



**QUEENSTOWN LAKES DISTRICT COUNCIL
PLAN CHANGE HEARING COMMITTEE**

**PLANNERS' REPORT FOR
PLAN CHANGE 37: QUAIL RISE EXTENSION PRIVATE PLAN CHANGE**

FOR HEARING COMMENCING: 29 September 2010

REPORT DATED: September 2010

SUBMITTED BY:

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FOR AND ON BEHALF OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

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INTRODUCTION

This report has been written in accordance with Section 42A of the Resource Management Act 1991 (RMA) to consider all submissions and further submissions received following the public notification of Plan Change 37 and to make recommendations on those submissions.

As outlined in further detail below, the Quail Rise Estate Plan Change seeks to rezone 11.8 hectares of land that is currently made up of two zones; the Rural General Zone and the Quail Rise Special Zone, and two Activity Areas within the Quail Rise Zone; Activity Area (RR) - Rural Residential and the Open Space G Activity Area. The proposal will extend the Quail Rise Special Zone over the whole of the 11.8 hectare area and create four new Activity Areas. This will provide for 43 additional residential dwellings allocated between the different Activity Areas in the Quail Rise Special Zone, increasing the total number of residential units in the zone to 234 (excluding Activity Area R1 Lots 1 and 3 DP 300264). It is noted that the application as notified stated that the plan change would provide for an additional 40 residential allotments. This figure was incorrect as a further 40 dwellings would have resulted in 231 total development rights as opposed to 243 (as notified). The Applicant has since rectified this anomaly.

Although this report is intended as a stand-alone document, a more in-depth understanding of the plan change, the process undertaken, and the issues and options considered may be gained by reading the Section 32 report and associated documentation prepared by the Applicant. These are available on the Council's website: www.qldc.govt.nz.

The relevant provisions in the Queenstown Lakes District Council's District Plan which are affected by the Proposed Plan Change are:

- Part 12 (Special Zones) by amending the provisions of the existing Quail Rise Zone to provide a further 43 additional residential allotments.
- Part 15 (Subdivision) by amending the subdivision standards relating to the Quail Rise Zone.

This report discusses the specific and general points raised by submitters in an effort to assist the Commissioners to reach decisions in respect of each and makes recommendations as to whether these submissions should be accepted (in part or in whole) or rejected.

PROPOSAL

Quail Rise Estate Limited lodged a private plan change in July 2009, which sought to rezone approximately 19.9 hectares of land, located just south of the existing Quail Rise Special Zone, to the Low Density Residential zone. The land subject to the proposed development was predominantly zoned Rural General but also included the Quail Rise Open Space G Activity Area and Quail Rise Rural Residential Activity Area. The proposed development was to provide for an additional 115 residential allotments with a minimum allotment size of 1000m², a small corner shopping centre and a connection from Ferry Hill Drive through to the proposed new roundabout on Frankton Road Ladies Mile Highway.

As a result of an internal Council review of the proposal, and subsequent discussions with the Applicant, the plan change was amended to a smaller land area of 11.8 hectares providing for a total of 57 residential units, an additional 43 over and above those developments already provided for within the zone. The application was lodged and subsequently notified on this basis on 5 May 2010.

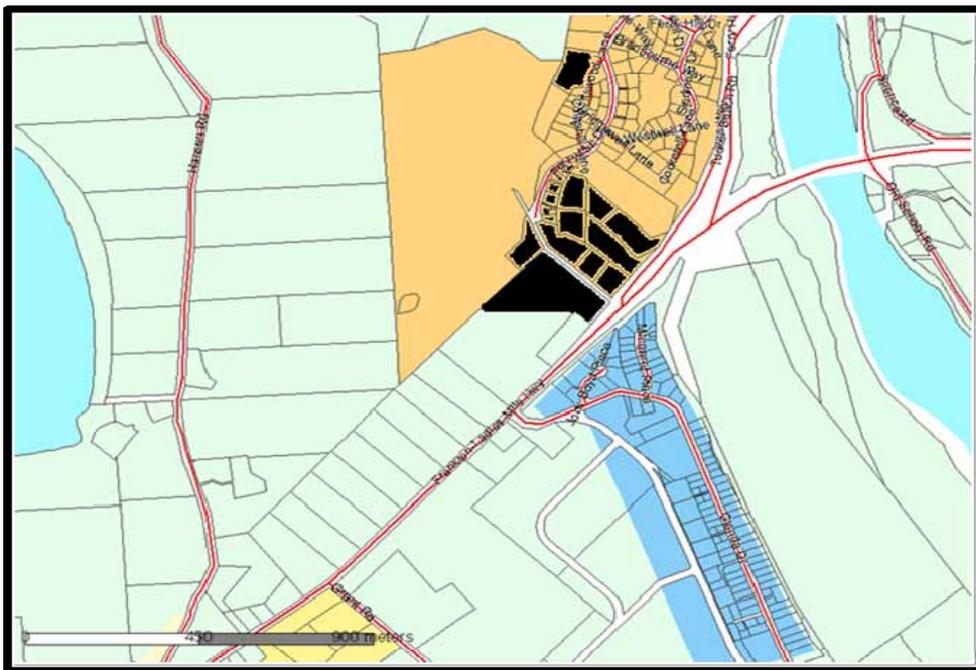
Since close of further submissions the Applicant has amended the application several times in order to rectify a number of administration issues associated with increasing the scale of the Quail Rise Special zone and how this would affect the existing plan provisions for this zone. Rather than imposing a minimum allotment size, the Quail Rise zone includes a maximum development potential within the zone with each parent lot allocated a total number of development rights.

After ongoing discussions with the Applicant regarding this issue, a revised version of the application was submitted amending the plan provisions to provide for two new Activity Areas within the plan change site which would impose either a minimum allotment size of 1000m² or 2000m². The Applicant proposed that the area subject to the plan change would not have a maximum development potential as it would instead be subject to a minimum allotment size zone standard. This amendment to the plan change, however, raised scope issues and as a result, after a number of options were considered and changes made to the plan change, the Applicant has proposed to introduce four new Activity Areas into the Quail Rise zone that would be specific to the plan change area only. The changes are outlined in Appendix A. The proposal seeks to allocate a number of allotments to an Activity Area as opposed to an existing lot (refer Appendix A). This will provide more clarity for administration purposes but will not result in any changes to the number of allotments originally proposed to be provided in the expanded Quail Rise Special Zone in the plan change (234) nor will it result in an increase in density over and above that notified. It will be useful for the Commissioners for the Applicant to elaborate on the above at the Hearing, in respect to the reasons for and the detail of these changes.

Further to the above, the Applicant also proposes to rezone the lower portion of Lot 50 DP 370064 (referred to in this report as Lot 50) which is located just north of the main plan change site, from Quail Rise Open Space G Activity Area to Quail Rise Residential Activity Area in order to allow for two additional residential dwellings.

The plan change area is shown in black in figure 1 below:

Figure 1



Along its southern boundary the plan change site will border the Transpower transmission lines that diagonally dissect this adjoining rural lot (hence the diagonal shape of the southern boundary). The plan change proposes to establish a 30m setback between the transmission lines and the proposed zone boundary. A further 15m buffer will be provided along the road boundaries of properties that front onto State Highway 6 along the south eastern boundary of the plan change area (Pt Section 20 BLK II Shotover SD, Lot 1 DP 372232 and Lot 2 DP 412992 and Lot 2 DP 346179). This will be provided for by way of a building line restriction which will restrict any building development within this area and provide a setback from the State Highway.

In respect to servicing, the application proposes the following preferred options:

1. Wastewater will be disposed via direct connection to Project Shotover (Council's oxidation ponds);
2. Potable water will be sourced through connection to the proposed Plan Change 19 reticulation;
3. Stormwater will be piped through to the Shotover River for disposal;
4. Access will be provided for via existing accessways and a southern extension to Ferry Hill Drive.

The plan change proposes to amend the Quail Rise Special Zone provisions in order to provide for the above. It also proposes several minor amendments to the Quail Rise Special Zone provisions in order to rectify several discrepancies in the existing rules. Refer to Appendix A for detail.

BACKGROUND

Previously the zone was called the Shotover Resort Zone, which originated from a planning consent granted in 1993 to establish a hotel complex in association with a 9-hole golf course. In 1995, Plan Change 97 to the Transitional Queenstown District Plan introduced the proposed resort as its own zone in order to provide a means to satisfy the high demand for rural residential living for permanent residents and visitors alike. The key features of the Zone as contained in the Proposed District Plan 1998 included:

- Continued emphasis on a resort and golf course;
- A structure plan which denoted activity areas for residential, village, recreation and central facilities, as well as active and passive recreation (including golf);
- A maximum of 160 residential units within the Zone; and
- Areas within the Zone in which any residential activity is a prohibited activity.

The golf course never proceeded in the Zone and in 2002 Variation 16 to the District Plan sought to undertake the following:

- Amend the Structure Plan so that the original R (Residential), C (Central), F (Recreational Facilities) and V (Village) were consolidated into two Residential Activity Areas (R – Residential & RR – Rural Residential).
- Increase the Residential Activity Area
- Increase the number of residential units permitted in the zone from 160 to 181 to allow development rights for several of the neighbours adjoining the south of the zone.

The variation was approved and the name of the Zone was also subsequently changed from Shotover Resort to Quail Rise Zone. The specific provisions permitting a golf course and related facilities were deleted. The Quail Rise Zone was kept as a special zone as its

standards require a lower density of development than in the traditional residential zones, but a greater density than that permitted in the Rural Residential and Rural Lifestyle Zones. The location of the site at the entrance to Queenstown and amenity of the surrounding rural landscape is recognised in the Zone's objectives, policies and rules, especially with design and appearance controls which recognise the semi-rural location. There is also an emphasis in the zone to ensure development is screened from State Highway 6 and the zone specifically provides for this through landscaping and set back provisions.

The existing Quail Rise zone is characterised by a mix of large residential lots, averaging around 1500m², and rural residential sites on the periphery of the zone. A high percentage of the site is also occupied by open space either provided for as Council recreation reserves throughout the residential area or as a backdrop to the zone on the lower slopes of Ferry Hill. The zone provides for a high level of scenic and natural amenity.

Relationship to other documents and Plan Changes

The following documents are of particular relevance to this plan change:

Plan Change 19 Frankton Flats

Plan Change 19 (PC19) is a Council initiated plan change that seeks to provide for a comprehensive rezoning of the land known as Frankton Flats. The purpose of the zoning is to enable a mixed use zone that will provide for residential, commercial, industrial and recreational activities in a high quality urban environment. The plan change site occupies the majority of the existing Rural General zone located between Glenda Drive and the Queenstown sports fields and recreation centre. Council has approved this plan change but it is currently under appeal.

PC19 is of relevance to this plan change because the preferred option to provide for water services to the proposed plan change area is to connect to the proposed PC19 reticulation. The proposal, does, however, identify several additional options available for servicing which are independent of PC19. This plan change is therefore not reliant on the outcome or timing of this adjacent development.

Further to the above, as the appeals on PC19 all seek to modify the plan change rather than seek its withdrawal, this development, and its proposed mixed use environment, has been given regard to in terms of the environmental context in which this plan change would be undertaken

Plan Change 35 Queenstown Airport

The Queenstown Airport Corporation (QAC) Private Plan Change 35 (PC35) is currently being considered with an adjourned Hearing scheduled to reconvene on 21 September. This plan change proposes to expand the location of the Airport airnoise contours to allow for expansion of the airport operations. In the event that PC35 is approved, the proposed Outer Control Boundary (OCB) will be located just south of the Quail Rise proposed extension. The submission by QAC specifically refers to this plan change and the potential implications of the airport activities on the proposed development.

Submissions received and the issues raised

A total of 16 original submissions and 71 further submissions by 10 further submitters were received.

Appendix 2 contains a full list of submitters and further submitters. These are listed in alphabetical order.

The main points of submission that have been raised by submitters have been categorised into the following issues to facilitate discussion and consideration of these matters:

1. Reverse sensitivity
2. Extension of plan change area
3. Traffic effects
4. Amenity values
5. Infrastructure
6. Landscape
7. Urban design
8. Affordable housing
9. Hazards
10. Section 32 analysis
11. RMA

Late submissions

A total of two late submissions were received on the plan change after the date specified in the public notice for the close of original submissions. Both of these were in opposition to the plan change. One late further submission opposing the development was received after close of further submissions. These submitters are as follows:

Original submissions

1. F II Holdings Limited
145 Frankton- Ladies Mile Highway
C/- John Edmonds and Associates Ltd
P O Box 95
Queenstown
2. Bob and Justine Cranfield
163 Hansen Road
RD 1
Queenstown

Further submissions

1. F II Holdings Limited
145 Frankton- Ladies Mile Highway
C/- John Edmonds and Associates Ltd
P O Box 95
Queenstown

Under Section 37(1) (b) of the Resource Management Act 1991 the Council is able to waive a failure to comply with the closing date for submissions.

After taking into account the requirements of section 37A, the late submissions were waived, in respect to failing to meet the closing date of submissions, by Debra Lawson, Chief Executive of Queenstown Lakes District Council. This was done on the basis that no person was directly affected by waiving compliance and that allowing consideration of the points raised in submissions will more effectively enable the interests of the community to

be taken into account in achieving an adequate assessment of the effects of the plan change.

Report Format

In respect to the plan change, the Resource Management Act (the Act) only requires a summary of the issues raised in submission. It is noted that under the October 2009 amendments to the Act, the requirement to address each submission point was deleted. The Act specifically states:

“To avoid doubt, the local authority is not required to give a decision that addresses each submission individually”

The Act now requires that the submissions are addressed by grouping them according to the provisions of the proposed policy statement or plan to which they relate or the matters to which they relate. As a result, the actual submissions are not addressed in the following report but rather the issues specifically raised in the submissions. As outlined above, a full list of the submitters, and further submitters, to the plan change are provided in Appendix B. In order to get a more complete understanding of the issues raised, the main body of this report groups and considers the submission points by issue.

For each issue the report is structured as follows:

- Submission Points – summary of the main points raised in the submissions.
- Discussion – the reporting planner’s consideration of the submission points for this issue.
- Recommendation – the recommended approach to responding to the issue, indicating whether to Accept, Accept in part, or Reject the submission.
- Reasons – the reason why the recommended approach is considered appropriate in relation to the RMA.

DISCUSSION OF ISSUES RAISED BY SUBMITTERS

Issue 1 – Reverse Sensitivity

Issue

A number of submissions raised reverse sensitivity issues.

The specific submission points made by these submitters include the following:

- *The development will restrict the ability of the adjoining land owner at Lot 1 DP 308784 to carry out consented activities.*
- *NZTA do not consider that a 15m buffer zone will adequately address reverse sensitivity effects between the State Highway and future residential development.*
- *The development will generate reverse sensitivity effects between Airport activity and future residential development.*
- *The development will generate reverse sensitivity effects between the adjacent Industrial Zone within Glenda Drive and future residential development in the plan change site.*
- *The development will restrict the ability of Procure Concrete, located adjacent the plan change site, to comply with consent conditions and therefore undertake consented activity.*

- *Request that a covenant be registered on the title for lots created to prevent future complaints of landowners relating to existing industrial activities.*
- *If the proposed development proceeds in its current form then it could lead to potential reverse sensitivity effects between the remaining area of Lot 2 DP 308784 and the new Quail Rise zoning.*
- *Given the proximity of this land to the State Highway and the Industrial Zone, the submitters consider that a full residential use of this area of land (along State Highway 6) would not result in the best resource management option.*

Discussion

The majority of the submitters to the plan change consider that the proposed development will result in reverse sensitivity effects. Several effects have been identified by submitters. These include adverse effects between the residential activity in the proposed zone and:

- Queenstown airport (and associated activities);
- Industrial land within Glenda Drive;
- State Highway 6; and
- Adjoining consented and rural activities.

Each potential effect is considered below:

- Queenstown Airport and associated activity;

The submission by Queenstown Airport Company (QAC) opposes the plan change on the basis that it will generate reverse sensitivity effects between the airport (and associated activity) and future residents within the plan change site.

The subject site is located outside both the existing and proposed (as per QAC PC35) airport airnoise contours. The submission by QAC, however, considers that the plan change site would be adversely affected by airport activity due to its close proximity to the airport particularly in respect to the flight tracks for general aviation. The Marshall Day Acoustic report, dated 9 July 2009, prepared for QAC's plan change included a plan (Figure 10) showing the spatial extent of noise emissions from aircraft activity at Queenstown Airport. This figure is attached to QAC's submission and shows the extent of aircraft noise in the community out to Ldn 50 dBA. The entire plan change site is located within the 50 dBA. The Marshall Day Report states:

"It needs to be understood that aircraft noise would be audible well beyond the Outer Control Boundary (55dBA) however the extent of noise effects resulting from lower levels of exposure are generally considered to be acceptable. As such, QAC has proposed that land use planning and airport noise controls commence at exposure levels of Ldn 55 db as recommended in NZ 6805"

In identifying the 55 dBA noise contour at a point where noise controls commence, the Airport noise assessment has determined that any effects outside this boundary are acceptable. Based on the Marshall Day noise assessment, while noise from aircraft will be audible outside the airnoise boundaries, the extent of the noise exposure would be such that only a very small percentage of those residents outside the boundaries would be annoyed. This is shown on the Bradley Curve, which has been produced as a result of international research into community response to aircraft noise. Between the 55dBA contour and the 50dBA contour, the percentage of the population sufficiently annoyed to complain about noise drops from 12% to 4%. Further to this, NZS6805:1992 (New Zealand Standard for Airport Noise Management and Land Use Planning) specifically defines the 55 dBA airnoise contour as the outer limit for the management of aircraft noise.

The night time flights proposed under PC35 would have the greatest effect on amenity values. The extent to which this would occur would largely depend on the quality of housing and the susceptibility of those residents to sleep disturbance. PC35 considers that any adverse effects generated (including night flights) would be acceptable outside the proposed airnoise boundaries.

