Extent
 - Proposed Intersection
 - Structure Plan Roads
 - Road Link
 - ↔ Key Crossing
 - Major Active Travel Route
 - Active Transport Access Provision
 - Active Transport connection to existing routes
 - Potential future Active Travel Link
 - Open Space
 - 🌳 Community Park (1.5 - 2Ha)
 - Building Restriction Area
 - Landscape Buffer
 - Existing trees to be retained
 - Escarpment (indicative location subject to survey)
 - Storage overlay
 - Sub-Area
 - Stormwater swale
 - Stormwater swale options
 - * Location has flexibility, refer provisions.
- Cadastral property boundaries and unformed legal roads are shown for information purposes only.



DRAFT

COMMENTS ON BEHALF OF GLENPANEL DEVELOPMENTS LIMITED (GDL) ON MINOR OR TECHNICAL (INCLUDING LEGAL) ERRORS OR OMISSIONS RECEIVED ON DRAFT REPORT AND RESPONSE

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any)
49.5.33, 49.5.50	GDL	Triggers, in particular the “SH6 eastbound bus lane from SH6A to Hawthorne Drive and SH6 westbound bus lane from Hardware Lane to SH6A (part of NZUP package)””; and “Stalker Road northbound bus priority lane south of SH6”	Deletion of these triggers on the basis that there is no jurisdiction for its inclusion (which would amount to a legal error). This trigger was: <ul style="list-style-type: none"> (a) Never originally proposed as part of the notified Variation; (b) Not sought in any submission; and (c) Was not put squarely to GDL’s witnesses for comment. In addition: <ul style="list-style-type: none"> (d) Given the extent and length of works comprising the trigger, there is a significant risk that they will not be completed swiftly, and therefore risk preventing any development of the Ladies Mile Variation area. (While in theory dwellings can be constructed, but not occupied, there is little chance of any significant development occurring because of the difficulty in funding such development without certainty as to occupation.

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			<p>(e) This would be contrary to the primary objective of the Variation, being to provide urgently needed housing (at maximum achievable densities) for Queenstown.</p>
49.4.38D, 49.5.41.1	GDL	Building Restrictions in respect of the Glenpanel Homestead	<p>The Panel may have overlooked that fact that there are existing buildings associated with the Homestead within the proposed 40m no build zone. At the very least their repair, maintenance, and replacement should be provided for. Some new buildings, depending on their purpose, may also be appropriate to support the long term operations of (and therefore historic heritage of) the Homestead.</p> <p>In respect of the 8m height restriction within the 40-80m setback area, it is noted in respect of the area to the west, the existing trees (which are to be identified as being retained) are some 18-23m in height, and form a largely solid visual barrier to the west. It is incongruous to then restrict buildings behind those trees to 8m. The 13m height limit should apply in that location. In respect of trees to the east, they include trees of 20m in height to 38m in height. Buildings to the west of them should be able to be the 17m in height.</p> <p>While a case by case assessment can always be made through a non-complying consent application, it may be</p>

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			<p>that the Panel overlooked these matters, and a more refined approach could be taken in the Variation provisions to reflect the finer grained factual detail on the ground. It may be simplest to have discretionary status for buildings within Area A, and to amend the restriction within Area B to 13m and 17m respectively beyond the lines of the existing tall trees to the east and west. This would better achieve objective 49.2.4.</p>
Mapping	GDL	The extent of “existing trees to be retained” overlay around the Glenpanel Homestead.	<p>This needs to be updated to reflect the trees that are in fact existing and appropriate for retaining. The overlay is only used in two other locations in the structure plan, and generally reflects the extent of existing tree coverage in those locations. Yet the proposed overlay in respect of the Glenpanel Homestead area currently does not reflect the existing trees (let alone those that should be retained). It is an impossibility to retain trees that do not exist, and poor specimens should not be required to be kept. GDL has previously provided plans as to its intentions in that area, and the Structure Plan should reflect this detail. Otherwise, it will only be a source of confusion later. Refer Saddleback updated structure plan. Also refer Mr Murray’s evidence Figure 5 which shows actual trees:</p>

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any)
			
Mapping	GDL	Location of east-west collector road.	<p>While the Panel considered that the east-west collector road should be fixed, it did not say where, and in several places emphasised aligning elements with the paper road. GDL considers that it is efficient and effective for the east-west collector road to be aligned with the paper road, as, generally, this will avoid developers from having to wait for a road stopping process to have to be undertaken, before development can proceed over former paper-road. More fundamentally, but specifically to GDL, GDL now holds a bulk-lot subdivision consent (RM230721) that has been approved by Council aligning the east-west collector road with the paper road. GDL is entitled to rely on that consent, and intends to do so. The location of the east-west collector road must therefore be considered part of the existing environment in accordance with <i>Hawthorn</i>. If the</p>

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any)
			<p>Structure Plan shows something different, then it will not change what GDL proceeds to develop, and the Structure Plan will immediately become “out of date” in that respect, and the other landowners on the alignment (at least to the immediate east and west) will face non-complying consents to meet up with the east-west collector on GDL’s site. Refer Saddleback updated structure plan.</p>
Mapping	GDL	Location of “fixed” stormwater swale.	<p>While the Council’s current version of the structure plan shows the active transport route as within the road corridor, it shows the stormwater swale as outside the corridor. GDL’s bulk lot consent provides for the stormwater swale and active transport route to be provided for in the proposed roading corridor (along the paper road). Accordingly, the stormwater swale should also be shown inside the (realigned) roading corridor (although should be shown on the northern side of the corridor). Refer Saddleback updated structure plan.</p>
Mapping	GDL	Active Transport Route, southern side of SH.	<p>It is also incongruous that the active transport route is not shown on the southern side of the State Highway. GDL understands that this is an important part of the overall structure plan, and so it should be included. Refer Saddleback updated structure plan.</p>

Te Pūtahi Ladies Mile Structure Plan - General

Updated Structure Plan submitted by Anna Hutchison Family Trust and Glenpanel Developments Limited as part of their comments on 27 March 2024

Key

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 - Existing trees to be retained
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 - Storage overlay
 - Sub-Area
 - Stormwater swale
 - Stormwater swale options
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**COMMENTS ON BEHALF OF FRIENDS OF LAKE HAYES ON MINOR OR TECHNICAL (INCLUDING LEGAL) ERRORS OR OMISSIONS
RECEIVED ON DRAFT REPORT AND RESPONSE**

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any)
11.21, 11.24 (and other provisions)	FOLH, Mike Hanff	Discussions during hearing regularly referred to 1 in 100 year rain events as an acceptable failure level. Text in these paragraphs and others imply that a 1 in 100 year rain event equates to 1% AEP, these are in fact 2 very different measures.	The language should only refer to 1 in 100 year rain events and not 1% AEP.
11.21	FOLH, Mike Hanff	<p>Secondary flow paths are required and that overland flow from the developed TPLM will occur infrequently. In fact 1% AEP was used as the basis for infrequently which allows Annual Event Probability (AEP) every year.</p> <p>This allows secondary flow to be annual events which does not meet the 1 in 100 year threshold.</p>	Change the reference from infrequently to 1 in 100 year event.
11.22	FOLH , Mike Hanff	The stormwater approach does not preclude Council, Kai Tahu, Land Owners and others working together to design a stormwater system that avoids discharges to Wai Whakaata Lake Hayes for events greater than 1% AEP. In fact the Wai Whakaata Strategy Group has been set-up for this reason.	Design of the stormwater system will be referred to the Wai Whakaata Strategy Group to collaboratively work together to find a solution.

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any)
11.14	FOLH , Mike Hanff	This paragraph is misleading as it does not include the effects from water-sheet run-off during 1% AEP events. These events will deliver sediment to the Lake potentially occurring annually from the new 100 hectares of hard services that are being created.	Remove the paragraph.
11.12	FOLH , Mike Hanff	The community were looking to hear the reason why QLDC did not think it was necessary to include a lake water specialist in the expert conferencing held 1 Nov 2023. The potential negative effects on the Lake and associated clean-up costs from 1% AEP have not been evaluated.	Add the following language at the start of paragraph 11.12: <i>“The potential effects on the Lake were not considered for events greater than 1% AEP, however during conferencing ...”</i>
11.37	FOLH , Mike Hanff	No mention was made that Wai Whakaata Lake Hayes falls below the line on many health indicators defined in the NPS-SN 2020 (amended January 2025). To say that the cultural section and stormwater expert evidence give effect to the regulations referenced is pushing honesty boundaries. The negative effects generated by regular run-off events have not been evaluated and considered in the overall consideration.	Amend this paragraph to include specifics around how this rezoning will improve Wai Whakaata Lake Hayes health.

COMMENTS ON BEHALF OF KOKO RIDGE ON MINOR OR TECHNICAL (INCLUDING LEGAL) ERRORS OR OMISSIONS RECEIVED ON DRAFT REPORT AND RESPONSE

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any)
Decision - multiple	Kristy Rusher	Spelling of Mr Allan's surname	<u>Allan</u> rather than Allen
Rule 49.5.0.3. Building Restriction Areas – State Highway 6	Koko Ridge	<p>Unsure how this new rule would apply to development within Sub Area H2 (Koko Ridge) which is different to other greenfield flat sites north of the State Highway and brownfield sites on the south of the State Highway. Koko Ridge has already established its interface with the State Highway. For example, would this rule be triggered (non-complying activity) as Koko Ridge does not have a continuous footpath or cycle facility along the entire length of the State Highway frontage?</p> <p>Furthermore, such a footpath along the entire frontage would serve no purpose as it goes no-where at the western end.</p>	<p>At a minimum there will need to be an exclusion for Sub Area H2 from the requirement in rules 49.5.0.3 i & ii for a path along the 'entire length of the State Highway frontage'.</p> <p>The following comments identify other problems with the rule as drafted, but not necessarily a full solution as the rule is likely to be rewritten.</p> <p>.... Building Restriction Areas shall <u>may</u> be occupied only by pedestrian footpaths, cycle facilities, landscaping, and any accessory signage, lighting or furniture as follows:</p> <p>i. Footpaths shall be continuous along the entire width <u>length</u> of the State Highway frontage, and have a minimum width of 2m.</p>

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any)
			ii. Cycle facilities shall be continuous along the entire width <u>length</u> of the Stage Highway frontage, be two-way, and have a minimum width of 3m.
Rule 49.5.4	Koko Ridge	Typo and Recommended correction	At least 30% of the site area shall comprised landscaped (permeable) surface, <u>except for a development where Rule 49.5.14C applies</u>
Rule 49.5.5 exception c.	Koko Ridge	Recommended correction	... <u>except for a development where Rule 49.5.14C applies.</u> And then edit rule 49.5.14C to include 49.5.18 Recession Plane
Rule 49.5.6.5A	Koko Ridge	Typo	In Sub-Area H2 accept <u>except</u> where
Rule 49.5.10 Rows 1 & 2 of table	Koko Ridge	Required correction. Part of rule is poorly written. Mr Brown explained that what was expected was a <u>connection to</u> the proposed active travel link and not a requirement to create the active travel link to a bus stop that is yet to be located. The rule as drafted is ambiguous and can be easily clarified.	<u>Connection to</u> active travel link to

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any)
Rule 49.5.14A	Koko Ridge	Rule that seeks to grandfather RVA provisions in Sub-Area H2 (Koko Ridge). The intent was that RVA would be non-complying except in Sub-Area H2 where there was a proposal to 'grandfather' the LLR(A) provisions. Rule as currently worded could cause confusion	<p>Residential Visitor Accommodation in Sub-Area H2</p> <p>49.5.14A.1 The activity is on a lot greater than 2000m² <u>and</u> in Sub-Area H2 only;</p> <p>and</p> <p>49.5.14A.2 The activity complies with the standards specified in 11.5.13 of the Large Lot Residential (A) Zone</p>
Rule 49.5.14E	Koko Ridge	Recommended improvement as rule poorly constructed	All fences on the southern boundary of Sub Area H2 shall not be a solid fence, or a wall; and shall be greater <u>less</u> than a height of 1.2m
Structure Plan to be updated as per paragraph 14.100 of the Decision	Koko Ridge	We note that the Structure Plan is yet to be corrected as per the panels directions in paragraph 14.100 of the Decision.	The active travel link shown on Structure Plan is to be corrected back to the version prior to the change that has been rejected by the hearing panel.

COMMENTS ON BEHALF OF QUEENSTOWN COUNTRY CLUB ON MINOR OR TECHNICAL (INCLUDING LEGAL) ERRORS OR OMISSIONS RECEIVED ON DRAFT REPORT AND RESPONSE

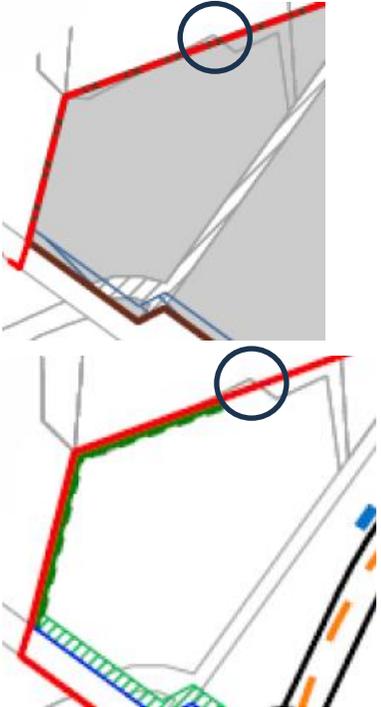
Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any)
Zoning Plan and Structure Plan on the QCC site	Queenstown Country Club	The BRA shown on the in the draft decision is supported. However, the BRA shown on the Structure Plan issued by QLDC on 22 March does not show the BRA (10m) on the QCC sites NE corner (SH6/Howards Dr intersection)	Amend the Structure Plan to show a 10m BRA on the QCC sites NE corner (SH6/Howards Dr intersection).
Rule 7.4.11	Queenstown Country Club	Rule 7.4.11 refers to Rule 7.4.24. We think the reference should be to new rule 7.4.23A (as there is no rule 7.4.24)?	Amend rule 7.4.11 to refer to RDA rule 7.4.23A, not rule 7.4.24.