To provide protection for the long term operation of strategic assets such as airports it can be appropriate to plan to avoid development that may affect its future operation rather than try to mitigate the effects after development has occurred. However, to avoid undue restrictions on landowners it is important that the operators of these assets can justify the need for such limitations and show that they are being applied consistently. It is therefore considered that the submitter needs to provide greater evidence to justify their position.

In response to the QAC submission, the Applicant has proposed to provide for mitigation through requiring all residential dwellings to have mechanical ventilation and acoustic insulation. The Applicant proposes to impose this through a zone standard in the Quail Rise Zone specific to the plan change area only. In addition to this, Quail Rise Estate Limited, J and J Thompsons and B and N Thompson have all agreed to impose no complaint covenants over their land in order to reduce the risk of reverse sensitivity effects in respect to all noise generating activities surrounding the plan change area. It is noted that while such covenants do not avoid, remedy or mitigate the primary effects – ie: nothing actually becomes quieter simply because a covenant exists, they might avoid or mitigate the secondary effect of the ensuing complaints upon the emitting activity. They are also useful in ensuring that prospective owners of the receiving sites are aware of the issue and are able to decide whether or not to buy on those terms.

In respect to the mitigation sought by QAC, it is considered that it is contrary to their position, and their evidence heard, on PC35. This evidence specifically states that the effects outside the airnoise boundaries will be acceptable. It is recognised, however, that airport activity such as the proposed night flights has the potential to adversely affect the amenity of residents outside the proposed airnoise boundaries. The above mitigation offered by the Applicant will go some way towards ensuring that these effects are mitigated.

ii) State Highway 6;

A neutral submission was lodged on the plan change by the New Zealand Transport Authority (NZTA). This submission, however, does seek a number of amendments to the plan change including the following:

- a) A 15m setback requirement from State Highway 6 be inserted into Rule 12.15.5.2;
- b) A new rule be included to read as follows:

New residential buildings located within 80m of the seal edge of the State Highway shall be designed and constructed to meet noise performance standards for noise from traffic on State Highway 6 that will not exceed 35 dBA Leq (24hr) in bedrooms and 40 dBA Leq (24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors. This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.

NZTA seek that the above provisions be included in the plan change in order to mitigate any potential adverse reverse sensitivity effects between the State Highway and future

residents within the plan change site. The submission outlines one of NZTA's key planning aims as being to reduce the potential for conflict between state highways and nearby land uses in order to:

- (a) *Ensure the state highways function in an optimal manner;*
- (b) *Ensure new developments near state highways protect future occupants from potential adverse effects such as traffic noise and vibration; and*
- (c) *Improve the amenity values of sensitive areas near state highways.*

NZTA's planning policy promotes an 80m setback of any residential development from a state highway. Due to the raised topography of the plan change site, however, the submission accepts the 15m setback proposed by the Applicant as long as any proposed development within 80m of the state highway is acoustically insulated. The submission states that *"such an approach would have the effect of future proofing the development, as traffic volumes and therefore noise generation are expected to increase along the adjacent stretch of the state highway"*.

Due to implementation concerns with the above rule, the Applicant has advised that they seek to address this issue through the mitigation proposed in the new zone provisions requiring acoustic insulation and mechanical ventilation on all new sites within the plan change. As a result, this zone provision will provide the necessary mitigation from both aircraft and traffic noise.

iii) Industrial Zone activities within Glenda Drive;

Several businesses in the Glenda Drive Industrial zone submitted in opposition to the plan change due to potential reverse sensitivity effects between the existing Industrial zone and future residences within the plan change site. This includes Reavers NZ Limited who own property located at Lot 1-11 DP 333539 which currently supports Placemakers, Alpine Self Storage, Works Infrastructure, New Zealand Post, Vehicle Testing New Zealand Limited, Shotover Engineering, Hirequip, Queenstown Glass, and B and T Automotive. Steve Rout Contracting Limited and Procure Concrete Limited also submitted in opposition to the plan change. These two businesses are located on Margaret Place on Lots 18-20 DP 19862. The majority of these businesses listed above border the State Highway along their rear north western boundaries. The submission by Procure Concrete Limited also raises compliance issues with their consent to operate on this site. Condition 7 of RM60754 requires noise monitoring to take place at the boundary of the Quail Rise Zone. It specifically states:

"The consent holder shall ensure that all activities conducted on the site shall be carried out in accordance with the Noise Management Plan and comply with the following noise limits when measured at the boundary of the Quail Rise Residential Zone situated directly across State Highway 6:

Daytime 0800-2000 hours 50dBA L
Night time 2000-0800 hours 40 dBA L and 70dBA L"

The submission by Firth Industries also seeks that a covenant be registered on the title for lots created to prevent future complaints of landowners relating to existing industrial activities.

The Glenda Drive Industrial Zone is separated from the Quail Rise Zone by State Highway 6 with a separation distance of approximately 70m. Noise limits within the Industrial Zone are restricted to 50dBA between 8:00pm and 8:00am, and 60dBA during the day. This measurement is taken at the boundary of the Industrial zone. In contrast noise emissions

within the Quail Rise and Rural General zone are restricted to 40dBA between 8:00pm and 8:00am and 50dBA during the day for a non residential activity. This measurement is taken at the boundary, or notional boundary for the Rural General Zone, of any site.

The proposed plan change will move the Quail Rise zone approximately 20m closer to the existing Industrial Zone. This is measured at the closest point between the proposed new Quail Rise Zone and the Industrial Zone. It is recognised that reverse sensitivity effects could arise at the interface of these two zones due to the contrasting land use activities permitted in these areas. Accordingly appropriate land use mechanisms should be put in place to avoid any such effects.

In respect to the first issue, the plan change will provide for an additional 15m setback from the road boundary as well as the 70m setback between zones and proposes both acoustic insulation and mechanical ventilation within all new residential development in the plan change area. Both measures, particularly the latter, will ensure that internal amenity values or residential activities are protected from noise generating activity in the Industrial Zone. It is acknowledged that these measures will not mitigate external noise levels. The plan change area, however, is located in an environment that has a higher ambient noise level than the rest of the Quail Rise Special Zone as a result of its location abutting the State Highway and proximity to the Queenstown Airport. Future commercial and industrial development in the PC19 site will also contribute to the ambient noise levels in this area. As a result, given environmental conditions in the area, coupled with appropriate mitigation, it is considered that the proposed development is unlikely to generate reverse sensitivity effects between these land use activities.

In respect to condition 7 of RM060754, there is no evidence to suggest that compliance with this condition would be more difficult as a result of the plan change. It is understood that consent was granted to establish the industrial plant along the eastern boundary of the site. This boundary faces east over the Shotover River. As the existing Quail Rise Special Zone is closer to the site than any part of the proposed plan change area it is unclear how this plan change would make compliance with this consent condition more difficult. Further, as the consent was granted at a fixed point in time it is considered that the monitoring point identified at the time the consent was granted would remain the appropriate place to monitor this consent condition. As stated, the Applicant also proposes to impose no complaint covenants on all new titles (as sought by Firth Industries Limited). While this does not mitigate the effects, it does enable future land owners to make an informed choice as to the environment they are purchasing in and provides a legal mechanism for the relevant industrial activity to prevent action being taken against it.

It is noted that there is no Council record of any complaints from existing development in the Quail Rise or Rural General zones in respect to noise emissions generated from the adjacent Industrial zone. However, it would be useful, for the Commissioners if the submitter provided any additional information at the Hearing in relation to how this may affect their operation or in respect to any record of existing noise emissions and/or non compliance issues with this condition.

iv) Adjoining consented and rural activity

The submission from Jaron McMillan, being the owner of the adjoining rural site at 179 Frankton- Ladies Mile Highway, opposes the plan change on the basis that it will generate reverse sensitivity effects between his consented activity and the plan change site.

In 2008 the submitter obtained resource consent (RM080930) to construct a garage/storage building on the 9155 m² site to be utilised for non commercial activities within the road boundary setback. This has not been given effect to but the consent permits a structure

23.9 m in length, 11.8 m wide and 6.3 m in height. It would be located 6 m from the road boundary and was initially to be used to store the applicant's vehicles. Subsequent to this, a further resource consent (RM090499) was granted in order to permit the storage of vehicles and machinery associated with the applicant's drilling business. It is noted that the submitter has recently lodged an application for a non-complying resource consent to operate a drilling business out of this site. As this application is yet to be approved it does not constitute part of the receiving environment but has none the less been considered as part of this process.

The submission states that the proposed plan change site will be affected by noise from the consented activity on the submitter's property. This consented activity, however, is solely limited to storage and does not permit any activity associated with the drilling business itself. Furthermore, the decision relating to this activity specifically states that "*any effects relating to traffic generation are minimal when compared against what could be undertaken as of right.*" The movement of heavy vehicles from the consented activity may generate more vehicle noise than anticipated in a residential area but they were considered lesser in scale than that which could occur from a rural activity. Furthermore, due to the size of the site, the separation distance of the shed from the proposed rezoning, the lower volume of vehicle movements and the higher ambient noise levels in this area as a result of the State Highway, any reverse sensitivity issues in relation to the existing activity are unlikely. In terms of the consent being sought the activity will be subject to either the rules of the Rural General zone or more likely specific consent conditions relating to noise either of which would be more stringent than those of the Industrial zone.

B and N Thompson own the site bisected by the transmission lines. The submission by B and N Thompson seeks that either their entire site (Lot 2 DP 308784) be included in the plan change as opposed to just that area north of the transmission lines or alternatively, no complaint covenants be imposed on all new residential titles created. The Thompsons consider that the plan change will generate reverse sensitivity effects between their existing rural activity and the proposed residential use in the plan change area.

Currently, the southern end of the Quail Rise zone provides a graduated zoning approach with the Quail Rise Rural Residential and Quail Rise Open Space G Activity Areas located between the Quail Rise Residential 2 Activity Area and the adjoining Rural General Zone. The proposed plan change, however, will fail to provide any such buffer with farming activities permitted right up to the boundary of the plan change site. At present farming activity on this site is undertaken at a relatively low level of intensity. This tends to mitigate against the likelihood of reverse sensitivity issues but does not prevent them. The way in which this boundary is addressed needs further consideration. More intensive activity could result in reverse sensitivity issues and the site could legitimately be used for a variety of other uses permitted or anticipated in the Rural General zone that may generate greater risk of reverse sensitivity effects. Although the transmission lines may create a buffer restricting building they do not prevent farming activity immediately adjacent to the proposed zone boundary.

Possible mitigation measures such as fencing also require careful consideration as they may result in adverse urban design outcomes. For example, 1.8m fencing may prevent stock from grazing across the property boundary but may result in "canyoning" of the transmission lines and adverse landscape effects.

Recommendations

Reject the submission point that the development will create reverse sensitivity effects between the airport and the plan change site. It is considered that the effects of night flights

may generate reverse sensitivity effects, however, the proposed insulation and ventilation will adequately mitigate any such effects.

Reject the submission point that the development will create reverse sensitivity effects between the Industrial zone.

Reject the submission point that the development will result in reverse sensitivity effects between Lot 1 DP 308784 (McMillan) and the plan change site.

Accept in part the submission point that the development may create reverse sensitivity effects between Lot 2 DP 308784 (Thompson) and the plan change site.

Reasons for the recommendations

The plan change does have the potential to generate reverse sensitivity effects, however, it is considered that appropriate mitigation could address any issues.

Issue 2 – Plan Change Area

Issue

A number of submitters raised issues about the plan change area being expanded to include the Rural General zoned land located adjacent the State Highway to the south of the plan change area.

The specific submission points raised by these submitters include the following:

- *There is no apparent justification for such a small expansion of the Quail Rise Zone*
- *PC37 represents a piecemeal expansion of the Quail Rise Zone that will have implications for the adjoining Rural General Zone and properties within that zone.*
- *The best planning outcome would be to address all the surrounding Rural General Zone properties as part of the plan change, possibly through to Hansen Road*
- *Leaving large areas of Rural General zoned land un-assessed is not considered good resource management practice*
- *The plan change be amended to provide for additional residential zoning to the south*
- *Seek that the total area of Lot 2 DP 308784 be included in the plan change and we believe this land is suitable for this type of residential development*
- *The submission by A and S Bragg seeks that the plan change site is extended to include adjoining Lot 1 DP 324970 and Lot 2 DP 300296.*

Discussion

The above submission points consider that the plan change application should include the Rural General land located to the south of the site that extends through to Hansens Road. As outlined above, the majority of this strip of land was initially included in the Applicant's plan change proposal lodged with Council in July 2009 which extended the proposed zone past the current boundary of the transmission lines. This original application, however, fell short of including all the land through to Hansens Road and potentially would have resulted in ad hoc development of sites outside the plan change area that could not be dealt with through submissions on the plan change. The Applicant confirmed, however, that they did not wish to include all this land in their plan change and in response chose to reduce the size of the development from 19.9 to 11.8 hectares, proposing only a relatively small

extension to the existing Quail Rise zone with the transmission lines forming the southern boundary.

It is acknowledged that the best planning approach would be to deal with this entire strip of land between State Highway 6 and the toe of Ferry Hill in a comprehensive manner. Such an approach was discussed in the decision on PC19 - Frankton Flats, which specifically stated that the rezoning of this land should be undertaken in the context of the entire strip of land lying to the north of the State Highway, and a structure plan for the area should be prepared and promoted as part of a separate plan change. It is noted that most of the land owners on this northern side of State Highway 6 submitted on PC19 seeking that their land be included in the plan change area. The submissions were rejected as they were deemed to be outside the scope of PC19.

It is considered that including all this land north of the State Highway, as sought by the submitters, would also fall outside the scope of the current plan change given that it would result in extending the site by more than three times its current size and would require considerably more detailed analysis in respect to issues such as potential land use (proposed zonings), transportation networks, landscape effects and urban design outcomes. The proposed plan change, however, does not preclude the other land owners from lodging a separate plan change application to consider any rezoning options in respect to this remaining area.

The above structure plan approach would have been the preferred option in terms of dealing with this land, particularly considering the potential urban design constraints outlined in Issue 7 below. However, the proposed plan change needs to be considered on its own merits and, as noted, the Applicant's preference was to reduce the scale of their application rather than to adopt a more comprehensive approach. Further, it is considered, that as Plan Change 37 is essentially limited to a small extension of the Quail Rise zone, this site does have the potential to be considered in isolation to the rest of the strip. The location of the transmission lines at the southern boundary of the zone does provide a degree of delineation of this area, if a relatively weak one. The plan change area is also characterised by a slightly higher and more undulating landform than the rest of this area.

Further to the above, the submission by Sandra and Austin Bragg seeks that the plan change be amended to allocate a further nine residential development rights to their property allowing for a total of 17 residential units on this site. The submitter considers that this would provide for a more efficient use of this site as the additional lots would enable a density of approximately 2000m² (as opposed to the existing 3000m²) which is more akin to development adjoining its northern boundary.

The Applicant submitted a further submission on this submission opposing it on the grounds that including this site in the plan change area would fall outside the scope of the plan change. It is considered, however, that there is potential to consider this site due to its location immediately abutting the plan change site, its limited size and its consistency in respect to character and amenity with the outcome sought for the application site. Those neighbours adjoining the site also had the ability to consider and oppose this submission through a further submission.

This adjoining site, includes a number of significant landscape features which provide the site with distinctive landscape characteristic and as a result it is considered unlikely that a further nine residential units as sought by this submitter could be accommodated on this site without compromising these landforms. This includes a gully area in the south western corner of the site that is zoned Quail Rise Open Space G Activity Area under the existing Structure Plan. To the north of the site the landform is made up of the distinct hillock features that are characteristic of this southern end of Quail Rise Zone. It may be useful for

the Commissioners if the submitter provided further information regarding this matter at the Hearing.

It is also noted that the submitter states in the submission that Lot 1 DP 324970 never had an allocation of residential units attached to it at the time of subdivision from the parent lot. It is suggested that this is in fact incorrect as the parent Lot 4 DP 22166 had 10 allocated residential units to it and it appears that only five have been given effect to. As the allocation of residential units is on a first in first served basis it appears that five remain unallocated. While the size of this smaller lot may impose restrictions, it is anticipated that this submitter could potentially give effect to another couple of development rights on this title.

Recommendation

Reject the above submissions that the land to the south of the plan change should be included in the plan change area.

Reject the submission by A and S Bragg seeking that their site be included in the plan change area due to potential landscape effects.

Reasons for Recommendation

Due to the scope issues and potential landscape effects the above submissions are rejected.

Issue 3 – Traffic Effects / Rooding / Access

Issue

A number of submitters consider that the proposed development will create adverse traffic effects.

The specific submission points raised by the submitters include the following:

- *The proposed development should only be allowed once the roundabout servicing Glenda Drive onto the main highway is built. This would take pressure off the dangerous Tucker Beach Road junction with the highway.*
- *The PC37 documentation does not provide a comprehensive traffic analysis and does not adequately address access and traffic effects generated by a further 40 potential residential dwellings.*
- *The provisions of an alternative, considerably safer, access into and out of the Quail Rise area would be far superior to the current access*
- *The plan change is amended to ensure future access on the proposed State Highway roundabout*
- *It does not appear that any planning protection of this future access route has been provided for in the Plan Change proposal*
-
- *The rooding situation at the intersection of the State Highway and Tuckers Beach Road is particularly precarious during peak hour traffic times.*
- *The future access road alignment that will connect Quail Rise to the Eastern Arterial round-about be agreed and identified as part of this re zoning process.*
- *Pedestrian walkways and cycleways within the extension to the Quail Rise Zone should be identified and required via the plan change.*
- *Cycle and pedestrian walkways should be shown on the structure plan*

- NZTA seek the identification of a roading link between the Quail Rise Estate and adjoining land located to the south of the zone.
- QLDC oppose the plan change unless it results in good resource management outcomes in respect to transportation networks and connectivity

Discussion

The above submission points can be grouped into the following issues:

- Future roading connection south of the site through to State Highway 6 (SH6);
- Traffic implications of proposed plan change on Tuckers Beach Road and SH6;
- Plan Change lacks a comprehensive traffic network analysis; and
- The identification of cycle and pedestrian walkways.

Each issue is considered below:

- Future roading connection south of the site through to SH6;

The existing Quail Rise structure plan shows an indicative future link road that could provide a connection from Ferry Hill Drive through to SH6. This road will potentially be an important through route from the Quail Rise zone to Frankton Flats reducing further pressure on the existing Tucker Beach road and SH6 intersection, and providing better integration and connection with the subject site and the land to the south. The majority of this future road will be located outside the proposed plan change site but providing the connection to this link will be vital if the plan change is to proceed. This is recognised in the plan change application in Section 24 which states:

“This plan change provides an opportunity for this through road to occur by enabling a future road to be formed towards the south western direction which could possibly link up with Hansen Road.”

While the initial application sought to retain the road on the structure plan, it provided no further certainty in respect to the location of the road or zone boundary connection. A number of submitters consider that its location should be confirmed prior to approval of the plan change in order to ensure this link is not compromised by residential development in the plan change site. Several landowners located to the south of the site also seek confirmation of the locality of this link road in order to allow them to consider future development options within their sites.

Further information received on the application has confirmed that since notification of the plan change, the Applicant has responded to the above issues by actively engaging with the land owners to the south of the site in order to identify a possible connection and location for this future link road. Within the site the Applicant has amended the plan change to identify the location of the road on a revised planning map. This includes providing for this connection via the existing paper road that borders the southern boundary of the existing Quail Rise zone and the Rural General Zone. This road currently exists as an informal road/driveway connecting Jims Way to the cul de sac at the end of Ferry Hill Drive. As a result, it is proposed to extend this existing paper road through to the south of the site to provide for this future connection (see planning map in Appendix A for detail). The Applicant states:

“As this section of the road would have to be built anyway, it makes logical and economic sense that that section of the road is also part of the proposed road link through to SH6 (otherwise there is potential duplication of roading and questions as to who should pay for the duplication).”

Council's roading engineer Denis Mander is satisfied with the proposed connection.

Further to the above, the submission by K and S Lanuel opposes a road link between the Quail Rise Special Zone and the State Highway. In respect to this, it is noted that a future link is already provided for in the existing Quail Rise Structure plan and this plan change will simply confirm this existing link, albeit at a different location.

ii) Traffic implications of proposed plan change on Tuckers Beach Road and SH6;

Access to Quail Rise is currently restricted to one entrance located off Tucker Beach Road which in turn connects to SH 6. A number of submitters consider that increasing the volume of traffic will compromise the safe and efficient movement of traffic at this intersection.

The Council engineer review concludes that the existing roading network has the capacity to support the additional traffic volumes that will be generated by the proposal. This assessment, however, has not considered any potential effects at the intersection of Tuckers Beach Road and the State Highway as this assessment is in the realm of the New Zealand Transport Authority (NZTA) as the road controlling authority for the State Highway. NZTA did lodge a submission on the plan change but raised issues only around reverse sensitivity effects, provision for cycleways and footpaths and connectivity between the zone and adjoining land use to the south. Verbal discussions with NZTA have confirmed that they consider the existing intersection has the capacity to accommodate the additional vehicle movements generated by this development.

iii) Plan change lacks a comprehensive traffic network analysis;

A traffic analysis was not lodged with the plan change application. However, an internal Council engineering review of the proposal has not identified any issues with the capacity of the existing roading network to accommodate this development.

iv) Identification of cycle and walkway networks;

The submission by the New Zealand Transport Authority seeks that provision is made through the plan change for pedestrian and cycleway networks. This is supported in the internal Council engineering assessment as included in Appendix E. This assessment states:

“An outcome QLDC is seeking is the provision of a transport network that enables road users to have good quality transport mode choices. It is important that Council standards for road design be met, and that opportunities for providing direct pedestrian / cycle links are considered.

As it stands, without the road link to the proposed state highway roundabout, the pedestrian links to the Frankton Flats area and Queenstown are weak.

There does not appear to have been any discussion between NZTA and the Applicant with respect to developing a pedestrian cyclist route at the western end of the area covered by the plan change – incrementally the plan change appears to be further consolidating transport choices around reliance on the car”.

As outlined in Issue 7 below, if the Commissioners are of the mind to approve the plan change, it is considered that an outline development plan process is necessary to ensure a good urban design outcome for this proposal. This could also include provision to consider pedestrian and cycleway networks as sought above.

Recommendation

Accept the submission point that a roading connection must be provided at the zone boundary of the plan change to safeguard this future road alignment south of the plan change area.

Reject the submission that a road link should not be provided for at the zone boundary.

Reject the submission point that a roading alignment should be confirmed within that area south of the plan change area.

Reject the submission point that the development will compromise traffic safety at the intersection with Tuckers Beach Road and State Highway 6.

Accept the submission point that the development should provide provision for pedestrian and cycleway networks.

Reasons for the recommendations

The existing roading network has the capacity to accommodate this development. Further consideration, however is necessary to ensure that the development will inadequately provide for an effective network for cyclists and pedestrians. Finally, the plan change will provide for a future roading connection at the southern boundary of the site if required at a later date.

Issue 4 – Amenity Values

Issue

Several submitters opposed the development on the basis that it would compromise existing amenity values, rural character, open space and privacy levels.

The specific submission points raised by these submitters include the following:

- *The land between the existing Quail Rise built development and Lot 1 DP 308784 provides a visual and practical buffer between urban development and the submitters property. The submitter values this open space as part of its overall enjoyment and amenity of the property and surrounds.*
- *Adjoining privacy will be disrupted along the boundary of the proposed development.*
- *The expansion of the development will adversely affect amenity values.*
- *Oppose the development of smaller sections which will compromise amenity values.*

Discussion

The submission by Jaron McMillan opposes the development on the basis that it will compromise the amenity and privacy that he enjoys on his site at 179 Frankton-Ladies Mile Highway (Lot 1 DP 308784). This adjoining site is zoned Rural General and currently supports a dwelling, a large glasshouse and established planting limited to the sites eastern boundary which consequently screens the site from SH6. As a result, the site affords uninterrupted views over the surrounding Rural General zoned land that fronts the property along its southern, western and northern boundaries. The proposed plan change will border the site along its northern boundary and will therefore change this visual amenity to the north from a rural to peri-urban outlook. The Applicant also proposes to establish the

roading connection, to this area south of the plan change site, at the boundary of this submitter's property.

Like many of the submitters on this plan change, it appears that this adjoining land owner is predominantly opposed to the scale of this plan change and its exclusion of the remaining land to its south. Mr McMillan states in his submission that his site is too small to be used for productive purposes and considers this should be a trigger for the rezoning of his site as well. In paragraph 6.28 of the submission the submitter states that he considers that the best planning outcome would be to address all the surrounding Rural General zoned properties as part of this plan change, possibly through to Hansen Road. The submitter specifically supports this further expansion of the plan change and also seeks that the proposed connection, south of the plan change area, provide access to his adjoining site.

As outlined in Issue 2 above, the preferred option for any potential rezoning of this land to the north of SH6 would have been to consider the entire area comprehensively. The Applicant, however, has chosen to restrict the plan change to the identified area using the transmission lines as a southern boundary. To include the remaining area within the plan change, through to Hansen Road (as suggested by a number of submitters), would raise scope issues as outlined above.

In respect to the amenity issues raised by Mr McMillan, it is considered that while the proposed plan change will change this rural outlook, this site will continue to be bordered by rural land along its western and southern boundaries and consequently, while somewhat altered, will still retain a sense of open space and rural amenity. Furthermore, as outlined in Issue 1 above, it is understood that this submitter has just lodged an application for resource consent to establish a commercial drilling business on this rural site.

The submission by Woodfield Family Trust also opposes the plan change due to adverse effects on existing amenity values. The submitter's site is located on Jims Way at Lot 2 DP 346179, measures 1.01 hectares and is currently zoned Quail Rise Rural Residential Activity Area. A single dwelling occupies the site which is complimented with established landscape planting. The site adjoins the Quail Rise Residential 2 Activity Area along its northern boundary, the Quail Rise Rural Residential Activity Area along its western and southern boundaries and Jims Way to its east. Importantly, it is also located approximately 65m north of the Quail Rise Open Space G Activity Area that is proposed to be rezoned for residential use.

The primary concern for this submitter appears to be the potential adverse effects on amenity values as a result of intensification of this southern area of Quail Rise. The plan change will change the character of this immediate area but it is considered that there are mitigating factors. These include the northern orientation of the subject dwelling, the established planted screening of the site along its southern boundary, and the existing development potential immediately adjoining the site along both its northern and southern boundaries. This development potential includes provision for an additional eight residential allotments in the adjoining northern site and a further three dwellings could be established on the site to the south of this submitter. This intensification would increase the level of domestication in the immediate area of the site and would also provide further screening of the site from the wider subdivision. Developing the open space area to the south of the site would increase noise levels and further urbanise this environment but this may be mitigated by the separation distance and with the additional factors mentioned above.

It is recognised that these submitters value the amenity that the existing environment currently provides. While the integrity of the structure plan and the District Plan zoning must be upheld, any person can make an application to amend the District Plan, and associated zonings, if they have sound resource management reasons for doing so. In addition the

effect of unrealised development potential on these areas must also be considered. Given the above mitigating factors, coupled with the site's locality within the proposed Queenstown urban growth boundaries and adjacent Frankton Flats, it is considered that there are sound resource management reasons for considering this site for re-zoning.

The submission by K and S Lanuel considers that the development will compromise amenity values. Their submission also opposes the creation of smaller sections in the Quail Rise zone and in particular development in any area zoned for open space.

This submitter is located at 10 Abbotswood Lane which is approximately 50m from Lot 50. Development within this site will not affect the submitter's outlook, but may reduce the existing level of visual amenity values of this environment by reducing the level of open space. Lot 50 currently provides important views from the road boundary through to Ferry Hill which would be compromised if developed in the manner sought by the Applicant. Lot 50 also complements the amenity and outlook of a number of residential developments located in this immediate environment. Furthermore, as outlined in Issue 6 and 9 below, adverse amenity effects from development on Lot 50 would be further exacerbated by potential landscape and hazard effects.

In respect to the open space zoning at the end of Ferry Hill Drive, it is considered that this is more suitable for development as the level of amenity it provides to adjoining and surrounding neighbours is limited. The site is fenced and is therefore not used for recreation purposes, and due to its topography and current boundary planting, it is not overlooked by any adjoining neighbour. In addition to this, it is considered that for reasons outlined in Issue 11 below, residential development may be a more efficient use of this site.

The above submitter also opposes the development on the grounds that it will increase traffic volumes along Ferry Hill Drive. The development will increase traffic volumes along Ferry Hill Drive, but due to the limited size of this extension (and associated increase in vehicle movements), and the capacity of the existing network, it is not anticipated that amenity values would be compromised in this respect.

Lastly, in regard to this submitter's concern about smaller sections, with the exception of the Rural Residential Activity Area, the existing Quail Rise zone does not impose a minimum allotment size. Development within the plan change will also be restricted by allocated development rights as opposed to a minimum allotment size which is consistent with the current Quail Rise provisions.

Recommendation

Reject in part the above submissions that the development will compromise surrounding amenity values. For reasons outlined above, it is considered that future development in Lot 50 has the potential to compromise amenity values.

Reasons for recommendation

The development will change the character of this environment, however, it is considered that (with the exception of Lot 50) there are sound resource management reasons for considering the site for re-zoning and a number of factors may act to mitigate potential adverse effects.

Issue 5 - Infrastructure

Issue

Submissions raised issues regarding the capacity of the existing infrastructure in respect to the following:

- i) Water supply
- ii) Wastewater
- iii) Stormwater

The specific submission points raised by these submitters include the following:

- *No consideration has been given to the potential adverse effects the proposed stormwater disposal will have on Lot 1 DP 308784.*
- *QLDC oppose the plan change unless it results in good resource management outcomes in respect to infrastructure provision and stormwater*
- *We support the plan change in principal but object to the detention pond on our property.*

Discussion

A three waters assessment was carried out by Clarke Fortune McDonald and Associates (CFMA) in respect to servicing the proposed site. This assessment identifies a number of servicing options for the development, as discussed below:

i) Water Supply

The Applicant's preferred option in respect to water supply includes connecting to the proposed PC19 reticulation as this option is likely to have the lowest capital cost, require the least amount of land, have the lowest maintenance cost for Council and provide the most systematic solution for water supply. In the event that PC19 does not proceed the Applicant has the option of extending the existing Quail Rise Reservoir. This will involve improving the existing pump station, providing for additional storage and construction of a new falling main from the reservoir to the development area.

ii) Wastewater

In respect to wastewater the Applicant has identified a number of possible options to service the site including onsite treatment, or through various different connections to Council's sewer network. The preferred option identified is to discharge directly to Council's municipal treatment.

iii) Stormwater

The stormwater assessment by CFMA was a conceptual study that identified a number of options for stormwater management such as traditional big pipe design, low impact design and sustainable urban drainage approaches. The recommended approach for this plan change is to provide an integrated treatment train approach to water management, that will include collection, treatment and disposal methods such as swales, impermeable surfaces, kerb and channel, detention and infiltration ponds, fore bay bunds and end of pipes structures. The report finds that this combination of controls would provide a satisfactory means of meeting the criteria for water quality, volume of discharge, erosion and flood control. To achieve this preferred option, the Applicant will have to obtain resource consent

from the Otago Regional Council to discharge stormwater to either land or to water via the Shotover River.

An internal Council engineering review has been undertaken of the above report. This report concludes, in respect to all three issues, that Council has the ability to design, construct, maintain and manage whatever infrastructure is necessary to support the plan change, in the event that it is approved. This will have to be planned through the LTCCP, Activity Management Plan and Council's Annual Plan which all determine how and when the infrastructure to support this plan change would be constructed. The Applicant will incur all the cost of this infrastructure required to specifically service the development.

It is noted that the submission by J E and J M Thompson support the plan change but object to the proposed detention pond on their site. This submission was supported by a further submission from Queenstown Airport Corporation who specifically opposed any detention pond or form of standing water in the plan change site due to its potential to attract birds which could increase the risk of bird strike. As a result of these two submissions, the Applicant confirmed in writing that any stormwater design would not result in the use of detention ponds on site and has subsequently deleted the proposed detention pond, as shown in Appendix 2 of the service report. There is yet, however, to be a detailed stormwater design for this development and therefore it is considered that restricting any form of standing water on site would be premature particularly given that there is already a large pond on site that supports a significant volume of water. This would need to be managed accordingly within any proposed stormwater network and its retention may be an appropriate option.

Recommendations

Accept the submission point that the development must result in good resource management outcomes in respect to infrastructure provision and stormwater.

Accept the submission by J E and J M Thompson to delete the proposed detention pond as shown on in Appendix 2 of the service report.

Accept in part the further submission by QAC to also delete the proposed detention ponds in Appendix 2 of the service report but reject the submission to restrict any form of standing water on site.

Reject the submission that stormwater will adversely affect Lot 1 DP 308784.

Reasons for Recommendations

Like any development, appropriate provision must be provided for in respect to servicing. Restricting the ability to allow for any form of standing water on site, however, prior to a detailed stormwater analysis has been carried out, is not appropriate given there is an existing pond on site.

Issue 6 - Landscape

Issue

These submission points addressed the issue of effects on landscape qualities.

The submission points raised by these submitters include the following:

- *QLDC oppose the plan change unless it results in good resource management outcomes in respect to landscape protection*

Discussion

Under the District Plan the plan change area is located in an area classified as a Visual Amenity Landscape (VAL). This is defined in the Plan as 'landscapes which wear a cloak of human activity – pastoral or arcadian landscapes', which tend to be located on the District's downlands, flats and terraces.

It is noted, however, that the Applicant's landscape assessment states the following:

"While the site is separated by the Frankton—Ladies Mile Highway from the predominant area of land understood to be the Frankton Flats (that area to the south of the highway), it is still reasonable to regard the site as being part of the Frankton Flats, albeit on the extreme north-east fringe of the flats. While identified in the District plan as VAL, ongoing development of the Frankton Flats and the prospect of further significant changes as a consequence of proposed Plan Change 19 indicate that it is more credible to regard the Frankton Flats as Other Rural Land"

It is recognised that the landscape on the southern side of SH6 was deemed to be a "other rural landscape" in the landscape assessment undertaken by Ms Kidson (Landscape Architect) for PC19. It is understood that this was accepted in the Decision to PC19 but this landscape assessment did not consider the northern side of SH6 which includes the plan change site. While there may be merit in this argument, the landscape assessment undertaken by Lakes Environmental Landscape Architect Antony Rewcastle, included in Appendix F, has considered the landscape as a VAL and concludes the following:

1. *The Quail Rise Zone is a comprehensive network of sub-zones which create a separate residential and rural residential outlier which "...conserves and enhances amenity and rural character". It is distinct from Glenda Drive (industrial), Frankton Flats, and Queenstown, and is currently separated by buffers of natural landforms, vegetation, and open space. Given its proximity to the Frankton Flats it is important that any development is considered in the evolving context of this area.*
2. *The proposed plan change would result in the further, gradual (incremental) degradation of an area which forms the southern buffer to the Quail Rise Zone and would visually connect Quail Rise with Glenda Drive industrial area and the Frankton Flats.*
3. *The transmission lines are not an appropriate landscape feature to justify the proposed zone boundary as they do not acknowledge the existing dominant landscape pattern (cultural or natural) which provides some obvious and effective justification as a boundary.*
4. *If the plan change was amended to allow rural residential development in the southern part of the Quail Rise Zone and provide for the protection spur and hillock landforms in this part of the site, some level of structure (although weaker) would be maintained, and the zone would continue to display a distinct character and associated identity.*
5. *Additional development within Lot 50 would reduce visual and physical access to an area of open space associated with the eastern base of Ferry Hill. Whilst this would*

be noticeable from outside the site (eastern side of the Shotover River) adverse effects would generally be contained to within the Quail Rise area.

The landscape assessment concludes that the plan change will further degrade the existing landscape on this side of SH6 (in the Quail Rise zone) and as a result should be amended to provide for a rural residential development to protect the existing landforms in this area.