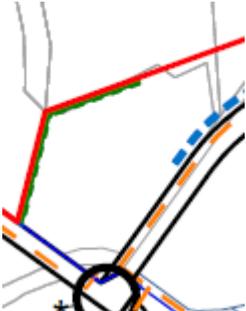
COMMENTS ON BEHALF OF THE ROMAN CATHOLIC DIOCESE OF DUNEDIN ON MINOR OR TECHNICAL (INCLUDING LEGAL) ERRORS OR OMISSIONS RECEIVED ON DRAFT REPORT AND RESPONSE

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any)
49.8 – Structure Plan and para 14.136 of the Panel’s Draft Decision	Roman Catholic Diocese of Dunedin	<p>The Zoning Plan still appears to form part of the Structure Plan as it falls under the heading 4.98 – Structure Plan.</p> <p>In light of the recommendations contained in Mr Brown’s rebuttal evidence¹ and as agreed by the Diocese in legal submissions and confirmed in the Panel’s recommendation report,² the Zoning Plan should be removed from the Structure Plan.</p> <p>This will ensure that any non-residential activity in the Precincts do not trigger a non-complying activity status by virtue of not being in accordance with the Structure Plan.</p>	To make it more clear that the Zoning Plan does not form part of the Structure Plan, we suggest that the Zoning Plan be allocated its own provision number, with the heading ‘49.9 – Zoning Plan’ inserted above the Zoning Plan.

¹ Statement of Rebuttal Evidence of Jeffrey Brown dated 10 November 2023, at para [91].

² At paragraph [14.136] of the Draft Report and Recommendations.

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any)
49.8 – Structure Plan and Zoning Plan	Roman Catholic Diocese of Dunedin	<p>The Zoning Plan and Structure Plan shows a small section of the Diocese’s land outside the variation area. The Diocese wishes to ensure all 2.39 hectares of its land is included within the variation.</p> 	Update the Zoning Plan and Structure Plan to clip the boundary of the plans to the legal boundary and incorporate the whole of the Diocese’s land (Lot 2 DP 586767) within the variation area.

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any)
Updated Structure Plan – Draft, dated 22 March 2024	Roman Catholic Diocese of Dunedin	<p>The stormwater swale to the north of Collector Road A encroaches onto the Diocese’s land, as shown in blue dash line below:</p>  <p>The Structure Plan does not make it clear that the location of the stormwater swale flexible. This is inconsistent with Panel’s recommendation at para 11.27 of the Draft Decision and Mr Brown’s section 32AA report at page 46, which recommend that the location of the Slope Hill swale be provided some flexibility in the western part of the TPLM variation area.</p>	We recommend inserting a * mark on the dark blue stormwater swale area to the western part of the TPLM variation area to show the location has flexibility as to location.

COMMENTS ON BEHALF OF SANDERSON GROUP ON MINOR OR TECHNICAL (INCLUDING LEGAL) ERRORS OR OMISSIONS RECEIVED ON DRAFT REPORT AND RESPONSE

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any)
49.5.16	Sanderson Group	The use of the word 'net' in the rule	<p>In the Medium Density Residential Precinct, residential development shall achieve a density of at least 40 residential units per hectare across the net developable area of the site.</p> <p>In the High Density Residential Precinct, residential development shall achieve a density of at least 40 residential units per hectare across the net developable area of the site.</p> <p><u>The calculation of net site area shall exclude any area identified for an alternative use, such as a park, on the structure plan.</u></p>

COMMENTS ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL (QLDC) ON MINOR OR TECHNICAL (INCLUDING LEGAL) ERRORS OR OMISSIONS RECEIVED ON DRAFT REPORT AND RESPONSE

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any) QLDC’s proposed changes are included in red underline and strikethrough (The Panel’s recommended changes shown in blue underline and strikethrough)
Comments on recommendation draft report			
Paragraph 1.33(b)(ii)	QLDC	Correcting typo.	Amend end of fourth sentence as follows: “...but also that our powers te-do not extend...”
Paragraph 2.4	QLDC	Correction to reference to “part operative PDP.” No parts of the PDP have yet been made operative under clause 20, Schedule 1 of the RMA.	Amend second sentence as follows: “...Specific changes are also proposed to the District-wide provisions of the part operative PDP...”
Paragraph 2.8 and Numerous paragraphs	QLDC	At paragraph 2.8, the draft report defines the term “Hearing Panel” however in numerous places through the draft report it is referred to as the “Hearing s Panel.”	Find and replace all references of “Hearing s Panel” with “Hearing Panel.”
Paragraph 9.38	QLDC	Correcting typo.	Amend second sentence as follows: “...recognises that Ladies ladies Mile....”
Paragraph 11.26	QLDC	The Panel refers to an agreed position reached at expert conferencing between stormwater experts but does not mention Ms	Amend sentence as follows:

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any) QLDC's proposed changes are included in red underline and strikethrough (The Panel's recommended changes shown in blue underline and strikethrough)
		Prestidge who attended conferencing and agreed to this point.	"...Expert conferencing between stormwater experts Messrs Gardiner, Ladbrook and Regan, and Ms Prestidge"
Paragraph 11.27	QLDC	<p>The Panel notes that they agree with "Mr Gardiner and Mr Brown's Reply s42A report recommendation to show the Slope Hill swale on the Structure Plan and to provide some flexibility around the location of the swale in the Western part of the TPLM Variation area due to the topography."</p> <p>It appears this incorrectly refers to the "Western part" of the TPLM Variation area rather than the "Eastern part."</p> <p>Mr Gardiner, in his response dated 26 January 2024, recommended flexibility was to be provided in the Eastern part as follows:</p> <p>"5 For the western section, the toe of the slope and the Collector Road Type A are close to each other compared to eastern section. Accordingly in my opinion the swale should be located along Collector Road Type A. When you get further east, the collector road and the toe of the slope are up to</p>	<p>Amend sentence as follows:</p> <p>"...Mr Gardiner and Mr Brown's Reply s42A report recommendation to show the Slope Hill swale on the Structure Plan and to provide some flexibility around the location of the swale in the Eastern Western part of the TPLM Variation area due to the topography."</p>

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any) QLDC's proposed changes are included in red <u>underline</u> and strikethrough (The Panel's recommended changes shown in blue <u>underline</u> and strikethrough)
		<p>150m apart. Accordingly, there will be more flexibility as to where the swale is located (i.e. right on the toe of the slope, or along Collector Road Type A) (hence why this is shown as noted "options"). Whilst there is more flexibility in the eastern part of the TPLM Variation area, I consider the provisions will achieve the necessary integration between the different landowners."</p> <p>In the s42A reply report, Mr Brown agreed with Mr Gardiner's depiction of the stormwater swale, however he referred to "western part" showing flexibility.</p> <p>This swapping of "eastern" with "western" appears to be a mistake, as the recommended Structure Plan clearly shows flexibility at the eastern end (as this has the wider distance to Slope Hill).</p>	
Paragraphs 12.15-12.18, 12.43, 12.51, 12.67, 12.84	QLDC	Numerous footnotes that reference "Written Response to Questions 19 th December" (see footnotes, 326-332, 376, 377, 386, 409, 423, 425-431, 433, 434) all appear to actually refer to the relevant paragraphs and Table 1 in	Amend these footnotes to refer to "Response of Colin Shields (Traffic) dated 25 January 2024."