While it is acknowledged that extending the Quail Rise zone will further urbanise this landscape, such effects need to be considered against the context of this environment including its location within the proposed Queenstown urban boundaries and opposite a high density mixed use development. Furthermore, with the exception of Lot 50, development within the plan change will not encroach any higher than the existing Quail Rise zone. The Commissioners must consider whether the benefits of providing for rural residential development and retaining a sense of open space in this plan change area outweigh ensuring a more efficient density of residential use of this site given its locality.

In respect to Lot 50, however, both the above assessment and the Landscape Assessment undertaken for RM090658 (that sought to develop Lot 50 (refer to Issue 9 below)) consider that the effects on the immediate amenity and landscape character will be compromised if Lot 50 is developed.

Recommendations

Accept in part the submission point that the development could adversely affect landscape qualities.

Reasons for the recommendations

The landscape assessment concludes that the development would further compromise the landscape qualities of this Quail Rise zone and immediate area. A balance, however, needs to be made between the efficiencies of providing for a greater density against any potential landscape effects. However, in respect to Lot 50, it is considered that the adverse effects on landscape qualities as a result of development on this lot would outweigh any positive effects of development.

Issue 7 - Urban Design

Issue

Urban Design

The specific submission points raised by these submitters include the following:

- *QLDC oppose the Plan Change unless it results in a good resource management outcomes in respect to urban design*
- *QLDC oppose the plan change unless it results in good urban design outcomes in respect to open space and recreation networks*

Discussion

The submission by Queenstown Lakes District Council opposes the plan change unless it results in a good urban design outcome. The application does not provide any detail as to the subdivision design as the Applicant has sought that this be provided for at subdivision stage. While it is recognised that the existing Quail Rise zone provisions only require this

detail through subdivision approval (as a controlled activity), this process often provides Council with limited ability to ensure a good urban design outcome. The subject site, however, is held in multiple ownership, (potentially leading to an ad hoc form of development in which development of individual lots poorly relate to each other or surrounding development), and proposes a planning mechanism that provides little certainty in respect to overall subdivision density and design. Approval through an outline development plan process, however, would enable the whole site to be considered comprehensively; almost certainly providing for a better urban design outcome for this site. If the Commissioners were of the mind to approve the plan change this process could be included prior to subdivision approval.

An urban design assessment has been undertaken of the proposed plan change by Queenstown Lakes District Council Landscape Architect Nick Karlovsky. This assessment is included in Appendix C and states the following:

i) Proposed Allotment Size

"I regard the subject land as appropriate for low density suburban development. Although relatively close to the retail centre enabled at Frankton Flats special Zone (A), the State Highway remains an impediment at that distance to encouraging pedestrian, and to a lesser extent cycle, patronage that could justify higher densities, even if a direct link to the designated roundabout is eventually achieved. However the adopted QLDC Growth Management Strategy advocates for urban consolidation and the Frankton Flats as a whole is now subject to zoning or proposed zoning that effectively pushes the effective urban boundary out to the Shotover River. With a much improved connection to the State Highway still a prospect, the densities proposed by the Plan Change are in my opinion relatively low".

ii) Visibility from the State Highway

"Whether the flat foreground to the view of Ferry Hill should be protected from development entirely, in contrast to the urban development proposed on the opposite side of the Highway, is not however currently relevant as the subject land is shielded from view when entering or exiting Queenstown along this route. However the existing conifer hedge that comes to play a significant role in the framing of the entry experience described above, starts within the subject land. It is important that this hedge-row is retained, both for its screening effect of development for traffic moving north eastwards, and its role in the entry experience described above".

iii) Connectivity

"The provision for a connection westwards to provide an eventual long term link to the SH6 is regarded positively and its location will enable the future subdivision of the McMillan lot in addition to the larger neighbouring B & N Thompson Lot and all other lots up to the roundabout. However a further connection to the Thompson Lot would also be desirable in terms of enabling a better connected street network through future zoning to the south.

As no street network has been provided that would be indicative as to how subdivision would be carried out and connectivity for pedestrians, cycles and vehicles would be achieved across the various land holdings, it is recommended that an Outline Development Plan stage be required as a Limited Discretionary Activity prior to any subdivision being applied for".

There is no certainty in respect to allotment size under the existing Quail Rise Special Zone due to the lack of any standard minimum allotment size. The Applicant proposes to continue a similar level of density to that already provided for in the Quail Rise Residential 2 Activity Area. This includes the majority of lots exceeding 1000m² in area resulting in an area characterised by low density residential living. The proposed plan change now

proposes to introduce four new residential activity areas, but it must still meet the objectives and policies of this zone which emphasise the low density residential environment. In the event that the Commissioners consider a higher density is more appropriate, new specific provisions for this end of the Quail Rise zone would need to be considered. There is some merit in the argument that due to the sites location opposite the mixed use Frankton Flats zone (and in the proposed urban boundaries), a higher density of residential activity would be a more efficient use of this land. On the other hand, with higher intensification opposite the site, the proposed development would provide for an additional choice of residential living in close proximity to this proposed commercial centre.

The urban design assessment also considers the effects of the visibility of the site from the State Highway. It is considered that one of the main philosophies behind the existing Quail Rise zone is that development should not be visible from outside the zone in particular from SH6. This is reflected in the following provisions:

Objective 2

To conserve and enhance the physical, landscape and visual amenity values of the Quail Rise zone, adjoining land and the wider environment.

Policy 2.5

To preserve and enhance the naturalness of the view from State Highway 6

Assessment matter 12.5.6 (b) (for all resource consents in the zone):

Whether, and to what extent, the proposed development is visible from scenic rural roads and other public places

It is considered that these provisions encompass all development within the zone as opposed to just that land in the Design Urban Edge areas. The plan change area is elevated above the road by approximately 4m - 5m at its southern boundary, which provides some screening. However, it is considered that residential development within the Thompson lot (Sec 20 Blk II Shotover SD) may be visible from the State Highway in the event that the existing planting which currently screens the site from the road is removed along the road boundary.

Rule 12.15.3.5 iv of the Quail Rise Special zone provides for tree removal within the zone as a Discretionary Activity unless approved by land use or subdivision consent. Due to the height of the existing planting along the State Highway, it is considered that future owners are likely to seek consent to remove this planting to improve amenity and solar access to these sites. Regardless of this, these trees will also need to be managed as they age. While Council's urban design assessment finds that visual connection to the site should not necessarily be avoided, (if this strip is to be urbanised) consideration needs to be given to how this site will relate to the State Highway as it is located along this main entrance to Queenstown.

When travelling from Frankton towards the Shotover Bridge, the plan change area is currently screened by existing vegetation located both in the plan change area and on the adjoining site at 179 Frankton Ladies Mile Highway (SH6) which is owned by submitter Jaron McMillan. In the event that this vegetation (both in and out of the plan change area) is removed, the development would be visible from the State Highway regardless of the elevated topography. It is noted that this vegetation on the adjoining property is not currently protected but would be if RM080930 which permits a large storage shed on site, is given effect to. However, it is considered that this would not provide sufficient certainty that

this vegetation would be retained if it is needed to mitigate the effects of the plan change as it would be linked to that particular consent which may be subject to change. If the Commissioners were of the mind to approve the plan change, the existing plan provisions may need to be strengthened to consider options such as an increased setback, fencing limitations and/or requirement for landscaping to be established prior to development through a landscape plan approval process, which may include retaining the existing trees on the plan change site.

Consideration also needs to be given to how the development and any future residential lots will relate with the rural land located along the southern boundary of the plan change area. This relationship is necessary to ensure good visual connection between these areas and to mitigate any wider landscape effects, particularly from the State Highway, should any of the existing off site screening further south of the plan change area be removed. This may include provisions requiring landscape treatment between this open space and the proposed residential lots or restrictions on the type or scale of fencing. It would be useful if the Applicant provided further information on this issue at the Hearing.

In respect to connectivity, the urban design assessment concludes that consideration also needs to be given to whether two connection points should be provided through to the south of the plan change area. As outlined in Issue 1 and 2 above, the preferred approach to considering any potential rezoning of this strip of land north of SH6 would have been to consider it holistically. This would have resulted in a more efficient and effective resource management process particularly in respect to achieving good urban design outcomes such as certainty around connectivity between these two areas. However, as the plan change only deals with part of this overall area, the Commissioners are now in a position where they must consider how the plan change area will connect with the land to the south given that this area may or may not be further developed.

Recommendation

Accept the two submission points that the development must result in good resource management outcomes.

Reasons for the recommendation

It is recommended that an outline development plan process be adopted, and further consideration be given to safeguarding screening, and how the plan change area will relate to the area to the south.

Issue 8 - Affordable Housing

Issue

The issue of providing for affordable housing

The specific submission point raised by this submitter includes the following:

- *QLDC oppose the Plan Change unless it ensures provision of appropriate amounts of affordable and community housing consistent with the eventual decision on Plan Change 24.*

Discussion

Council's Plan Change 24 (PC24) proposes to introduce a requirement for an affordable housing contribution for developments of a certain scale. Due to the size of this plan change, an affordable housing contribution would be required under PC24. However, as PC24 is not operative, Council must rely on the Applicant to agree to this contribution. At this stage, the Applicant has chosen not to provide for an affordable housing contribution.

Based on the assumption that the proposed development has a maximum development potential of 57 residential units, there are two methods currently used by Council to determine the amount of affordable housing demand attributed to this proposal. This proposal triggers demand for affordable housing as it is for a plan change to increase development capacity in the plan change site. Using the Stakeholder Deed method based on a contribution of 5% of the net developable area, in this instance that calculation would equate to 5% X 43 residential units = 2 units. To be consistent with other agreements signed to date, this would suggest the developer would enter into a stakeholder deed with Council committing to transfer two residential sections at nil consideration (or the cash equivalent thereof) to the Council.

Using the methodology of Plan Change 24: Affordable and Community Housing, the calculation would be: 43 residential units X 143 square metres per residential unit = 6149 total square metres of residential development, which generates demand for affordable housing of 0.3 residential units per 1000 sq metres of development. The result would be 2 units, with one being an Affordable Housing unit and one being land for a Community Housing unit. Only the Community Housing unit requires a contribution of land at nil consideration; the Affordable Housing unit could be perhaps a smaller home, priced to attract the entry-level of the market.

Therefore both methods indicate that the development should deliver two units of Affordable and Community Housing, albeit in different ways.

Recommendation

Accept the above submission point that the plan change should provide for appropriate provision for affordable and community housing. This could be undertaken as a separate stakeholder's agreement (outside of the plan change process) or through provisions in the District Plan requiring an affordable housing assessment to be undertaken. In the event that the Commissioners are of mind to approve the plan change, it is recommended that appropriate provisions are provided for in the District Plan. To date the Applicant has not agreed to enter into a stakeholder's agreement.

Reasons for the recommendation

The provision of an affordable housing contribution would seek to provide for an affordable housing market.

Issue 9 - Hazards

Issue

The submission by Otago Regional Council questioned the suitability of the site for development due to potential hazards on site.

The specific submission point raised by this submitter includes the following:

- *A comprehensive natural hazard assessment be undertaken to adequately understand the magnitude, frequency and effects of debris flow and slope stability for the proposed plan change site. Should the assessment determine that the site is subject to natural hazard which require protection works, that the plan change be declined.*

Discussion

The submission by Otago Regional Council (ORC) highlighted the issue of potential slope instability and debris flow on site, as identified in a hazard assessment by Geologist Royden Thomson dated 14 March 2006. At the time, this assessment was commissioned by Quail Rise Estate Limited to accompany a resource consent for Lot 50 DP 370064. This assessment noted that slide debris was widespread following the November 1999 storm event on the surrounding slopes of Ferry Hill and observed debris stuck in fences up to a depth of 1.6m above ground level.

As a result of the above ORC submission, the Applicant was requested to commission a further hazard assessment of the entire site which was subsequently lodged with Council on 25 August 2010. The assessment included a geological hazard appraisal and was undertaken by Hadley Consultants Limited. The following comments are made in respect to the conclusions in this report, which are indicated in italics below:

- i) Lot 50 is susceptible to a risk of debris flows above the site. Appropriate mitigation measures could be put in place to protect dwellings on this site;*

As outlined above, this site was originally considered for development under a proposal to establish a residential unit on Lot 50 which was recently considered by Hearing Commissioners David Collins and Christine Kelly under RM090658. The proposal sought to establish two residential dwellings on two proposed rural residential allotments (consistent with the proposed plan change) but was subsequently amended to provide for one dwelling only. Consent was sought for a number of infringements including earthworks, for exceeding the number of permitted residential units allocated and for building within the Quail Rise Open Space G Activity Area.

The primary issues identified with the development were slope stability, landscape and amenity effects, and effects on the integrity of the Quail Rise Open Space G Activity Area. The application was subsequently declined on the basis of adverse amenity and landscape effects and due to effects on the integrity of the zone. In relation to the hazard issues the decisions states:

“Overall we accept that the engineering solution proposed would probably protect the proposed house and would be unlikely to create problems for adjoining properties except at times of very exceptional storm events which there is an existing and unpredictable hazard anyway. Still, our perception is that it is better to avoid building in areas where such substantial protection works are necessary”.

The predominant hazard to building development on Lot 50 is represented by debris flow arising from shallow landslips in the land above the site. The geological assessment carried out by Hadley consultants proposes the following measures to mitigate the above:

1. Construction of earth bunds to deflect and control debris flows
2. Construction of earth bunds to deflect stormwater runoff flows
3. Maintenance of existing water race flow paths to prevent overflow

The bunds proposed to deflect stormwater and debris flow would require a height of 1.7 to 2 metres and would be required to exceed the length of any proposed building platform. Above the bunds, the historic water race above the sites would be required to be maintained as a secondary flow path for overland flows above the site. This would require routine and regular inspections of the water race and, where necessary, the excavation and removal of debris accumulated in the water race. The report states that maintenance and clearing of this water race would be critical for development to occur on Lot 50. A regime would need to be established and registered by consent notice on the title of the lot.

Further to the above, the report by Hadley Consultants states that Lot 50 was previously zoned Quail Rise Open Space G Activity Area because of perceived geological hazards to any permanent structures.

Rezoning Lot 50 to provide for future residential development would require significant mitigation in the form of bunding to ensure that the site is not subject to debris flow and stormwater runoff. The mitigation would be significant and would require ongoing maintenance to avoid any potential risk. These effects are also exacerbated by the adverse landscape and amenity effects, as outlined in Issues 4 and 6 above. It is considered that to appropriately avoid or mitigate the hazards identified on this site, and to avoid risk to the inhabitants and Council liability, specific mitigation measures such as were proposed in the previous consent for this site are necessary. For such measures to be effective they need to relate as closely as possible to the specific development proposed and as such are more appropriately applied by way of resource consent rather than through the plan change process. Further, as a general principle it is considered that the approach adopted by Commissioners Collins and Kelly to avoid development in areas where such substantial protection works are necessary is preferable than to seek to mitigate them, particularly through the zone process.

ii) The risk of debris flow into the plan change site is assessed as low to very low.

The report confirms that only the western fringe of the plan change area and that area contained within Lot 50 are potentially subject to debris flow.

iii) It is recommended that the water race is piped above the plan change site in case of possible debris flows should there be a breach in the water race above these areas;

The integrity of the water race above the plan change area may be an issue in times of heavy rain. The report states that leakage from the race, combined with possible embankment collapse could generate water flows that would have the potential to erode deposits downhill, causing debris flows that may become a hazard to future development in the area. The above recommendation is proposed to mitigate this effect.

iv) Further investigation of the spring source and flow paths should be undertaken during the design stage or any future development in the Plan Change area;

The geological investigation identified the presence of daylighting flows and springs within the area of the proposed plan change site causing additional concerns regarding surface flows. Further investigation is recommended at the design stage of any future development.

v) Development should be avoided in the approximate area of fill located on geological Lot B unless further investigation is carried out and remedial work is performed and certified;

The area identified as Lots A/B in the geological assessment is the area of land located just south of the end of Ferry Hill Drive located within Lot 8 DP 22166. The geological

investigation identified that Lot B includes an area of unknown and uncertified fill. The report finds that this area should be avoided for development purposes unless further investigation is carried out and remedial work performed.

vi) Appropriately designed bunding should be constructed above the geological lots A/B boundary to protect this area from possible debris flow.

The assessment finds that Lot 8 and the area above it will be susceptible to erosion and possible debris flow and therefore mitigation in the form of bunding would be required above the length of this lot. This bunding is also required as a precaution against catastrophic pipe failure in the water race above the site.

vii) Provision should be made for water race flows and flows diverted by the bunding above the geological Lots A/B in the stormwater design for any future development in the area.

The water race flows and bunding above Lot 8 will divert stormwater below the site and into the lower plan change area.

Conclusions v)-vii) above all relate to development within existing Lot 8 DP 22166 which is to be located within the Residential Activity Area 2 (c). The conclusions find that any development within this site would require geotechnical investigation due to the presence of uncertified fill, and significant mitigation in the form of bunding. This bunding is required in order to mitigate against potential debris flow but also to protect any development on this site in the event that the piped water race above the site failed. This again raises the question whether it is better to avoid development altogether in areas prone to hazards such as that described above. Alternatively should it be determined that development in this area should go ahead, it is considered that greater weight should be placed on the need for an outline development plan that addresses natural hazards in a comprehensive manner to avoid ad hoc subdivision attempting to address these issues on a piecemeal basis.

Further to the above, the geological assessment also concludes that due to the significant area of ponding on site, a detailed stormwater analysis will be required prior to any development within the plan change site. This may be a requirement of any outline development plan or subdivision approval process prior to development.

Recommendation

Accept the above submission point in part. It is recommended that due to the extent of both the potential risk and the associated mitigation works required for Lot 50 and Lot 8 DP 22166 these two areas should not support any future development.

Reasons for the recommendation

It is considered that development should be avoided when the works required to mitigate a hazard are significant and the benefits of any such development are limited.

Issue 10 - Section 32 analysis / District Plan Objectives and Policies

Issue

Several submitters commented on the plan change with respect to the inadequacy of the Section 32 analysis,

The specific submission points raised by these submitters include the following:

- *The Section 32 assessment does not adequately consider the effects of the Plan Change on Lot 1 DP 308784*
- *The AEE overstate the benefit of the plan change. The positive effects of PC37 will be largely attributed to the underlying landowners and will have minimal degree of public benefit.*
- *The effect of the plan change on the industrial zone has been essentially disregarded in the Section 32 analysis.*
- *The Plan Change is inconsistent with the District Plan objectives and policies*

Discussion

It is considered that there are a number of inadequacies in the Section 32 report that accompanies Plan Change 37, as outlined in the issues raised above. However, case law has established that the Section 32 process continues through the entire plan preparation process and, as such, those areas where issues and options may not have been adequately addressed initially can be more thoroughly assessed through this report, the evidence presented at the Hearing, and, most importantly, through the Council's decision and any subsequent Environment Court decision.

The specific submission points raised by submitters in respect to the Section 32 analysis are considered below.

- i) *The Section 32 assessment does not adequately consider the effects of the Plan Change on Lot 1 DP 308784*

The submission by Jaron McMillan states that the Section 32 does not adequately consider the effects of the plan change on adjoining Lot 1 DP 308784. In Section 12 of the plan change application the Applicant briefly considers the effects of the development on this adjoining neighbour. It concludes that given the site is too small for farming purposes and development is concentrated towards SH6, any adverse amenity and visual effects would be minor.

- ii) *The AEE overstate the benefit of the plan change. The positive effects of PC37 will be largely attributed to the underlying landowners and will have minimal degree of public benefit.*

There is discussion on this issue in the Section 32 report, albeit brief. Whilst the Section 32 analysis does briefly consider alternative options for this site such as retaining the status quo, and providing for a commercial or industrial use, it is considered that the analysis is brief in its detail. It would be helpful to the Commissioners for the Applicant to provide a more thorough analysis of the advantages and disadvantages of the various options, at the Hearing.

- iii) *The effect of the plan change on the industrial zone has been essentially disregarded in the Section 32 analysis.*

There is discussion on this issue in Section 10 of the plan change application.. A further analysis is provided in Issue 1 in respect to this issue. It is suggested that the Applicant expand on the effects of the plan change on the adjacent Industrial zone in evidence.

- iv) *The Plan Change is inconsistent with the District Plan objectives and policies*

The submission by Woodfield Family Trust considers that the development is contrary to a number of District Plan objectives and policies. The most relevant Objectives and Policies are considered below:

District wide

Objective 4.2.5

Subdivision, use and development being undertaken in the District in a manner which avoids, remedies or mitigates adverse effects on landscape and visual amenity values.

Objective 4.9.3

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

Objective

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

Objective 1

Avoid or mitigate loss of life, damage to assets or infrastructure, or disruption to the community of the District from natural hazards

Comment

For reasons outlined in the Issues above, with the exception of development proposed within Lot 50 and Lot 8 DP 22166, the plan change is considered consistent with the above districtwide Objectives, subject to appropriate mitigation.

Quail Rise Special Zone

Objective 1

To enable the development of low density residential activities in conjunction with planner open space and recreational opportunities.

Objective 2

To conserve and enhance the physical, landscape and visual amenity values of the Quail Rise zone adjoining land and the wider environment.

Comment

In general, subject to the recommendations outlined in Issues 4 and 6, the proposed development is considered to meet the above relevant Objectives of the Quail Rise Special Zone.

Transport

Objective 1

Efficient use of the Districts existing and future transportations resource

Objective 2

Maintenance and enhancement of access, ease and safety of pedestrian and vehicle movements throughout the District

Comment

The existing roading network has the capacity to accommodate the proposed development and subject to the recommendations above such as provision for an Outline Development Plan to consider cycle and pedestrian networks, the plan change will continue to meet the above Objectives.

Recommendations

Accept the various submission points listed above that have raised issues with the inadequacy of the existing Section 32 report.

Reject in part the submission that the development will be contrary to the District Plan objectives and policies.

Reasons for the recommendations

It is considered that the Section 32 analysis is inadequate in several areas. It is anticipated that the Applicant will elaborate on many of the issues raised above at the Hearing. Furthermore, the development is generally considered consistent with the District Plan objectives and policies with the exception of those issues around landscape protection, amenity values and natural hazards in respect to Lot 50 and Lot 8 DP 22166 as outlined in detail in Issues 4, 6 and 9 of this report.

Issue 11 - RMA

Issue

Several submitters questioned whether the development achieves the purpose of the RMA.

The specific submission points raised by these submitters include the following:

- *The Plan Change is contrary to the purpose of the Act*
- *PC37 will not promote the sustainable management of natural and physical resources and is inconsistent with Part 2 of the Resource Management Act 1991*
- *It does not avoid, remedy or mitigate adverse effects on the environment*
- *Section 7 (b) (c) and (f) will be offended by the plan change*
- *The plan change will not promote the sustainable management of natural and physical resources, will not achieve the purpose of the RMA and are otherwise contract to Part 2 and other relevant provisions of the RMA*
- *The plan change will not enable people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety*
- *The plan change will not promote the efficient use and development of natural and physical resources*
- *The plan change does not represent sound resource management practice*
- *The plan change does not represent integrated management*

Discussion

In assessing the merits of the plan change consideration, must be given to Part 2 of the RMA which establishes the purpose of the Act, being to promote the sustainable management of natural and physical resources. Sustainable management means enabling communities to provide for their social and economic wellbeing while also avoiding, remedying and mitigating any adverse effects on the environment.

Section 5(2) of the Act defines sustainable management identifying two key components to sustainable management – one enabling and one regulatory. The definition of sustainable management enables communities to use, develop and protect natural and physical resources to provide for their wellbeing. However the use of these resources can only be undertaken if the regulatory component is satisfied, requiring the potential of resources to be sustained, the life supporting capacity to be safeguarded and adverse effects on the environment to be avoided, remedied or mitigated.

The majority of the submitters consider that the plan change will not meet the second regulatory component which includes avoiding, remedying or mitigating any adverse effects on the environment. These submitters consider that the plan change will generate reverse sensitivity effects between the proposed plan change site and either the industrial zone, state highway, airport or surrounding rural environment. They also consider that amenity values and the quality of this environment will be compromised.

It is acknowledged that preventing the establishment of noise sensitive activities in non-urban environments such as the Rural General zone, around airports and adjacent to Industrial zones, is generally considered appropriate to avoid a potential increase in reverse sensitivity issues. It is considered, however, that the specific characteristics of this site, such as its location within the proposed Queenstown urban growth boundaries and immediately adjacent to the mixed use zone of PC19, set it apart from other parts of the Rural General zone. Urbanisation of this area may be appropriate as long as adequate measures such as the buffer from the Industrial zone, proposed acoustic insulation and mechanical ventilation requirements are put in place to mitigate these effects. The Applicant has also proposed no complaint covenants on future land titles. It is considered that these measures will adequately mitigate all those reverse sensitivity effects identified by the submitters. In respect to amenity values, these are considered below.

Section 7 of the RMA requires particular regard to be given to the following relevant matters:

- (b) *the efficient use and development of natural and physical resources:*
- (c) *the maintenance and enhancement of amenity values:*
- (f) *maintenance and enhancement of the quality of the environment:*
- (g) *any finite characteristics of natural and physical resources:*

As outlined above, the subject site is located within the proposed Queenstown urban boundaries and adjacent to the PC19 – Frankton Flats site that is proposed to be urbanised to provide for a mixed use environment made up of commercial, industrial, education and potentially some residential activity. As a result, it is considered that intensifying the use of the plan change area, from a rural environment, will provide for a more efficient use of this land resource.

This is recognised in Council's Growth Management Strategy (GMS) which is a non statutory planning document that has been established to provide some strategic goals and policies in respect to guiding growth within the District.

Principal 1a of the GMS states that growth should be located in the right places, providing for compact urban boundaries. Policy 1b encourages growth to occur within the Queenstown urban boundaries and 1f supports the effective use of urban land to balance community goals including considering the use of minimum densities such as 20 units per hectare for residential development on greenfields land in the Frankton area.

As to whether the proposed density is an efficient use of this resource could, however, be questioned given the low density of residential development achieved by the proposed plan

change. The Growth Management Strategy seeks an average allotment size of 500m², under half to a quarter of that proposed under this plan change. The development, however, is an extension of the Quail Rise zone and hence the Applicant seeks to ensure it is in keeping with the characteristics of the zone which includes providing for larger low density residential allotments.

Several submitters also consider that it would be a more efficient use of this land resource to provide for an alternative zoning on this site. It is noted that the Applicant undertook a brief cost and benefit analysis of providing for a commercial or industrial zone on this site. The identified costs include traffic issues, dispersed commercial/industrial activities, competition with Frankton Flats and loss of potential for residential use. Due to the potential reverse sensitivity effects identified and opportunities to provide for alternative zonings given the location of the site, it is considered that it would be beneficial for the Commissioners if the Applicant elaborated further on this issue in evidence.

Section 7(c) and 7(f) requires that particular regard be given to the maintenance and enhancement of amenity values and the quality of the environment. The key issue in relation to amenity values and environmental quality in relation to the proposed plan change is rural amenity. This has been discussed in Issue 4 above which concludes that the development will affect the amenity values of a number of submitters, particularly Jaron McMillan and Woodfield Family Trust, who are both opposed to the plan change. As outlined, however,, it is considered that there are mitigating factors that address these issues.

Section 7(g) requires consideration of finite resources. Land may be considered a finite resource particularly land within the urban growth boundaries. In the Queenstown Lakes District the Council has recognised the importance of land in the Frankton Flats area as a finite resource through the development of its Growth Management Strategy and in the District Wide section of the District Plan. Land that meets the characteristics for enabling comprehensive growth by being flat and easily developable, sitting in close proximity to the existing town centre, having good access to transportation and infrastructure and not being located in an outstanding natural landscape is a rare and finite resource. The proposed plan change area is located within the Frankton Flats area and will enable this finite resource to be used for residential purposes, however, as noted above the appropriate density at which it is to be used needs to be balanced in terms of urban design objectives and landscape effects.

Section 8 requires that all persons exercising functions and powers under the RMA (1991) shall take into account the principles of the Treaty of Waitangi. No Treaty of Waitangi issues have been raised in submissions on this plan change.

Recommendations

Reject in part the submission point that the plan change does not meet the purpose of Part 2 of the RMA.

Reasons for the recommendations

With the exception of those areas deemed unsuitable for development, and subject to further mitigation, the plan change is generally considered to meet the purpose of the Act. Mitigation will, however, need to be considered in respect to a number of issues such as appropriate treatment between the proposed plan change area, the State Highway, and the rural land to the south.

APPENDIX A

REVISED PLAN CHANGE PROVISIONS

12.15 Quail Rise Rules

12.15.1 Zone Purpose

The purpose of the Quail Rise Zone is to provide low density residential ~~and rural residential~~ living within a high amenity area, in a location affording good access to sun and views of the surrounding landscape.

12.15.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter.

- (i) Heritage Protection - Refer Part 13
- (ii) Transport - Refer Part 14
- (iii) Subdivision, Development and Financial Contributions - Refer Part 15
- (iv) Hazardous Substances - Refer Part 16
- (v) Utilities - Refer Part 17
- (vi) Signs - Refer Part 18
- (vii) Relocated Buildings and Temporary Activities - Refer Part 19

12.15.3 Activities

12.15.3.1 Permitted Activities

Any Activity which complies with all the relevant Site and Zone Standards and is not listed as a Controlled, Discretionary, Non-Complying or Prohibited Activity, shall be a Permitted Activity.

12.15.3.2 Controlled Activities

The following shall be Controlled Activities provided they are not listed as a Prohibited, Non-Complying or Discretionary Activity and they comply with all the relevant Site and Zone Standards.

i Recreation Facilities

Recreation facilities for active and passive purposes, including, but not limited to those for the purposes of tennis and croquet excluding equestrian activities.

ii Residential Activities

Residential activities provided the maximum number of residential units which may be erected within the zone (excluding Activity Area R1 Lots 1 and 3 DP 300264) shall not exceed ~~248~~ 234 (see also rule 12.15.5.2) provided that no more than one residential unit is permitted per allotment.

iii Community Facilities

Community activities limited to crèches and other childcare facilities.

iv Dams and Other Structures

Dams and other structures for the retention of water, associated ponds and streams, water races, drains, channels and pipes provided that all necessary authorisations are obtained from the appropriate authority.

v Landscaping G (Design Urban Edge) Activity Area

Landscaping within the G (Design Urban Edge) Activity Area designed to make buildings within the R2 (Design Urban Edge) not visible from State Highway 6 in respect of:

- (i) **Landscaping work** – Limited to (a) the proposed species to be planted, their location, density and size; (b) earthworks including any mounding; and (c) irrigation; and
- (ii) **Other work** – limited to maintenance plans and protection of existing plants or trees; and
- (iii) **Vesting** – of the G (Design Urban Edge) in the Council as a Utilities (Landscaping) Reserve.

vi Buildings

- (a) Within the R and R1 Activity Areas the external appearance and location of all buildings and the effect of earthworks, on landscape and visual amenity values of the area including coherence with surrounding buildings.

(b) Within the R2 and R2(A)-(D) Activity Areas the erection of any buildings in respect of:

- (i) External appearance; and
- (ii) Access and earthworks; and
- (iii) Interior and exterior lighting; and
- (iv) Landscaping, including the protection of any existing or proposed trees.

(c) Within the R2 (Design Urban Edge) Activity Area the erection of any buildings within an approved residential building platform in respect of:

- (i) External appearance; and
- (ii) Access and earthworks; and
- (iii) Interior and exterior lighting; and
- (iv) Site specific landscaping to compliment the purpose of the G (Design Urban Edge), including the protection of any existing or proposed trees.

Note: Zone Standard 12.15.5.2 (x)

vii Parking, Loading and Access

Parking, loading and access in respect of earthworks and the impact on the safety and efficiency of the surrounding road network and the number of parking spaces to be provided and in respect of the visual impact of earthworks.

Section 12.13.6 contains the assessment matters which apply to the consideration of applications for resource consents for buildings, parking, loading and access in the Quail Rise zone.

12.15.3.3 Discretionary Activities

The following shall be Discretionary activities provided they are not listed as a Prohibited or Non-complying activity and they comply with the relevant Zone standards:

i Commercial Recreation Facilities

Limited to equestrian centre, stables and associated facilities.

ii Visitor Accommodation

Section 12.13.6 contains the assessment matters which apply to the consideration of applications for resource consents for visitor accommodation in the Quail Rise zone.

iii Commercial Activities

Except retail sales

iv Tree Removal and Topping

(a) The removal or topping of any tree from Activity Area G, except for the following wilding species:

- Radiata pine (Pinus Radiata);
- Contorta or Lodgepole pine (Pinus contorta);
- Scots pine (Pinus sylvestris)
- European larch (Larix decidua);
- Corsican pine (Pinus nigra); and
- Pseudotsuga menziesii (Douglas fir).

(b) The removal or topping of any tree from the G (DUE), R2, R2(A)-(D) or R2 (Design Urban Edge) Activity Areas, except such removal as approved by a resource consent (land use or subdivision).

12.15.3.4 Non-Complying Activities

The following shall be Non-Complying Activities, provided that they are not listed as a Prohibited Activity:

i Factory Farming

ii Forestry Activities

iii Mining Activities

iv Industrial and Service Activities

v Airports

Other than the use of land and water for emergency landings, rescues and firefighting.

vi Retail Sales

Other than goods reared, grown or produced on a site.

vii Buildings

(a) Any buildings within Open Space G, as shown on the Quail Rise Structure Plan

(b) Any buildings within the R2 (Design Urban Edge) Activity Area that are not located within a residential building platform approved by resource consent.

(c) Any building within the R2, ~~R2(A)-(D)~~ or R2 (Design Urban Edge) Activity Areas within an area annotated Building Restriction Area on the Structure Plan.

viii Any activity which is not listed as a **Prohibited Activity** and which does not comply with one or more of the relevant Zone Standards shall be a non-complying activity.

12.15.3.5 Prohibited Activities

The following shall be Prohibited Activities:

i Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.

12.15.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 of the Act, unless special circumstances exist in relation to any such application:

All applications for **Controlled Activities**.

12.15.5 Standards - Activities

12.15.5.1 Site Standards

i Structure Plan

The siting of buildings and activities must be in conformity with the relevant Structure Plan except for Accessory, Utility and Service Buildings less than 40 m² floor area. The location of activities as provided for by the Structure Plan is restricted to the following:

(a) Residential Activities Area R R1, R2, ~~R2(A)-(D)~~ and R2 (Design Urban Edge) - the use of these areas is restricted to Residential Accommodation (and Visitor Accommodation as a discretionary activity).

~~(b) Residential Activities Area RR - the use of this area is restricted to Residential Accommodation (and Visitor Accommodation as a discretionary activity) provided that no more than one residential unit may be established per 4000m² of site area.~~

~~(c)~~ (b) Open Space G - the use of this area is restricted to outdoor recreation activities and open space.

~~(d)~~ (c) Open Space G (Design Urban Edge) – The purpose of this area is establish landscaping that will make buildings within the R2 (DUE) Activity Area not visible from State Highway 6.

ii Setback from Roads and Internal Boundaries

- (a) No building or structure shall be located closer than 6m to the zone boundary.
- (b) No building or structure shall be located within 10 m of Jim's Way or Tucker Beach Road.
- (c) The minimum setback from internal boundaries and road boundaries other than described in (a) and (b) above shall be 4m.

iii Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

1. Earthworks

- (a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.
- (b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period).
- (c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m²** (notwithstanding provision 17.2.2).
- (d) No earthworks shall:
 - (i) expose any groundwater aquifer;
 - (ii) cause artificial drainage of any groundwater aquifer;
 - (iii) cause temporary ponding of any surface water.

2. Height of cut and fill and slope

- (a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the

site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.

- (b) The maximum height of any cut shall not exceed 2.4 metres.
- (c) The maximum height of any fill shall not exceed 2 metres.