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		"Response of Colin Shields (Traffic) dated 25 January 2024."	
Paragraph 13.13(e)(ii)	QLDC	Correcting typo.	Amend sentence as follows: "...we find to me <u>be</u> more appropriate"
Paragraph 14(b)(iii)	QLDC	New Local Shopping Centre zone on north side of SH6 The Panel appears to recommend a 1,500m ² gross floor area cap within this zone area (total area totalling 3,500m ²). However, it does appear that the Panel has recommended a rule in Chapter 15 to reflect this recommendation (within Appendix 1 to the draft recommendation report).	If the Panel intended this 1,500m ² gross floor area cap to included in a rule, then a rule to be inserted in Chapter 15.
Paragraph 14.29(a)	QLDC	Correcting typo.	Amend sentence as follows: "...new urban area of Ladies Mile with Quail-Quail <u>Rise</u> "
Paragraph 14.63	QLDC	Correcting typo.	Replace "Ms Hampton" with "Ms Hampson."
Comments on recommended provisions			

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any)
Various provisions	QLDC	The term “non-suburban” features in the Zone Purpose, Objectives, Policies and Rules. This term is not defined and is not used elsewhere in the proposed District Plan. The term “non-suburban” could be interpreted to mean rural residential or lifestyle densities.	<p>QLDC’s proposed changes are included in red underline and strikethrough</p> <p>(The Panel’s recommended changes shown in blue underline and strikethrough)</p> <p>Include a definition in the PDP’s Definitions chapter, as follows:</p> <p><u>Non-suburban in relation to Te Pūtahi Ladies Mile Zone means medium and higher density residential typologies that are generally not found in the neighbouring suburban residential environments, and includes terraced housing, multi-storey townhouses, apartments, walk-ups, semi-detached, duplexes and similar typologies with a low or very low area of land per unit. Excludes standalone residential units.</u></p>
Various provisions	QLDC	The Panel appears to have used term “dwelling” in new provisions it has recommended. The PDP does not define the term dwelling, rather it uses the term “residential unit.” The term “residential unit” is also consistently used in other TPLM Zone provisions	All references to “dwelling” are replaced with “residential unit.”
Policy 49.2.2.2 and 49.2.2.3	QLDC	<p>These two policies refer to residential housing choice in the HDR and MDR Precincts.</p> <p>The Panel’s amendments to Policy 49.2.2.2 delete the references to housing types, whereas Policy 49.2.2.3 retain the references to housing types. Ideally there should be consistency between policies and either include reference to housing types in both</p>	<p>The following changes to Policy 49.2.2.2 and 49.2.2.3:</p> <p>49.2.2.2 - Within the High Density Residential Precinct, <u>enable a high-quality, high- density of residential units that are well designed for terraced housing, multi-storey townhouses and apartment living typologies</u>, set within attractive landscaped sites, along with key parks and open spaces, and public transport routes.</p> <p>49.2.2.3 - Within the Medium Density Residential Precinct, require residential development to achieve a density, including by multi-storey townhouses, semi-detached, duplexes and similar typologies, that is distinct from the adjoining lower and medium densities available in the developments south of the State Highway <u>and the Low Density Residential Precinct west of Lower Shotover</u></p>

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any) QLDC's proposed changes are included in red <u>underline and strikethrough</u> (The Panel's recommended changes shown in blue <u>underline and strikethrough</u>)
		<p>policies, or remove reference in both (QLDC's preference is to retain reference to housing types in both policies).</p> <p>Policy 49.2.2.2 also has a surplus 'a' in the first sentence that should be removed.</p> <p>In relation to Policy 49.2.2.3, the Panel has also included reference to "west of Lower Shotover Road" which presumably references AHFT land. This is confusing when some of AHFT land has been zoned MDR Precinct (to which the policy applies). QLDC assumes the Panel were intending to refer to part of AHFT land that has been proposed to be zoned LDR Precinct.</p>	<p><u>Road and the</u> higher density available in other areas within the Zone.</p>
Policy 49.2.6.2.c	QLDC	<p>The Panel's amendments to policy 49.2.6.2.c appear to now only refer to pedestrian and cycle crossings of SH6 "at Lower Shotover Road and Howards Drive" (rather than anticipate crossings of roads intersecting SH6). However, the Panel's recommended transport infrastructure works included in Rule 49.5.33 in relation to signalisation of Stalker</p>	<p>The following changes to Policy 49.2.6.2.c:</p> <p>49.2.6.2 Require the integration of the Zone with the adjoining residential areas at Ladies Mile and State Highway6 by:</p> <ol style="list-style-type: none"> a. Strategically locating intersections at key points on State Highway 6 and Lower Shotover Road; b. Ensuring <u>collector</u> road widths and configurations are consistent with their efficient utilisation as busroutes; c. <u>Limiting development until</u> pedestrian and cycle

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any) QLDC's proposed changes are included in red underline and strikethrough (The Panel's recommended changes shown in blue underline and strikethrough)
		<p>Road / SH 6 and Howards Drive / SH6 intersections require "at-grade pedestrian and cycle crossing across both roads." We assume this means crossings on all four roads of the intersections.</p> <p>QLDC consider this policy should be re-worded to ensure all pedestrian and cycle crossing are referred to and that it is consistent with Panel's recommended transport infrastructure works for these two intersections.</p>	<p>crossings <u>are provided across all arms of the Stalker Road / State Highway 6 and the Howards Drive/State Highway 6 intersections</u> State Highway 6 are provided at Lower Shotover Road and Howards Drive at locations that support integration with public transport within walking distance of residential areas; and</p> <p>d. Providing for new road connections that enable access to bus services.</p>
Policy 49.2.6.3.a	QLDC	The Panel's amendment to policy 49.2.6.3.a to require "a minimum residential density within Zone north of SH6", is not consistent with the Panel's recommendation to include parts of the AHFT as LDR Precinct (that do not require minimum residential densities).	The following change in Policy 49.2.6.3.a a. Requiring higher <u>a minimum</u> residential densities within the <u>Medium Density Residential and High Density Residential Precincts in the</u> Zone north of State Highway 6;
Policy 49.2.6.5	QLDC	The Panel has deleted the following policy (which was labelled Policy 49.2.6.5 in the s42A reply report recommended provisions):	Reinstate this policy.