3. Environmental Protection Measures

- (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
- (b) Any person carrying out earthworks shall:
 - (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
 - (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.
- (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

4. Protection of Archaeological sites and sites of cultural heritage

- (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified

in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.

- (b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

iv External Appearance of Buildings

The principal roof of all buildings must be designed with a minimum pitch from the horizontal of 25°. The angle of the pitch shall be towards the centre of the building from the longest external side of the building.

12.15.5.2 Zone Standards

i Residential Units

The maximum number of residential units permitted within the zone (excluding Activity Area R1 Lots 1 and 3 DP 300264) is ~~483~~ 234. The units are to be allocated on the basis of one unit per allotment as set out below:

Stage 1	35 residential units
Stage 1a	10 residential units
Stage 1b	7 residential units
Stage 2	39 residential units
Stage 2a	21 residential units
Stage 2b	3 residential units
Lot 6, DP 300296	44 residential units
Lot 7, DP 22466	1 residential units
Lot 2, DP300296	8 residential units
Lot 4, DP 22166	10 residential units
Lot 6, DP 22166	5 residential units
<u>Activity Area R2(A)</u>	<u>2 residential units</u>
<u>Lot 6, DP 22466 Activity Area R2(B)</u>	<u>5 residential units</u>
<u>Activity Area R2(C)</u>	<u>30 residential units</u>
<u>Activity Area R2(D)</u>	<u>20 residential Units</u>

Total

~~483~~ 234 residential units

There is no maximum number of residential units within Activity Area R1 (Lots 1 and 3 DP 300264)

- Stage 1 includes Lots 1 and 2, DP 300230, Lots 20, 22-45, 47-49 and 12-16.
- Stage 1a includes Lots 1, 2 and 6-11, DP 27481, 17 and 21.
- Stage 1b includes Lots 51-57.
- Stage 2 includes Lots 5, 46, 83-99 and 58-77.
- Stage 2a includes Lots 78-82, 101-116.
- Stage 2b includes Lots 117, 118 and 100.

ii Building Height

- (a) The maximum height of buildings and other structures in the R and R1 Activity Areas shall be 7m.
- (b) Within the R2, R2(A)-(D) and R2 (Design Urban Edge) Activity Areas no part of any building and other structure shall protrude through a surface drawn parallel to and 5m vertically above ground level.

iii Glare

- (a) All fixed lighting shall be directed away from adjacent roads and properties.

- (b) Any building or fence constructed or clad in metal, or material with reflective surfaces shall be painted or otherwise coated with a non-reflective finish.
- (c) No activity shall result in a greater than 3.0 lux spill, horizontal and vertical, of light onto any property located outside of the Zone, measured at any point inside the boundary of the adjoining property.
- (d) No exterior lighting within the R2 and R2(A)-(D) Activity Areas shall be visible from State Highway 6.

iv Servicing

- (a) All services are to be reticulated underground.
- (b) All development shall be served by a communal sewage and water scheme.

v Site Coverage

- (a) The maximum site coverage for any allotment within the R Residential Activity Area of the Quail Rise Zone shall be 30%.
- (b) The maximum site coverage for any allotment within the R1 Residential Activity Area of the Quail Rise Zone equal to or less than 800m² will be 200m².
- (c) The maximum site coverage for any allotment within the R1 Residential Activity Area of the Quail Rise Zone greater than 800m² will be 25%.
- (d) The maximum site coverage for any allotment within the R2 and R2(A)-(D) Residential Activity Areas (excluding R2 (Design Urban Edge) Activity Area) of the Quail Rise Zone will be 30%.

~~(e) The maximum site coverage for any allotment within the Rural Residential Activity Area of the Quail Rise zone shall be 15%.~~

Note: Site Coverage within the R2 (Design Urban Edge) Activity Area is controlled by the requirement for all buildings to be within a residential building platform and for any identified residential building platforms to not exceed 30% of the net site area.

vi Nature and Scale of Activities

- (a) No goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight.
- (b) All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building.

vii Noise

Non-residential activities shall be conducted so the following noise levels are not exceeded at the boundary of the zone:

Daytime	0800 - 2000 hours	50 dBA L ₁₀
Night-time	2000 - 0800 hours	40 dBA L ₁₀ and 70 dBA L _{max}

Noise levels shall be measured and assessed in accordance with NZS 6081:1991 and NZS 6802:1992. Construction noise shall comply with and be measured and assessed in accordance with the relevant NZ Standard.

viii Access

There shall be no vehicular access to the Quail Rise Zone from State Highway 6. All access shall be from Tucker Beach Road or Jim's Way, provided that no traffic associated with construction or development on the land shall be permitted to use the existing access immediately to the west of that land (Lot 5, DP 22166).

ix Arrow Irrigation Race

In the Quail Rise zone the Water User shall not obstruct access by the Arrow Irrigation Company to any irrigation works on or off the Water User's land and shall not plant trees or construct works which would obstruct such access or

interfere with the irrigation works and shall ensure that such access to the Water User's land is always kept available to the Company.

Further to this rule, the Water User shall ensure that, without the consent of the company (not to be unreasonably withheld):

- (a) On slopes of 0° - 12° no buildings, excavations or tree planting shall be effected within 6 m of an irrigation race.
- (b) On slopes of 12° - 20° no buildings, excavations or tree planting shall be effected within 7 m of an irrigation race.
- (c) On slopes of greater than 20° no buildings, excavations or tree planting shall be effected within 10 m of an irrigation race.
- (d) No fences shall be erected within 6 m of the waters edge of an irrigation race except for those which cross any access track.

Gates shall be provided and paid for by the water user and located in a position approved by the company.

x Buildings – R2 (Design Urban Edge) Activity Area

- (a) No building shall be erected within the R2 (Design Urban Edge) within a period of five years from the date the Council certifies that the **landscaping work** approved by resource consent pursuant to Rule 12.15.3.2(v)(i) is complete.
- (b) Upon application by the consent holder that the **landscaping work** is complete as the Council shall inspect the landscaping and certify that it is complete as soon as practicable.
- (c) For the purpose of (a) and (b) above **'is complete'** shall mean when all the **'landscaping work'** has been undertaken in accordance with the resource consent.

xi Airport Measures - Queenstown Airport

(a) Within Activity Areas R2(A)-(D) all buildings or part of a building, or any new alteration or addition to a building or part of a building, to be used for residential activities, visitor accommodation or community activities shall be acoustically insulated from aircraft noise so as to achieve an indoor design sound level of 40 dBA Ldn, except for non-critical listening environments where no special sound insulation is required.

(b) This control shall be met in either of the following two ways:

EITHER:

(i) By providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level.

OR:

(ii) The building shall be constructed and finished in accordance with the provisions of Table 2 appended to this rule.

Table 2 – Acoustic Insulation of Buildings Containing Noise Sensitive Uses (except non-critical listening areas)

<u>Building Element</u>	<u>Required Construction</u>
<u>External Walls</u>	<u>Exterior: 20 mm timber or 6mm fibre cement Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) Two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)</u>
<u>Windows</u>	<u>Up to 40% of wall area: Minimum thickness 6mm glazing** Up to 60% of wall area: Minimum thickness 8mm glazing** Up to 80% of wall area: Minimum thickness 8mm laminated glass or minimum 10mm double glazing** Aluminium framing with compression seals (or equivalent)</u>
<u>Pitched Roof</u>	<u>Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fibre cement</u>

	<u>Frame: Timber truss with 100mm acoustic blanket (R 2.2 Batts or similar)</u> <u>Ceiling: 12.5mm gypsum plaster board*</u>
<u>Skillion Roof</u>	<u>Cladding: 0.5mm profiled steel or 6mm fibre cement</u> <u>Sarking : 20mm particle board or plywood</u> <u>Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)</u> <u>Ceiling: 2 layers of 9.5mm gypsum plasterboard*</u>
<u>External Door</u>	<u>Solid core door (min. 24kg/m²) with weather seals</u>

* Where exterior walls are of brick veneer or stucco plaster the internal linings need be no thicker than 9.5mm gypsum plasterboard.

** Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s).

xii Ventilation Requirements

Within Activity Areas R2(A), R2(B), R2(C) and R2(D) mechanical ventilation that complies with the following table shall be installed in all buildings to be used for residential or visitor accommodation activities.

<u>Room Type</u>	<u>Outdoor Air Ventilation Rate</u>	
	<u>Low Setting*</u>	<u>High Setting*</u>
<u>Principal Living Areas</u>	<u>1-2ac/hr</u>	<u>Min. 15ac/hr</u>
<u>Other habitable areas</u>	<u>1-2 ac/hr</u>	<u>Min. 5ac/hr</u>

* Each system must be able to be individually switched on and off and when on becontrolled across the range of ventilation rates by the occupant with a minimum of 3 stages.

* Each system providing the low setting flow rates is to be provided with a heating system which, at any time required by the occupant is able to provide the incoming air with an 18 degC heat rise when the airflow is set to the low setting. Each heating system is to have a minimum of 3 equal heating stages.

* If air conditioning is provided to any space then the high setting ventilation requirement for that space is not required.

12.15.6 Resource Consent Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

i General

- (a) For all resource consent applications, including subdivision, the Council shall consider the relationship of open space within the Quail Rise zone to the surrounding rural area, and the density of development in terms of:
- the impact on the visual quality and amenity values both within the zone and the surrounding landscape;
 - the visual impact on any significant landforms;
 - the sensitivity of the landscape;
 - proposed rehabilitation measures; and
 - integrated management of open space within a proposed development, whether in individual or common ownership.
- (b) Whether, and to what extent, the proposed development is visible from scenic rural roads and other public places.

- (c) Whether the activity will exacerbate any natural hazard, including erosion, sedimentation, excessive water run-off, subsidence and landslides.
- (d) The extent to which the scale of the activity and the use of the buildings will be compatible with the scale and nature of other activities and buildings and open space in the area.

ii **Parking, Loading and Access.**

- (a) The level of parking provision is appropriate having regard to standards for similar activities as set out in Rule 14, Transport.
- (b) The design, location and access is safe.

iii **Buildings**

- (a) A ~~traditional peak~~ roof form of slate, shingles or coloursteel.
- (b) Predominant colours of grey and earth tones.
- (c) External above ground cladding is predominantly dry stack stone, plaster, natural timber, and/or weatherboards.
- (d) Buildings and structures are screened by landscaping and, if necessary land forms, in order to reduce their visual prominence as seen from surrounding public roads beyond the Quail Rise Special Zone.

iv **Visitor Accommodation**

- (a) Location of buildings on their site.
- (b) Design and external appearance of buildings (see also section 12.13.6)
- (c) Parking (see also section 12.13.6 (ii)).

- (d) Provision for buses.

v **Earthworks**

1. **Environmental Protection Measures**

- (a) The extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.
- (b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.
- (c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.
- (d) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.
- (e) Whether appropriate measures to control dust emissions are proposed.
- (f) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.

2. **Effects on landscape and visual amenity values**

- (a) Whether the scale and location of any cut and fill will adversely affect:
 - the visual quality and amenity values of the landscape;
 - the natural landform of any ridgeline or visually prominent areas;
 - the visual amenity values of surrounding sites.

- (b) Whether the earthworks will take into account the sensitivity of the landscape.
- (c) The potential for cumulative effects on the natural form of existing landscapes.
- (d) The proposed rehabilitation of the site.

3. Effects on adjacent sites:

- (a) Whether the earthworks will adversely affect the stability of neighbouring sites.
- (b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.
- (c) Whether cut, fill and retaining are done in accordance with engineering standards.

4. General amenity values

- (a) Whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.
- (b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.
- (c) Whether natural ground levels will be altered.

5. Impacts on sites of cultural heritage value:

- (a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgment Area, and whether tangata whenua have been notified.

- (b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.

vi Commercial Activities

- (a) Whether the activity will create any adverse effect through additional traffic and parking generation.
- (b) Whether the location and design of vehicle access and loading areas is such that it ensures safe and efficient movement of pedestrians, and vehicles on adjoining roads.
- (c) Whether the activity will result in loss of privacy to surrounding landowners.
- (d) Whether the activity is of a nature and scale compatible with residential activities, and therefore does not result in the loss of residential amenity and character.
- (e) The extent to which the commercial activity provides a local function by providing for the needs of nearby residents.

vii Tree Removal and Topping

- (a) The extent to which removal or topping of the tree is necessary due to the health of the tree or any potential hazard that exists.
- (b) Whether the tree or trees currently mitigate the adverse visual effects of any development, or may be required to do the same in the future.
- (c) The extent to which the removal or topping of a tree or trees exposes development when viewed from public roads and other public places outside of the Zone.
- (d) Whether the tree or trees seriously restrict appropriate development.
- (e) Any substitute or compensating tree planting or landscaping proposed.

viii Landscaping G (Design Urban Edge) and r2 (Design Urban Edge) Activity Area's

- (a) The height to which the proposed vegetation will grow, and whether its characteristics are appropriate within the surrounding environment.
- (b) The potential for the proposed vegetation to adversely affect indigenous and/or endemic vegetation.
- (c) Whether the proposed vegetation and any proposed structures, including fences, will result in an unnatural appearance of the landscape when viewed from the State Highway.
- (d) Whether the proposed vegetation and any proposed structures, including fences, will blend with and enhance the natural vegetative pattern of the environment; and
- (e) Whether the proposed landscaping is effective in making any residential building platforms not visible from State Highway 6.

ix Building Height

- (a) The extent to which any building or structure will be visible from public roads or other public places; and
- (b) Whether the proposed building or structure is likely to affect the appreciation of landscape values of the wider landscape.

OTHER AMENDMENTS

1. Quail Rise Structure Plan

It is proposed that the existing Quail Rise Structure Plan on page 12-113 of the District Plan be amended in accordance with the proposed rezoning. An amended Quail Rise Structure Plan has been prepared by Clark Fortune McDonald & Associates as attached.

2. Rule 15.2.6.3 Zone Subdivision Standards – Lot Sizes and Dimensions

Any subdivision of land which does not comply with any one or more of the following Zone Standards shall be a **Non-Complying Subdivision Activity**.

i Lot Sizes

(a) No lots to be created by subdivision, including balance lots, shall have a net area less than the minimum specified for each zone in the Table below, **except** as provided for in (c), (d) and (e) below.

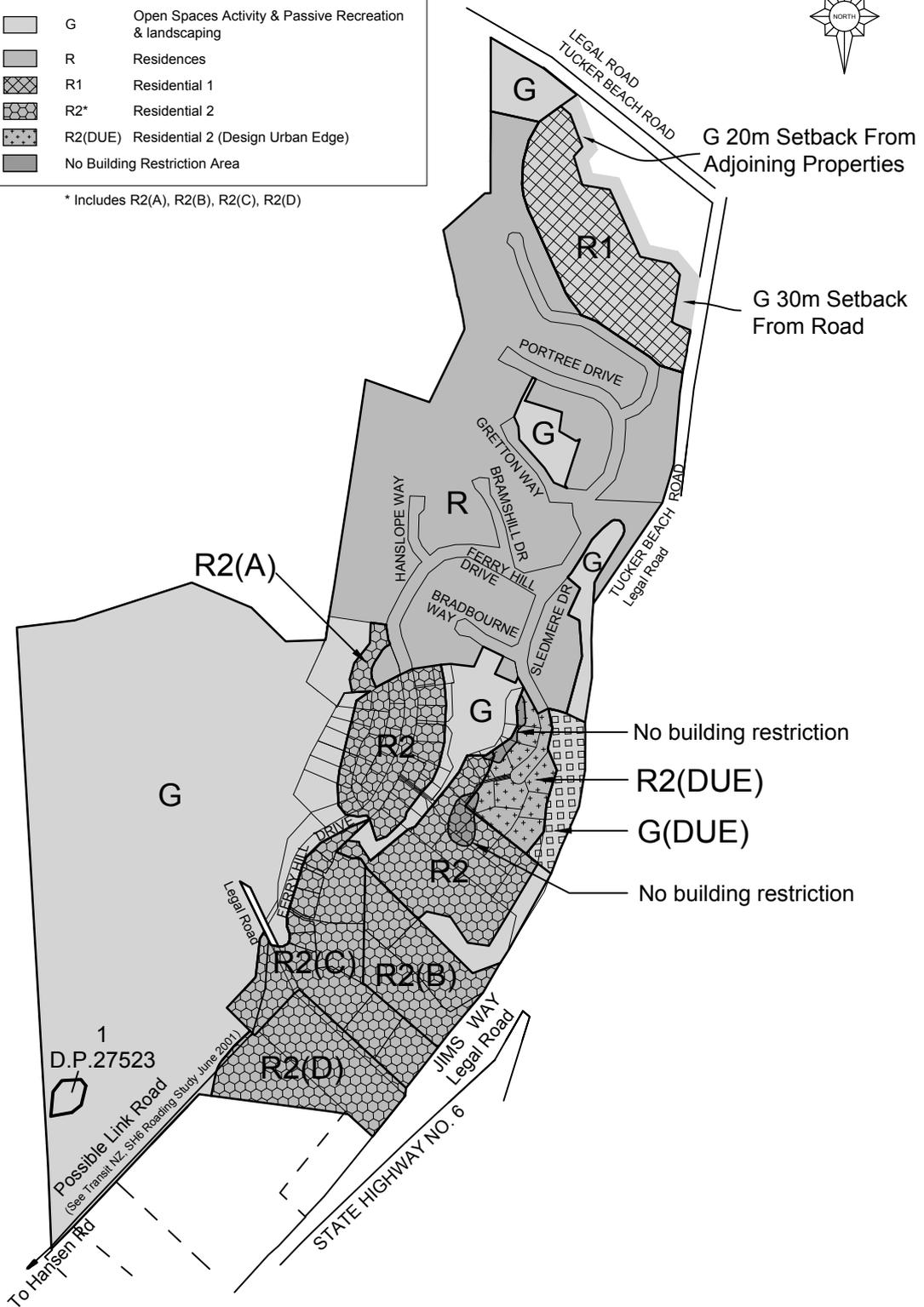
.....

Zone	Minimum Lot Area
Quail Rise	Activity Area G, R, R1, R2, and R2 (Design Urban Edge) <u>and</u> <u>R2(A)-(D)</u> – no minimum Activity Area RR <u>4000m²</u>

KEY

	G(DUE)	Open Spaces Activity & Passive Recreation & landscaping (Design Urban Edge)
	G	Open Spaces Activity & Passive Recreation & landscaping
	R	Residences
	R1	Residential 1
	R2*	Residential 2
	R2(DUE)	Residential 2 (Design Urban Edge)
	No Building Restriction Area	

* Includes R2(A), R2(B), R2(C), R2(D)



Quail Rise Structure Plan

Scale 1:10,000 @ A4



Sec 26
Blk II Shotover SD
FII Holdings

Sec 25
Blk II Shotover SD
FII Holdings

Lot 2
DP 308784
B & N Thompson

Lot 8
DP 22166
QREL

Lot 1
DP 308784
McMillan

Pt Sec 20
Blk II Shotover SD
J & J Thompson

PROPOSED ROAD

Lot 2
DP 403880

FERRY HILL DRIVE

Lot 5
DP 403880

Lot 6
DP 403880

Lot 7
DP 403880

Lot 8
DP 403880

Lot 2
DP 403892
QREL

Lot 3
DP 412292
QREL

Lot 4
DP 412292
QREL

FRANKTON - LADIES MILE HIGHWAY (SH6)

Lot 2
DP 372232
QREL

Easement A

Lot 2
DP 412992
Hunterfields Investment Ltd

Lot 1
DP 412992
Hunter

Lot 1
DP 372232
QREL

Easement C

Lot 2
DP 346179
Wood

Easement B

LEGEND

 Proposed Road

 Plan Change 37 boundary

FINAL 17.08.10

Clark Fortune McDonald & Associates
 Licensed Cadastral Surveyors - Land Development - Planning Consultants
 309 Lower Shotover Road, P.O. Box 553 Queenstown
 Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz
 21 Reece Crescent, P.O. Box 550, Wanaka
 Tel. (03)443-4448, Fax (03)443-4445, Email admin@cfma.co.nz
 Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
 Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

**QUAIL RISE STAGE 8 UNDERLYING LOT OWNERS,
 PROPOSED ROAD & EASEMENT IDENTIFICATION
 FOR AGREEMENT DISCUSSIONS**

Client	Surveyed	Signed	Date	Job No.	Drawing No.
QUAIL RISE ESTATE LTD	-	Signed	-	10476	04-2
	Drawn	Signed	16.08.10	Scale	1:1000 @ A1
	Designed	Signed	28.06.10	Date	1:2000 @ A3
				Datum & Level	Rev.
				Mt Nic 2000	-

APPENDIX B

**LIST OF ORIGINAL AND FURTHER SUBMITTERS AND SUMMARY OF
SUBMISSIONS**

Original Submitters

Bragg, Sandra and Austin
Cranfield, Bob and Justine
FII Holdings Ltd
Firth Industries
Lanuel, Kathryn and Shai
McMillan, Jaron
NZ Transport Agency
Otago Regional Council
Queenstown Airport Corporation
Queenstown Lakes District Council
Reavers NZ Limited
Shotover Park Limited
Steve Rout Contracting Limited and Procure Concrete Limited
Thompson, B and N
Thompson, JE and JM
Woodfields Family Trust

Further Submitters

FII Holdings Ltd
McMillan, Jaron
NZ Transport Agency
Otago Regional Council
Quail Rise Estate Ltd
Queenstown Airport Corporation
Reavers NZ Limited
Shotover Park Limited
Steve Rout Contracting Limited and Procure Concrete Limited
Thompson, JE and JM



SUMMARY OF DECISIONS REQUESTED FOR PLAN CHANGE 37

Further submissions due

LC

Name *Reavers NZ Limited*

Position	Plan Provision	Decision Requested	SubNo.
Oppose	Plan Change 37	That the Plan Change is withdrawn or cancelled. Alternatively that the Plan Change is amended to expand the area subject to the Plan Change and to incorporate lighth industrial/commercial activity that will compliment the surrounding residential, industrial and rural environment.	37/1/1
	Further Submissions - FII Holdings Ltd	<i>Support</i>	37/1/1/1
	I seek the following decision from the local authority:		
	That the Plan Change be rejected unless the future roading alignment required to connect the Quail Rise zone and the Eastern Aterial round-about is identified and provided for as part of the Structure Plan.		
	<i>McMillan, Jaron</i>	<i>Support</i>	37/1/1/2
	Support the refusal of the Plan Change		
	<i>Quail Rise Estate Ltd</i>	<i>Oppose</i>	37/1/1/3
	The reason for Quail Rise Estate Ltd's opposition is:		
	a) <input type="checkbox"/> Provided the submitter complies with the noise limits applicable to the Industrial Zone there is no basis for any concern about a reverse sensitivity issue.		
	b) <input type="checkbox"/> There is no RMA basis for the expressed concern that complaints by Quail Rise residents about noise from the Industrial Zone (assuming that noise complies with the required limits) will undermine and restrict industrial activities.		
	c) <input type="checkbox"/> The effects of PC37 have been adequately assessed.		
	d) <input type="checkbox"/> PC37 does not promote sustainable management.		

Name *Steve Rout Contracting Limited and Procure Concrete Limited*

Position	Plan Provision	Decision Requested	SubNo.
Oppose	Plan Change 37	That the Plan Change is withdrawn or cancelled. Alternatively that the Plan Change is amended to expand the area subject to the Plan Change and to incorporate lighth industrial/commercial activity that will compliment the surrounding residential, industrial and rural environment.	37/2/1
	Further Submissions - FII Holdings Ltd	<i>Support</i>	37/2/1/1
	I seek the following decision from the local authority:		
	That the Plan Change be rejected unless the future roading alignment required to connect the Quail Rise zone and the Eastern Aterial round-about is identified and provided for as part of the Structure Plan.		
	<i>McMillan, Jaron</i>	<i>Support</i>	37/2/1/2
	Support the refusal of the Plan Change		
	<i>Quail Rise Estate Ltd</i>	<i>Oppose</i>	37/2/1/3
	The reason for Quail Rise estates Limited's opposition is:		
	a) <input type="checkbox"/> Provided the submitter complies with the noise limits applicable to the Industrial Zone there is no basis for any concern about a reverse sensitivity issue.		
	b) <input type="checkbox"/> There is no RMA basis for the expressed concern that complaints by Quail Rise residents about noise from the Industrial Zone (assuming that noise complies with the required limits) will undermine and restrict industrial activities.		
	c) <input type="checkbox"/> The effects of PC37 have been adequately assessed.		
	d) <input type="checkbox"/> PC37 does promote sustainable management.		
	<i>Reavers NZ Limited</i>	<i>Support</i>	37/2/1/4
	Support the refusal of the Plan Change		

Name Bragg, Sandra and Austin

Position	Plan Provision	Decision Requested	SubNo.
Partly Support	12.15.5.2 Zone Standards (i) Residential Units	To change the number of residential units allocated to Lot 2 DP300296 and Lot 1 DP324970, located immediately adjacent the plan change site, to 17 residential units.	37/3/1
	Further Submissions - McMillan, Jaron	<i>Oppose</i>	37/3/1
	Oppose this submission on the basis that there should be no increase in residential activity in this location in the manner proposed.		
	<i>Quail Rise Estate Ltd</i>	<i>Oppose</i>	37/3/1
	The reason for Quail Rise Ltd's opposition is:		
	a) <input type="checkbox"/> The submission seeks relief beyond the jurisdiction of PC37.		
	b) <input type="checkbox"/> The relief sought by the submitter will have adverse effects upon the submitter's neighbours who may be unaware of this submission.		
	c) <input type="checkbox"/> The relief sought by the submitter may have servicing implications which may adversely affect the submitter's neighbours and/or Quail Rise Estate Limited in respect of the servicing of land within the Quail Rise Zone and/or the land subject to PC37.		
	d) <input type="checkbox"/> Granting the relief requested by the submitter would not constitute sound resource management under the District Plan and the Resource Management Act 1991.		
	<i>Reavers NZ Limited</i>	<i>Oppose</i>	37/3/1
	Oppose the submission on the basis that there should be no increase in residential activity in this location in the manner proposed.		
	<i>Steve Rout Contracting Limited and Procure Concrete Limited</i>	<i>Oppose</i>	37/3/1
	Oppose the submission on the basis that there should be no increase in residential activity in this location in the manner proposed.		

Name Cranfield, Bob and Justine

Position	Plan Provision	Decision Requested	SubNo.
Partly Support	Roading Links	Proposed development should only be allowed once roundabout servicing Glenda Drive onto the main highway is built so that Quail Rise's additional housing would be accessed off this roundabout.	37/4/1
	Further Submissions - McMillan, Jaron	<i>Partly Support</i>	37/4/1
	Support the establishment of an improved and safe roading network connecting the existing Quail Rise development to SH6.		
	Oppose the approval of the Plan Change		
	<i>NZ Transport Agency</i>	<i>Support</i>	37/4/1
	A better more efficient roading connection between the proposed Plan Change, and adjoining land and State Highway could result in more appropriate provision for transport links in the future, resulting in a better urban design and sustainability outcome.		
	<i>Quail Rise Estate Ltd</i>	<i>Oppose</i>	37/4/1
	The reason for Quail Rise Estate Limited's opposition is:		
	a) <input type="checkbox"/> Quail Rise Estate Limited does not agree that the relatively small amount of additional traffic which will result from PC37 will impact significantly upon safety issues arising at the Tucker Beach Road – SH6 intersection.		
	b) <input type="checkbox"/> Quail Rise Estate Limited agrees a future link to SH6 should be provided for through PC37, but notes that PC37 can only provide for part of this link.		
	c) <input type="checkbox"/> Completion of the proposed link to SH6 through the land adjoining the PC37 land on its western side within the power of the Council as a road delegating authority. There is no justification to delay development of the land subject to PC37 until the road link is completed. Development of PC37 land will be encouraged and enabled that road link by providing half of it.		
	<i>Reavers NZ Limited</i>	<i>Partly Support</i>	37/4/1
	Support the establishment of an improved and safe roading network connecting the existing Quail Rise development to SH6.		
	Oppose the approval of the Plan Change		
	<i>Shotover Park Limited</i>	<i>Support</i>	37/4/1
	SPL agrees that the Quail Rise development should connect to the Eastern Aerial Road roundabout. This should be a requirement of any zoning approval.		
	<i>Steve Rout Contracting Limited and Procure Concrete Limited</i>	<i>Partly Support</i>	37/4/1
	Support the establishment of an improved and safe roading network connecting the existing Quail Rise development to SH6		
	Oppose the approval of the Plan Change		

Position	Plan Provision	Decision Requested	SubNo.
Oppose	Plan Change 37	That the Plan Change be rejected unless the future roading alignment required to connect the Quail Rise zone and the Eastern Arterial round-about is identified and provided for as part of the Structure Plan.	37/5/1
	Further Submissions - McMillan, Jaron	<i>Partly Support</i>	37/5/1
	Support the establishment of an improved and safe roading network connecting the existing Quail Rise development to SH 6.		
	Support the refusal of the Plan Change		
	<i>NZ Transport Agency</i>	<i>Support</i>	37/5/1
	A better more efficient roading connection between the proposed Plan Change, and adjoining land and State Highway could result in more appropriate provision for transport links in the future, resulting in a better urban design and sustainability outcome.		
	<i>Quail Rise Estate Ltd</i>	<i>Oppose</i>	37/5/1
	The reason for Quail Rise Estate Ltd's opposition is:		
	a) <input type="checkbox"/> The relief sought in the submission is, in part, beyond the jurisdiction of PC37.		
	b) <input type="checkbox"/> Quail Rise Estate Ltd agrees a future link with SH6 should be provided for through PC37, but notes that PC37 can only provide for part of this link.		
	c) <input type="checkbox"/> It is unreasonable for the submitter to raise potential reverse sensitivity issues given the current rural general zoning of the submitter's land.		
	<i>Reavers NZ Limited</i>	<i>Partly Support</i>	37/5/1
	Support the establishment of an improved and safe roading network connecting the existing Quail Rise development to SH6.		
	Support the refusal of the Plan Change.		
	<i>Shotover Park Limited</i>	<i>Support</i>	37/5/1
	SPL agrees that the Quail Rise Development should connect to the Eastern Arterial Road roundabout. This should be a requirement of any zoning approval.		
	<i>Steve Rout Contracting Limited and Procure Concrete Limited</i>	<i>Partly Support</i>	37/5/1
	Support the establishment of an improved and safe roading network connecting the existing Quail Rise development to SH 6		
	Support the refusal of the Plan Change		

Position	Plan Provision	Decision Requested	SubNo.
Partly Support	Plan Change 37	Request a covenant be registered on the title for lots created to prevent future complaints relating to existing industrial activities.	37/6/1
	Further Submissions - McMillan, Jaron	<i>Support</i>	37/6/1
	Support the component that requests a covenant be registered on the title for lots created to prevent future complaints relating to industrial activities.		
	<i>Quail Rise Estate Ltd</i>	<i>Oppose</i>	37/6/1
	The reason for Quail Rise Estate Limited's opposition is:		
	a. <input type="checkbox"/> Provided the submitter complies with the noise limits applicable to the Industrial Zone there is no basis for any concern about a reverse sensitivity issue.		
	b. <input type="checkbox"/> There is no RMA basis for the expressed concern that complaints by Quail Rise residents about noise from the Industrial Zone (assuming that noise complies with the required limits) will undermine and restrict industrial activities.		
	c. <input type="checkbox"/> The Council does not have jurisdiction to impose non-objection land covenants on land titles. That is an issue which needs to be addressed privately between the land owners.		
	<i>Reavers NZ Limited</i>	<i>Support</i>	37/6/1
	Support the component that requests a covenant be registered on the title for lots created to prevent future complaints relating to industrial activities.		
	<i>Steve Rout Contracting Limited and Procure Concrete Limited</i>	<i>Support</i>	37/6/1
	Support the component that requests a covenant be registered on the title for lots created to prevent future complaints relating to industrial activities.		

Name Lanuel, Kathryn and Shai

Position	Plan Provision	Decision Requested	SubNo.
Oppose	Rezoning, building in G zones, especially Lot 50	That the plan change be disallowed.	37/7/1
	Further Submissions - McMillan, Jaron	<i>Support</i>	37/7/1
	Support the refusal of the Plan Change		
	<i>Quail Rise Estate Ltd</i>	<i>Oppose</i>	37/7/1
	The reason for Quail Rise Estate Ltd's opposition is:		
	a) <input type="checkbox"/> PC37 will enable recreation of lots of a size consistent with Quail Rise Zone.		
	b) <input type="checkbox"/> Enabling development in the small part of the G zoned area as proposed by PC37 will not result in adverse effects.		
	c) <input type="checkbox"/> A potential road link from Quail Rise connecting with SH6 is already indicated in the District Plan.		
	d) <input type="checkbox"/> A future road link to SH6 through the PC37 land will improve road safety overall.		
	e) <input type="checkbox"/> Granting the relief requested by the submitter would not constitute sound resource management under the District Plan and the Resource Management Act 1991		
	<i>Reavers NZ Limited</i>	<i>Support</i>	37/7/1
	Support the refusal of the Plan Change		
	<i>Steve Rout Contracting Limited and Procure Concrete Limited</i>	<i>Support</i>	37/7/1
	Support the refusal of the Plan Change		

Name McMillan, Jaron

Position	Plan Provision	Decision Requested	SubNo.
Oppose	Planm Change 37	That the Plan Change is withdrawn or cancelled.	37/8/1
	Further Submissions - FII Holdings Ltd	<i>Support</i>	37/8/1
	I seek the following decision from the local authority:		
	That the Plan Change be rejected unless the future roading alignment required to connect the Quail Rise zone and the Eastern Aterial round-about is identified and provided for as part of the Structure Plan.		
	<i>Quail Rise Estate Ltd</i>	<i>Oppose</i>	37/8/1
	The reason for Quail Rise Estate LTD's opposition is:		
	a) <input type="checkbox"/> The non-residential activity consented on the submitter's property is for non-residential storage only. There is no valid basis for suggesting that the residential properties on land subject to PC37 would be adversely affected by noise from a non-residential storage activity. There is no basis for suggesting that a reverse sensitivity issue arises on these facts.		
	b) <input type="checkbox"/> There is no RMA basis for suggesting that a reverse sensitivity issue will arise in relation to the industrial zone on the southern side of SH6.		
	c) <input type="checkbox"/> The submitter's property is zoned Rural General, has consent for a non-residential storage activity, and presumably has consent or existing use right for one dwelling. PC37 will not give rise to adverse amenity and privacy effects in relation to the submitter's property beyond which the submitter could reasonably anticipate given the existing zoning and consent situation.		
	d) <input type="checkbox"/> PC37 deals with the provision of infrastructure to deal with stormwater.		
	e) <input type="checkbox"/> The effects of PC37 have been adequately assessed and considered.		
	f) <input type="checkbox"/> It is beyond the jurisdiction of PC37 to extend new zoning westwards to Hansen Road.		
	g) <input type="checkbox"/> There is no reasonable RMA basis to suggest delaying the zoning and/or development of the land subject to PC37 or to suggest that a wider plan change should be implemented.		
	h) <input type="checkbox"/> Residential activities are an appropriate use for the land subject to PC37.		
	<i>Reavers NZ Limited</i>	<i>Support</i>	37/8/1
	Support the refusal of the Plan Change		
	<i>Steve Rout Contracting Limited and Procure Concrete Limited</i>	<i>Support</i>	37/8/1
	Support the refusal of the Plan Change		