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any) QLDC's proposed changes are included in red underline and strikethrough (The Panel's recommended changes shown in blue underline and strikethrough)
		<p>"Avoid development where specific transport infrastructural works have not been completed."</p> <p>It appears this may have been unintentional.</p>	
Objective 49.2.7	QLDC	<p>This objective does not have the word "Objective" prefacing the text. It appears this may have been omitted from the s42A reply report recommended provisions (clean version). This is required to make it consistent with all other objectives in Chapter 49 (and other chapters in the PDP).</p> <p>Similarly, following each objective, there is meant to be the sub-heading "Policies." This appears to have been omitted under Objectives 49.2.4, 49.2.5, 49.2.6 and 49.2.7. These sub-headings are required to make it consistent with all other policies in Chapter 49 (and other chapters in the PDP).</p>	<p>Include the word "Objective" at the start of objective 49.2.7.</p> <p>Include the sub-heading "Policies" under Objectives 49.2.4, 49.2.5, 49.2.6 and 49.2.7.</p>
Rule 49.4.0.1(a)	QLDC	<p>Some restricted discretionary activities are not anticipated to involve dwellings, for example Rule 49.4.17 (education facilities). Therefore, it should be clarified that this</p>	<p>The following change to Rule 49.4.0.1(a):</p> <p><u>For proposals that include residential units, The maximisation of residential density, affordability, and (non suburban) choice in the residential precincts, and</u></p>

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any) QLDC's proposed changes are included in red underline and strikethrough (The Panel's recommended changes shown in blue underline and strikethrough)
		matter of discretion should only apply to an activity that involves residential units.	<u>above the ground floor level in the Commercial Precinct and Glenpanel Precinct.</u>
Rule 49.4.4A	QLDC	It is unclear exactly when this rule comes into play, i.e. when the Council is to assess there being "more than 1,100 dwellings in the Zone and including the Local Shopping Centre zones within the Te Pūtahi Ladies Mile Structure Plan area." The Council considers it would be most appropriate to assess this at the time Code Compliance Certificate has been issued by the Council for 1,100 residential units (refer to comment above regarding replacement of "dwelling" with "residential unit").	<p>Suggest the following change to rule 49.4.4A (similar to bespoke definition for "development" for Rule 49.5.33 etc):</p> <p><u>More than 1,100 residential units dwellings in total within the Zone and including the Local Shopping Centre zones within the Te Pūtahi Ladies Mile Structure Plan area, prior to the operation of a high school within the Zone.</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <u>a. Alternative high school facilities being provided close to the Zone that are capable of providing convenient access for students without them having to cross the Shotover River.</u> <u>b. Demonstration that provision of a high school cannot occur or will not be possible within the Zone.</u> <u>c. High school facilities having been committed to or designated (if public), but not operational at the time the additional dwellings are proposed.</u> <p><u>For the purposes of this rule, "More than 1,100 residential units" means when the Council has issued Code Compliance Certificates for more than 1,100 residential units".</u></p>

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any) QLDC's proposed changes are included in red underline and strikethrough (The Panel's recommended changes shown in blue underline and strikethrough)
Rule 49.4.38C	QLDC	<p>This rule refers to built development within the escarpment on Sub-Area H2 and K1 and K2.</p> <p>The Council considers that this should instead refer to the K2 and K3 (where the escarpment is depicted on the updated Structure Plan).</p>	<p>The following change to Rule 49.4.38C:</p> <p>Any built development on the southern escarpment of Sub-Area H2 <u>or on an escarpment within Sub Areas K1 and K2 and K3 as shown on the Structure Plan, excluding the local road shown on the Structure Plan.</u></p>
Rule 49.4.25	QLDC	<p>The BRA rule refers to the "Building Restriction Area on the planning maps." In light of the Panel's recommendation to include this on the Structure Plan, the BRA has been included on the Structure Plan in the updated plans.</p>	<p>The following change to Rule 49.4.25:</p> <p>" Buildings within the Building Restriction Area on the <u>Structure Plan planning maps</u>"</p>
Rule 49.5.01	QLDC	<p>This is an activity rule, not a development standard rule, and unnecessarily repeats Rule 49.4.0.1, therefore should be deleted.</p>	<p>Deletion of Rule 49.5.01.</p>

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any) QLDC’s proposed changes are included in red underline and strikethrough (The Panel’s recommended changes shown in blue underline and strikethrough)						
Rule 49.5.03	QLDC	<p>As currently drafted this rule has elements of both an activity rule and a development standard, and accordingly the Council suggests it should be re-drafted.</p> <p>The Council considers the “establishment of continuous, non-vehicular public access corridors” within the BRA is the activity component of the rule and should be included in the Table at 49.4 (Rules – Activities). This includes the matters of discretion recommended by the Panel.</p> <p>The Council considers the components of the rule relating to dimension of footpaths, cycle facilities etc are the development standard components of the rule and should be included in Table at 49.5 (Rules – Standards).</p> <p>The Council also considers there should be a “hook” that mandates the establishment of the BRAs adjacent to SH6 for their intended public access role prior to development of the</p>	<p>Rule 49.5.0.3 is deleted, and the following is included as its replacement rules.</p> <p>Add (new) rules 49.4.39 and 49.4.40 to the Table in Rule 49.4, as</p> <table border="1" data-bbox="1261 683 1850 970"> <thead> <tr> <th data-bbox="1261 683 1368 919"></th> <th data-bbox="1373 683 1727 919"><u>Activities located in the Te Pūtahi Ladies Mile Zone excluding activities within the Local Shopping Centre zone areas, which are subject to chapter 15 of the District Plan</u></th> <th data-bbox="1731 683 1850 919"><u>Activity Status</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="1261 922 1368 970">...</td> <td data-bbox="1373 922 1727 970"></td> <td data-bbox="1731 922 1850 970"></td> </tr> </tbody> </table>		<u>Activities located in the Te Pūtahi Ladies Mile Zone excluding activities within the Local Shopping Centre zone areas, which are subject to chapter 15 of the District Plan</u>	<u>Activity Status</u>	...		
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...									

		<p>balance of the developer's property (as it understands this to be the Panel's preference). This is included as new rule 49.4.40.</p>		<p><u>49.4.39</u></p>	<p><u>Building Restriction Areas adjoining State Highway 6</u></p> <p><u>In any precinct adjoining State Highway 6, within the Building Restriction Area over the land within 10m from the State Highway 6 northern boundary, and over the land within 25m from the State Highway 6 southern boundary, the establishment of continuous, non-vehicular public access corridors.</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <u>i. Integration and coordination across sites to achieve continuous, safe, and comfortable pedestrian and cycle facilities for use by the general public (including safety between pedestrians and cyclists);</u> <u>ii. integration with and access to adjacent development, roads or private ways having the function of a road, or State Highway crossing points;</u> 	<p><u>RD</u></p>	
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					<p><u>iii. Whether any existing facilities have already been provided on the south side of State Highway 6 that sufficiently provide pedestrian and/or cycle access;</u></p> <p><u>iv. A variety of vegetative species and trees that complement but remain subordinate to views from State Highway 6 to landscape features and adjacent development;</u></p> <p><u>v. Lighting to allow safe night time use of footpaths and cycle facilities without contributing to lighting clutter or glare when viewed from the Highway;</u></p> <p><u>vi. If the Building Restriction Area remains in private</u></p>		
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					<p><u>ownership, the sufficiency of means to ensure unrestricted public access through it, and provide for ongoing care and maintenance of pedestrian and bicycle facilities, landscaping, lighting, signage, or furniture.</u></p>		
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			<u>49.4.40</u>	For any land affected by Rule 49.4.39, development of land outside of the Building Restriction Areas adjoining SH6 prior to completion of the works required under Rule 49.4.39 in respect of that land.	NC						
			Add the following (new) Table 5 and Rule 49.5.58:								
			<table border="1"> <thead> <tr> <th data-bbox="1258 817 1375 927"><u>Table 5</u></th> <th data-bbox="1375 817 1848 927"><u>Standards for the Building Restriction Areas on land in any Precinct adjoining State Highway 6</u></th> <th data-bbox="1848 817 2040 927"><u>Non-compliance status</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="1258 927 1375 1396"><u>49.5.58</u></td> <td data-bbox="1375 927 1848 1396"> Building Restriction Areas adjoining State Highway 6 The public access corridors within the Building Restriction Areas adjoining State Highway 6, as required by Rule 49.4.39 shall be occupied only by pedestrian footpaths, cycle facilities, landscaping, and any accessory signage, lighting or furniture as follows: a. Footpaths shall be continuous along the entire width of the State Highway frontage and have a minimum width of 2m. </td> <td data-bbox="1848 927 2040 1396"> NC </td> </tr> </tbody> </table>			<u>Table 5</u>	<u>Standards for the Building Restriction Areas on land in any Precinct adjoining State Highway 6</u>	<u>Non-compliance status</u>	<u>49.5.58</u>	Building Restriction Areas adjoining State Highway 6 The public access corridors within the Building Restriction Areas adjoining State Highway 6, as required by Rule 49.4.39 shall be occupied only by pedestrian footpaths, cycle facilities, landscaping, and any accessory signage, lighting or furniture as follows: a. Footpaths shall be continuous along the entire width of the State Highway frontage and have a minimum width of 2m.	NC
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				<p><u>b. Cycle facilities shall be continuous along the entire width of the Stage Highway frontage, be two-way, and have a minimum width of 3m.</u></p> <p><u>c. Footpaths and cycle facilities shall not be located closer than 2m to either the front (State Highway 6) or rear boundary of the Building Restriction Area, except for the purpose of tying into any adjoining footpath or cycle facility; providing access for pedestrians or cyclists to development; to or along a road or private way having the function of a road; or State Highway crossing point.</u></p>
Rule 49.5.3	QLDC	Further clarification could be included that the exception this rule only relates to Sub-Area H2.	<p>The following change to Rule 49.5.3:</p> <p>Building Coverage</p> <p>A maximum of 40% <u>except for a development within Sub-Area H2 where Rule 49.5.14C applies.</u></p>	

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Rule 49.5.4	QLDC	Agree with comment and suggested amendment by Koko Ridge Limited.	The following change to Rule 49.5.4 "At least 30% of the site area shall comprised landscaped (permeable) surface, <u>except for a development within Sub-Area H2 where Rule 49.5.14C applies.</u> "						
Rule 49.5.6.5A	QLDC	Agree with correction of typo identified by Koko Ridge Limited.	The following change: "In Sub-Area H2 accept <u>except</u> where"						
Rule 49.5.14A	QLDC	Generally agree with Koko Ridge Limited's comment however differ with the how the amendments are included in Rules. As currently written there is a missing activity rule establishing RVA in H2 as a Permitted Activity, to which to apply Standard 49.5.14A to.	<p>The following change to 49.4.5 and 49.4.5A:</p> <table border="1" data-bbox="1227 858 2033 1182"> <tbody> <tr> <td data-bbox="1227 858 1346 1086">49.4.5</td> <td data-bbox="1350 858 1883 1086">Residential Visitor Accommodation in the Low Density Residential (<u>except as provided for in Sub-Area H2 in Rule 49.4.5A below</u>), Medium Density Residential, Commercial Centre, Glenpanel and Open Space Precinctsexcept as provided for in Sub-Area H2 where Rule 49.5.14A applies.</td> <td data-bbox="1888 858 2033 1086">NC</td> </tr> <tr> <td data-bbox="1227 1090 1346 1182">49.4.5A</td> <td data-bbox="1350 1090 1883 1182">Residential Visitor Accommodation in the High Density Residential Precinct <u>and Sub-Area H2 of the Lower Density Residential Precinct.</u></td> <td data-bbox="1888 1090 2033 1182">P</td> </tr> </tbody> </table> <p>The following change to Rule 49.5.14A:</p>	49.4.5	Residential Visitor Accommodation in the Low Density Residential (<u>except as provided for in Sub-Area H2 in Rule 49.4.5A below</u>), Medium Density Residential, Commercial Centre, Glenpanel and Open Space Precincts except as provided for in Sub-Area H2 where Rule 49.5.14A applies.	NC	49.4.5A	Residential Visitor Accommodation in the High Density Residential Precinct <u>and Sub-Area H2 of the Lower Density Residential Precinct.</u>	P
49.4.5	Residential Visitor Accommodation in the Low Density Residential (<u>except as provided for in Sub-Area H2 in Rule 49.4.5A below</u>), Medium Density Residential, Commercial Centre, Glenpanel and Open Space Precincts except as provided for in Sub-Area H2 where Rule 49.5.14A applies.	NC							
49.4.5A	Residential Visitor Accommodation in the High Density Residential Precinct <u>and Sub-Area H2 of the Lower Density Residential Precinct.</u>	P							

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			49.5.14A	Residential Visitor Accommodation in Sub-Area H2: 49.5.14A.1 The activity is on a lot greater than 2000m ² and in Sub-Area H2 only ; and 49.5.14A.2 The activity complies with the standards specified in 11.5.13 of the Large Lot Residential (A) Zone.	NC
Rule 49.5.6.6	QLDC	The Panel's recommended setback rule (for activities located in the LDR Precinct). The recommended setback relating to the escarpment on the AHFT land refers to Sub-Areas K1 and K3. The updated Structure Plan only shows the escarpments on K2 and K3. As only K3 is within the LDR Precinct this is the only Sub-Area that should be referred to.	The following change to Rule 49.5.6.6: <u>49.5.6.6</u> <u>In Sub-Area K1 and K3: Minimum setback from the top of an escarpment edge: 20m.</u>		
Rule 49.5.16	QLDC	The Panel has recommended amendments to Rule 49.5.16 to refer to "net developable area the site" instead of "gross developable area of the site." It is unclear how "net developable area of the site" is to be calculated and	The following definition of "net developable area the site" is added to Rule 49.5.16: Residential Density 49.5.16.1 In the Medium Density Residential Precinct, residential		

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		<p>assessed by the Council, including whether it is intended that the Council uses the existing PDP definition of "net area (site or lot)."</p> <p>The PDP definition of "net area (site or lot)" is as follows:</p> <p><i>Means the total area of the site or lot less any area subject to a designation for any purpose, and/or any area contained in the access to any site or lot, and/or any strip of land less than 6m in width."</i></p> <p>This definition is used to determine the following terms: "building coverage", "internal boundary" and "access leg."</p> <p>The Council does not consider this definition would be appropriate for the minimum density calculations, as it is aimed at the net area a single site or lot, and not for sites that are intended to be subdivided for large scale residential developments. It also does not reference key matters on the Structure Plan</p>	<p>49.5.16.2 development shall achieve a density of at least 40 residential units per hectare across the <u>net</u> developable area of the site.</p> <p>In the High Density Residential Precinct, <u>residential development shall achieve a density of at least 40 residential units per hectare across the net developable area of the site.</u> residential development shall achieve:</p> <p>(a) a density of at least 50 residential units per hectare across the gross developable area of the site.; or</p> <p>(b) An average density of 50 residential units per hectare across the gross developable area of the land in the HDR Precinct in the same ownership or control of the applicant.</p> <p><u>For the purpose of this rule, net developable area of a site means the land within the site shown within the Structure Plan extent, excluding:</u></p> <p><u>a. the following areas shown on the Structure Plan:</u></p> <p><u>i. Building Restriction Areas, Roads, Open Space, Landscape Buffers, Escarpments, and Stormwater Swales; and</u></p> <p><u>b. the following areas not shown on the Structure Plan:</u></p> <p><u>i. roads, reserves, walkways, accesses, cycleways, and stormwater management areas.</u></p> <p>For the purpose of this rule, gross developable area of a site means the land within the site shown on the Structure Plan, excluding the following:</p> <p>i. Building Restriction areas as shown on the Structure Plan and planning maps;</p> <p>j. Roads, Open Space, Amenity Access Areas and Landscape Buffer as shown on the Structure Plan;</p> <p>k. Stormwater management areas;</p>

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		<p>and whether they are to be included in the calculation or not.</p> <p>The Council understands the key difference between the Council's recommended definition of "gross developable are of the site" under Rule 49.5.16 (as notified and retained in the provisions recommended in the s42A reply report) and "net developable area" (as generally understood by the submitters) is that the spaces used by, or for the benefit of, the general public or residents within a residential development (mostly notably internal roads) are excluded.</p> <p>In the Council's recommended definition of "gross developable area", roads, reserves, accesses and walkways within the Structure Plan area but not those shown on the Structure Plan were proposed to be included within the "gross developable area." If these spaces were excluded from "gross developable area" this likely would decrease the area by about 20-25 per cent.</p>	<p>But including any roads, reserves, accesses and walkways not shown on the Structure Plan.</p>

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		<p>The Council considers that a definition of “net developable area the site” should be included in Rule 49.5.16 to clarify how this area is calculated and assessed by the Council. As indicated above, the Council understands “net developable area” to generally exclude spaces used by, or for the benefit of, the general public or residents within a residential development and has drafted a definition on this basis.</p> <p>For completeness, the Council notes that the definition could also confirm whether only spaces used by, or for the benefit of, the general public or residents that are to be vested with Council are excluded. However, the Council has not specified this in its suggested definition. It is anticipated the Panel will have a view on this, and if decide to include this definition in provisions, may decide to clarify this matter.</p> <p>The Council notes that the comment by Sanderson Group also sought clarification on</p>	

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any) QLDC's proposed changes are included in red underline and strikethrough (The Panel's recommended changes shown in blue underline and strikethrough)
		this matter. The Council considers its suggested definition addresses the Sanderson Group's comment.	
Rule 49.5.22	QLDC	<p>This rule refers to minimum boundary setbacks for buildings, including from top of escarpment edge on Sub-Area K2.</p> <p>The Council also considers that further clarification should be given as to exact location of escarpment (to avoid any confusion at consenting stage), as the Panel has recommended to be included under Rule 49.5.6. The updated Structure Plan also notes that the "Escarpment" is an indicative location subject to survey.</p>	<p>The following changes to the Rule 49.5.22:</p> <p>49.5.22 Minimum boundary setbacks for buildings</p> <p>e.f. <u>In Sub-Area K2: Minimum setback from the top of the escarpment edge: 20m.</u></p> <p>.....</p> <p>Exclusions:</p> <ol style="list-style-type: none"> Setbacks do not apply to site boundaries where a common or party wall is proposed between two buildings on <u>adjoining adjacent</u> sites. Roof eaves, entrance awnings, window shading/screening devices and other building elements that provide shelter can extend into the road <p><u>The top of an escarpment is measured at its top edge as at 1 March 2024. Resource consent applications under this Rule must, where the location of an escarpment is relevant to an assessment, provide a survey plan clearly identifying the top of the escarpment with their resource consent application.</u></p>
Rule 49.5.33	QLDC	As a result of the Panel's recommendation that the upper terrace of Dobb's land is rezoned to PDP Lower Density Suburban Residential zone and included in the TPLM Structure Plan, the Panel has recommended	The following rule added to rule 7.4 (Rules – Activities), and the subsequent deletion of "Sub-Area G2" in Rule 49.5.33:

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any) QLDC's proposed changes are included in red underline and strikethrough (The Panel's recommended changes shown in blue underline and strikethrough)				
		<p>that this land to be labelled G2 and included in the Transport Infrastructural works table in Rule 49.5.33.</p> <p>However, this rule only relates to land zone within TPLM Zone (and within the MDR or HDR Precinct). The Council consider that the Panel's recommended transport Infrastructural works for G2 needs to be included in a separate rule in Chapter 7 (Lower Density Suburban Residential Zone).</p>	<p>7.4.X</p>	<p><u>Within the Te Pūtahi Ladies Mile Structure Plan area, staging development to integrate with transport infrastructure</u></p> <p><u>Development (except for utilities, the specified transport infrastructural works and other physical infrastructure) within the Te Pūtahi Ladies Mile Sub-Areas shown on the Structure Plan shall not occur prior to all the corresponding transport infrastructural works for the Sub-Area listed below being completed.</u></p> <p><u>For the purposes of this rule, "completed" means when the works are physically completed and are able to be used for the intended purpose.</u></p> <p><u>For the purposes of this rule, "development" means a building for which a Code Compliance Certificate has been issued by the Council. Any application involving a building shall include a condition requiring that a Code Compliance Certificate under s92 of the Building Act 2004 shall not be applied for in respect of that building before the corresponding transport infrastructural works for the Sub-Area are completed.</u></p> <table border="1" data-bbox="1339 1114 1874 1177"> <tr> <td data-bbox="1339 1114 1473 1177">Sub-Area</td> <td data-bbox="1473 1114 1874 1177"><u>Transport infrastructural works</u></td> </tr> </table>	Sub-Area	<u>Transport infrastructural works</u>	<p>NC</p>
Sub-Area	<u>Transport infrastructural works</u>						

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any) QLDC's proposed changes are included in red underline and strikethrough (The Panel's recommended changes shown in blue underline and strikethrough)	
				<p><u>G2</u></p> <p><u>Eastern Roundabout on State Highway 6</u></p> <p><u>Bus stops on S H 6 west of the Eastern Roundabout (one on each side of SH6)</u></p> <p><u>At grade signalised pedestrian / cycle crossing of State Highway 6 west of the Eastern Roundabout</u></p> <p><u>Dedicated westbound bus lane on SH6 (Howards Drive to Eastern roundabout (not included in NZUP package))</u></p> <p><u>SH6 eastbound bus lane from SH6A to Hawthorne Drive and SH6</u></p> <p><u>westbound bus lane from Hardware Lane to SH6A (part of NZUP package)</u></p>
(deleted) Rule 49.5.54	QLDC	The recommended provisions do not include Rule 49.5.54 that was included in the s42A Reply Report - Appendix A recommended provisions (track changes version). This rule	Reinstate Rule 49.5.54 from the s42A Reply Report recommended provisions (tracked version) as follows:	

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any) QLDC's proposed changes are included in red underline and strikethrough (The Panel's recommended changes shown in blue underline and strikethrough)						
		<p>related to Building Heights in the Open Space Precinct as follows:</p> <p>"Building Height</p> <p>Building height shall not exceed 12m, except that the maximum height of lighting shall be 23m."</p> <p>The Panel's recommended provisions instead jump from Rule 49.5.53 to Rule 49.5.55.</p> <p>It appears this rule was inadvertently deleted in the clean version of the s42A Reply Report - Appendix A recommended provisions. This was an error as no submitters requested any amendments to this provision, nor did Mr Brown recommend any changes. It appears the Panel has inadvertently carried forward this error in the recommended provisions.</p>	<table border="1"> <thead> <tr> <th data-bbox="1182 491 1469 683">Table 4</th> <th data-bbox="1473 491 1749 683">Standards for activities located within the Open Space Precinct</th> <th data-bbox="1753 491 2033 683">Non-compliance status</th> </tr> </thead> <tbody> <tr> <td data-bbox="1182 686 1469 970"><u>49.5.54</u></td> <td data-bbox="1473 686 1749 970"><u>Building Height</u> <u>Building height shall not exceed 12m, except that the maximum height of lighting shall be 23m.</u></td> <td data-bbox="1753 686 2033 970"><u>D</u></td> </tr> </tbody> </table>	Table 4	Standards for activities located within the Open Space Precinct	Non-compliance status	<u>49.5.54</u>	<u>Building Height</u> <u>Building height shall not exceed 12m, except that the maximum height of lighting shall be 23m.</u>	<u>D</u>
Table 4	Standards for activities located within the Open Space Precinct	Non-compliance status							
<u>49.5.54</u>	<u>Building Height</u> <u>Building height shall not exceed 12m, except that the maximum height of lighting shall be 23m.</u>	<u>D</u>							
Rule 49.5.55	QLDC	The recommended provisions do not include the standards for lighting and glare under Rule 49.5.55 that were included in the s42A Reply Report - Appendix A recommended provisions (track changes version).	<p>Reinstate standards relating to lighting and glare from s42A reply report recommended provisions as follows:</p> <p>"Lighting and Glare</p> <p><u>49.5.55.1 All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the precincts shall be directed away from adjacent sites, roads and public places and directed downwards so as to limit the effects on views of the night sky.</u></p>						

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		Similar to above, it appears these standards were inadvertently deleted in the clean version of the s42A Reply Report - Appendix A recommended provisions. This was an error as no submitters requested any amendments to these standards, nor did Mr Brown recommend any changes. It appears the Panel has inadvertently carried forward this error in the recommended provisions.	<p><u>49.5.55.2 No activity in this zone shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any property within the precincts, measured at any point inside the boundary of any adjoining property.</u></p> <p><u>49.5.55.3 No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned Residential measured at any point more than 2m inside the boundary of the adjoining property."</u></p>
Rule 7.4.11	QLDC	Rule 7.4.11 refers to Rule 7.4.24. However, the rule should cross refer to new rule 7.4.23A (as there is no rule 7.4.24). This comment is the same as one by QCC.	The following change to Rule 7.4.11: "... Except this rule shall not apply to buildings that are Restricted Discretionaryactivities under Rule 7.4. 23A 24."
Rule 15.4.0.1	QLDC	Matters to consider for resource consent applications in Local Shopping Centre Zone (in the Te Pūtahi Ladies Mile Structure plan area).	Change limb (b) as follows: (b) <u>Any relevant Te Pūtahi Ladies Mile zone policies objectives listed at 49.2.1; 49.2.6; 49.2.7; or 49.2.8 and their allied policies.</u>

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any) QLDC's proposed changes are included in red underline and strikethrough (The Panel's recommended changes shown in blue underline and strikethrough)
Rule 15.4.17	QLDC	This rule lists certain activities that will be a non-complying activity within the Local Shopping Centre zone within the TPLM Structure Plan area. While Large Format Retail and Service Station are defined by the PDP, supermarket and department stores are not. Accordingly, the Council suggests these activities should not be capitalised.	Change the rule as follows: “..... <u>Within the Te Pūhahi Ladies Mile Structure Plan area, Ssupermarkets, Ddepartment Sstores, other Large Format Retail, or Service Stations.</u> ”
Rule 15.4.18	QLDC	Inclusion of transport infrastructure works rule in Local Shopping Centre Zone within Structure Plan area. This rule refers to rules that only apply in TPLM Zone, and these can be deleted.	The following change to Rule 15.4.18: “..... <u>For the purposes of this rule, “development” means a building for which a Code Compliance Certificate has been issued by the Council. Any application under rules 49.4.4, 49.4.18, and any other application involving a building shall include a condition requiring that a Code Compliance Certificate under s92 of the Building Act 2004 shall not be applied for in respect of that building before the corresponding transport infrastructural works for the Sub-Area are completed.....”</u>
Rule 27.7.28.2.2	QLDC	The activity status for 27.8.28.2 (relating to subdivision that is inconsistent with the Structure Plan at 27.13.19) does not line up with the rule in the table making its activity status unclear. The intended activity status Non-Complying and it does appear that the Panel intended to change this.	The following changes: - The non-complying activity status for 27.8.28.2 (relating to subdivision that is inconsistent with the Structure Plan at 27.13.19) is shifted down the table to be adjacent to the rule in the Table.

Paragraph in decision or Zone provision reference	Comment from	Comment about	Proposed change (if any) QLDC's proposed changes are included in red underline and strikethrough (The Panel's recommended changes shown in blue underline and strikethrough)
		The activity status for the (now) deleted rules relating to the Amenity Access Area (27.7.28.3 and 27.7.2.3A was RD and NC, respectively) are now also in the wrong place in the table. Given the deletion of these rules, these need to be deleted accordingly.	<ul style="list-style-type: none"> - The activity statuses for the (now) deleted rules relating to the Amenity Access Area (27.7.28.3 and 27.7.2.3A) are deleted.
Policy 27.3.24.7	QLDC	<p>This policy relating to the avoidance of adverse effects of stormwater on Waiwhakaata Lake Hayes was drafted when the AHFT land (Sub-Area K) was not included in the TPLM zone. It reflects the intention that there will be an integrated stormwater management system for the entirety of the TPLM Zone north of State Highway 6 and the contributing Slope Hill catchment.</p> <p>The stormwater system for Sub-Area K will not necessarily be integrated in the same way as the rest of the TPLM zone. By virtue of its location and topography, it does not create stormwater runoff in the direction of Waiwhakaata Lake Hayes.</p>	<p>Policy 27.3.24.7 be amended as follows:</p> <p>27.3.24.7 Require the mauri and health of fresh water to be sustained and enhanced by subdivision design that avoids the adverse effects of stormwater on Waiwhakaata Lake Hayes, and requires:</p> <ul style="list-style-type: none"> (a) An integrated stormwater management system for the entirety of the TPLM Zone (excluding Sub-Area K) and <u>Local Shopping Centre Zone</u> north of State Highway 6 and the contributing Slope Hill catchment; and

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		To avoid any confusion, the Council consider this policy should be amended to reflect this.	
Rule 27.7.28.2.b.i	QLDC	Reference to "Precinct K" instead of Sub-Area K..	The following amendment to 27.7.28.2.b.i: i. Roads, walkways and cycleways throughout the Sub-Area including Indicative Roads as shown on the Structure Plan and where these will connect to adjoining sites and (where relevant) neighbouring Sub-Areas and (where relevant) State Highway 6, including intersection layout and design and in the case of <u>Sub-Area Precinct K</u> the effect of any road on the natural character of the escarpment and <u>Shotover River</u> ;