Position	Plan Provision	Decision Requested	SubNo.
Partly Support	Plan Change 37	That the Plan Change be accepted subject to considering the following: Reverse Sensitivity: Amend rule 12.15.5.2 by inserting a 15m setback from SH6 for residential buildings and inserting a rule that requires new residential buildings within 80m of SH6 to meet noise performance standards for projected traffic noise. Cycleways and Footpaths: Identify and require pedestrian walkways and cycleways via the Plan Change. Connectivity: Identify roading link between Quail Rise Estate and adjoining land to the south.	37/9/1
	Further Submissions - FII Holdings Ltd	<i>Partly Support</i>	37/9/1
	I seek the following decision from the local authority:		
	That the Plan Change be rejected unless the future roading alignment required to connect the Quail Rise zone and the Eastern Aterial round-about is identified and provided for as part of the Structure Plan.		
	<i>McMillan, Jaron</i>	<i>Partly Support</i>	37/9/1
	Support the road link		
	Oppose the approval of the Plan Change		
	<i>Quail Rise Estate Ltd</i>	<i>Oppose</i>	37/9/1
	The reason for Quail Rise Estate Ltd's opposition is:		
	a) <input type="checkbox"/> Reverse sensitivity is not an issue due to both the horizontal and the vertical distance between SH6 and the land subject to PC37.		
	b) <input type="checkbox"/> Cycleway and footpath issues can be dealt with adequately within the roading connections resulting from PC37.		
	c) <input type="checkbox"/> The land subject to PC37 is not large enough to accommodate separate cycleways/footpaths and there is no necessity or justification for them.		
	d) <input type="checkbox"/> Quail Rise Estate Ltd agrees a future roading link to SH6 should be provided for through PC37, but notes that PC37 can only provide for part of this link.		
	<i>Reavers NZ Limited</i>	<i>Partly Support</i>	37/9/1
	Support the road link		
	Oppose the approval of the Plan Change		
	<i>Shotover Park Limited</i>	<i>Support</i>	37/9/1
	SPL agrees that the Quail Rise Development should connect to the Eastern Aterial Road roundabout. This should be a requirement of any zoning approval.		
	<i>Steve Rout Contracting Limited and Procure Concrete Limited</i>	<i>Partly Support</i>	37/9/1
	Support the road link		
	Oppose the approval of the Plan Change		

Position	Plan Provision	Decision Requested	SubNo.
Oppose	Plan Change 37	1. A comprehensive natural hazard assessment be undertaken to adequately understand the magnitude, frequency and effects of debris flow and slope instability for the proposed plan change site. 2. Should the assessment determine that the site is subject to natural hazards which require protection works, that the plan change be declined.	37/10/1
	Further Submissions - McMillan, Jaron	<i>Support</i>	37/10/1
	Support the further assessment of natural hazards		
	<i>Quail Rise Estate Ltd</i>	<i>Oppose</i>	37/10/1
	The reason for Quail Rise Estate Limited's opposition is:		
	a) Quail Rise Estate Ltd does not consider that the site is subject to natural hazards and is undertaking a natural hazard assessment to confirm that.		
	<i>Reavers NZ Limited</i>	<i>Support</i>	37/10/1
	Support the further assessment of natural hazards		
	<i>Steve Rout Contracting Limited and Procure Concrete Limited</i>	<i>Support</i>	37/10/1
	Support the further assessment of natural hazards		

Name Queenstown Airport Corporation

Position	Plan Provision	Decision Requested	SubNo.
Oppose	Plan Change 37	That the Plan Change be rejected.	37/11/1
	Further Submissions - FII Holdings Ltd	<i>Oppose</i>	37/11/1
	I seek the following decision from the local authority:		
	That the Plan Change be rejected unless the future roading alignment required to connect the Quail Rise zone and the Eastern Aterial round-about is identified and provided for as part of the Structure Plan.		
	<i>McMillan, Jaron</i>	<i>Support</i>	37/11/1
	Support the refusal of the Plan Change		
	<i>Quail Rise Estate Ltd</i>	<i>Oppose</i>	37/11/1
	The reason for Quail Rise Estate LTD's opposition is:		
	a) <input type="checkbox"/> The land subject to PC37 is outside of both Queenstown Airport's current Outer Control Boundary and the proposed Outer Control Boundary being promoted under Plan Change 35. Rejection of PC37 cannot be justified on the grounds of reverse sensitivity relating to Queenstown Airport.		
	b) <input type="checkbox"/> Granting the relief requested by the submitter would not constitute sound resource management under the District Plan and the Resource Management Act 1991.		
	<i>Reavers NZ Limited</i>	<i>Support</i>	37/11/1
	Support the refusal of the Plan Change		

Name Queenstown Lakes District Council

Position	Plan Provision	Decision Requested	SubNo.
Oppose	Plan Change 37	QLDC oppose the Plan Change unless: 1. It results in good resource management outcomes in respect to the following : i) Urban Design ii) Open Space and recreation networks iii) Transportation networks and connectivity iv) Infrastructure provision and stormwater v) Landscape protection 2. It ensures provision of appropriate amounts of affordable and community housing.	37/12/1
	Further Submissions - McMillan, Jaron	<i>Support</i>	37/12/1
	Support the refusal of the Plan Change		
	<i>NZ Transport Agency</i>	<i>Support</i>	37/12/1
	A better more efficient roading connection between the proposed Plan Change, and adjoining land and State Highway could result in more appropriate provision for transport links in the future, resulting in a better urban design and sustainability outcome.		
	<i>Otago Regional Council</i>	<i>Support</i>	37/12/1
	In regard to (iii) Transport networks and connectivity: The proposed plan change must ensure good outcomes in respect to transportation networks and connectivity, particularly in regard to the provision of public transport.		
	<i>Quail Rise Estate Ltd</i>	<i>Oppose</i>	37/12/1
	The reason for Quail Rise Estate Limited's opposition is:		
	a.) PC37 provides for good resource management outcomes in respect of: urban design, open space and recreation networks, transportation networks and connectivity, infrastructure provision and stormwater.		
	b.) PC37 provides for affordable housing by increasing the number of smaller, higher density residential sections in the District.		
	<i>Reavers NZ Limited</i>	<i>Support</i>	37/12/1
	Support the refusal of the Plan Change		

Position	Plan Provision	Decision Requested	SubNo.
Partly Support	Whole Plan Change	That PC 37 be amended to ensure future access onto the proposed State Highway roundabout. That PC37 be amended to provide for additional residential zoning adjoining the future access route onto the proposed State Highway roundabout. Any consequential and further relief to give effect to the matters raised in this submission	37/13/1
	Further Submissions - FII Holdings Ltd	<i>Partly Support</i>	37/13/1
	I seek the following decision from the local authority:		
	That the Plan Change be rejected unless the future roading alignment required to connect the Quail Rise zone and the Eastern Aterial round-about is identified and provided for as part of the Structure Plan.		
	<i>McMillan, Jaron</i>	<i>Partly Support</i>	37/13/1
	Support the establishment of an improved and safe roading network connecting the existing Quail Rise development to SH6.		
	Oppose the approval of the Plan Change		
	<i>NZ Transport Agency</i>	<i>Support</i>	37/13/1
	A better more efficient roading connection between the proposed Plan Change, and adjoining land and State Highway could result in more appropriate provision for transport links in the future, resulting in a better urban design and sustainability outcome.		
	<i>Quail Rise Estate Ltd</i>	<i>Oppose</i>	37/13/1
	The Reason for Quail Rise Estate Limited's opposition/support is:		
	a. Quail Rise Estate Limited agrees that a link to SH6 should be provided for, but notes that PC37 can only provide for part of this link.		
	b. PC37 is not contrary to Part 2 of the Resource Management Act 1991		
	c. Amending PC37 to provide additional residential zoning is beyond PC37's jurisdiction and raises issues that affect landowners not subject to PC37. Quail Rise Estate Limited opposes that request.		
	<i>Queenstown Airport Corporation</i>	<i>Oppose</i>	37/13/1
	The particular part of the submission that QAC opposes is:		
	The part fo the submission promoting that PC37 is amended to provide for additional residential zoning adjoining the future access reoute onto the proposed State Highway Roundabout (to the south of the PC37 area).		
	QAC are considered to have an interest in the proposed Plan Change greater than the interest of the geneal public as in addition to managing activities at Queenstown Airport itself, this often invovles staking an interest in activities beyond the scope of the Airport's designations.		
	If the submission by the Shotover Park Limited is accepted in the PC37 decision it has the potential to undermine the on-going operation of Queenstown Airport.		
	The PC37 site is located within the extent of aircraft noise emissions from Queenstown Airport, such that the potential for complaints about aircraft noise exists. The submission by SPL seeks additional residential activity at a location closer to Queenstown Airport than PC37 currently promotes.		
	Accepting SPL's submission would have an adverse effect on the on-going operation of Queenstown Airport. QAC submits this could be inconsistent with Part 2 of RMA - Purpose and Principles, in particular Sections 5(c) and 7 (b), as extending the PC37 site has the potential to undermine the sustainable development of the Airport, as an existing physical resource.		
	<i>Reavers NZ Limited</i>	<i>Partly Support</i>	37/13/1
	Support the establishment of an improved and safe roading network connecting the existing Quail Rise development to SH 6		
	Oppose the approval of the Plan Change		

Name Thompson, B and N

Position	Plan Provision	Decision Requested	SubNo.
Partly Support	Plan Change 37	The total land area of Lot 2 DP 308784 be included in Plan Change 37. Or Non objection covenants be placed on all land titles that will be created.	37/14/1
	Further Submissions - McMillan, Jaron	<i>Partly Support</i>	37/14/1
	Support the inclusion of no objection covenants being placed on all land titles that form part of the Plan Change		
	Oppose the approval of the Plan Change		
	<i>NZ Transport Agency</i>	<i>Support</i>	37/14/1
	A better more efficient roading connection between the proposed Plan Change, and adjoining land and State Highway could result in more appropriate provision for transport links in the future, resulting in a better urban design and sustainability outcome.		
	<i>Quail Rise Estate Ltd</i>	<i>Oppose</i>	37/14/1
	The reason for Qual Rise Estate Ltd's opposition is:		
	a) <input type="checkbox"/> It is beyond the jurisdiction of PC37 for residential zoning to be extended over the balance of the submitter's land.		
	b) <input type="checkbox"/> Residential activity is not necessarily the most appropriate use for the balance of the submitter's land west of the transmission line buffer area. The appropriate use of that land should be considered and determined through a separate process.		
	c) <input type="checkbox"/> Rezoning the balance of the submitter's land as requested but the submitter could have adverse implications for the properties further to the west.		
	d) <input type="checkbox"/> The Council does not have jurisdiction to impose non-objection land covenants on land titles. That is an issue which needs to be addressed privately between the landowners.		
	<i>Reavers NZ Limited</i>	<i>Partly Support</i>	37/14/1
	Support the inclusion of no objection covenants being placed on all land titles that form part of the Plan Change		
	Oppose the approval of the Plan Change		

Name Thompson, JE and JM

Position	Plan Provision	Decision Requested	SubNo.
Partly Support	Plan Change 37	Support the Plan Change in principal but object to the detention pond on Section 20 BK II Shotover SD (the submitters' property).	37/15/1
	Further Submissions - McMillan, Jaron	<i>Partly Support</i>	37/15/1
	Support the issues with the effects of the detention ponds		
	Oppose the approval of the Plan Change		
	<i>Quail Rise Estate Ltd</i>	<i>Oppose</i>	37/15/1
	The reason for Quail Rise Estate Limited's opposition is:		
	a. The proposed detention pond is not on the submitter's property.		
	b. Treatment and disposal of stormwater will not adversely affect the submitter's property.		
	<i>Queenstown Airport Corporation</i>	<i>Support</i>	37/15/1
	The particular part of the submission that QAC supports is:		
	The part of the submission that objects to the proposed detention pond on Section 20 Block II Shotover SD.		
	QAC are considered to have an interest in the proposed Plan Change greater than the interest of the general public as in addition to managing activities at Queenstown Airport itself, this often involves staking an interest in activities beyond the scope of the Airport's designations.		
	This further submission is in relation to a submission by JE and JM Thompson, which if accepted in the PC37 decision, will ensure the safe on-going operation of Queenstown Airport.		
	The Thompsons submitted that the proposed detention pond on Section 20 Block II, Shotover SD, should not be included as part of the PC37 decision. Although the Thompsons did not give further reasons for their submission, QAC recognise that the detention pond (and any other form of standing water) has the potential to attract birds to the PC37 site, increasing the possibility of bird strike within the vicinity of Queenstown Airport.		
	Bird Strike is a serious problem which can result in potential air craft failure. QAC rely on the RMA process for effective bird management and developments containing bird attractants in the surrounding environs.		
	QAC submit that alternative stormwater treatment should be investigated for the PC37 site so that the development can be serviced without the need for detention ponds or any other form of permanent standing water.		
	<i>Reavers NZ Limited</i>	<i>Partly Support</i>	37/15/1
	Oppose the approval of the Plan Change		
	Support the issues with the effects of the detention ponds.		

Position	Plan Provision	Decision Requested	SubNo.
Oppose	Entire Plan Change	That the Plan Change be rejected in its entirety or alternatively that those parts that relate to Lots 1 and 2 DP 372232 and Lot 2 DP 403892 that permit residential activity or remove the open space area on land shown as G Open Space Activity & Passive Recreation on the Quail Rise Structure Plan are rejected.	37/16/1
	Further Submissions - McMillan, Jaron		
	Support the refusal of the Plan Change		37/16/1
		<i>Quail Rise Estate Ltd</i>	
		Oppose	37/16/1
	The reason for Quail Rise Ltd's opposition is:		
	a) <input type="checkbox"/> The submitter's property does not enjoy significant benefit from the existing G Open Space south of their property subject to PC37. The submitter has misstated the background to Stage 6B which is not a factor relevant to PC37.		
	b) <input type="checkbox"/> The section 32 report is not deficient.		
	c) <input type="checkbox"/> PC37 is not inconsistent with the objectives of the District Plan and is not contrary to Part 2 of the RMA		
	d) <input type="checkbox"/> PC37 will not result in the adverse effects identified in the submitter's submission.		
	e) <input type="checkbox"/> PC37 in no way directly impacts upon the submitter's property.		
		<i>Reavers NZ Limited</i>	
	Support the refusal of the Plan Change		37/16/1
		Support	

APPENDIX C

QLDC URBAN DESIGN ASSESSMENT

Quail Rise Proposed Plan Change

Urban Design Report

by Nick Karlovsky - QLDC Urban Designer

31/08/10

The following report is based on the documents submitted for Plan Change 37 by Clark Fortune McDonald & Associates.

I have visited the subject site and am familiar with its neighbourhood context.

The objective of this report is to review the proposed plan change in relation to:

- 1/ Connectivity to future and existing residential zones
- 2/ Visibility from SH6
- 3/ Proposed Lot Sizes

Introduction

- 1 The proposed plan change affects two distinct areas of land. The larger area consists of approximately 11.8 Ha at the southern end of the existing Quail Rise Special Zone and is the subject of this report. The second distinct area of land is located at the foot of Ferry Hill further to the north. These two areas are not contiguous and the issues relating to the more northern parcel are regarded as separate and distinct, and therefore all matters raised below do not apply to that section of land.
- 2 The subject land occupies the north eastern corner of the Frankton Flats river terrace at the point where it rises gently towards the toe of Ferry Hill, and wraps around the eastern flank of that hill to join the existing Quail Rise subdivision development above the Shotover River. The eastern edge is bounded by Jim's Way that sits above the SH6 cutting, to the west/north-west is the QRSZ Open space area on the steepening lower slopes to Ferry Hill, and the Transpower overhead transmission line corridor forms the boundary to the south, beyond which lies the narrow strip of the Frankton Flat terrace between the foot of Ferry Hill and State Highway 6. The highpoint of the land is at the junction with Ferry Hill Drive cul de sac on its western edge from which it falls away to the south and east. Approximately 3.1ha of the land closest to the transmission corridor are zoned Rural General, and the remainder is zoned Quail Rise Rural Residential.
- 3 The only indications as to how development will occur are:
 - a/ the area is split into three sub areas, R2(B), (C) and (D), with a specific number of residential units enabled in each subarea. These are R2(B) 5 residential units, R2(C) 30 residential units, R2(D) 20 residential units. This appears to correspond to an earlier iteration of the plan change proposal whereby minimum lot sizes in R2(B) were 2,000m² and minimum lot sizes in R2(C) and R2(D) were 1,000m².
 - b/ the inclusion of a road that on the 'updated QLDC planning map' and Quail Rise Structure Plan runs south east from the current cul de sac descending with the land contour before turning south-west at approx. 50m from SH6 and extending to the southern edge of the proposed new zone boundary. The proposed road runs entirely within the south-western of the two above areas.
- 4 An earlier iteration of the plan change had included an 'updated QLDC planning map' indicated how the proposed road would be extended in the future to join up with the recently designated (but subject to appeal) roundabout intersection of SH6 and the future Eastern Access Route. This map is now withdrawn from the plan change. An earlier private plan change was lodged in July 2009 and subsequently withdrawn that proposed to re-zone 19.9ha (including the subject land) that also extended up to the designated SH6 roundabout, included a road extension from Ferry Hill Drive along the toe of Ferry Hill and on to the roundabout. The existing plan change is thus regarded as the first

stage toward the realization of a more direct road connection between Ferry Hill and Queenstown via the designated SH6 roundabout, as well as future re-zoning of the flat strip of land up to that future roundabout.

Connectivity

- 5 There is no indication beyond the single road indicated, as to how the subject land might be subdivided, and in particular what sort of street network is envisaged that would achieve adequate connectivity across the various land holdings. There is clearly an opportunity to link up with Jims Way however no indication is given as to whether this is intended. The provision for a connection westwards to provide an eventual long term link to the SH6 is regarded positively and its location will enable the future subdivision of the McMillan lot in addition to the larger neighboring B & N Thompson Lot and all other lots up to the roundabout. However a further connection to the Thompson Lot would also be desirable in terms of enabling a better connected street network through future zoning to the south.
- 6 As no street network has been provided that would be indicative as to how subdivision would be carried out and connectivity for pedestrians, cycles and vehicles would be achieved across the various land holdings , it is recommended that an Outline Development Plan stage be required as a Limited Discretionary Activity prior to any subdivision being applied for.

Visibility from State Highway 6

- 7 The lie of the land is such that the area of the highway that runs parallel to the eastern edge of the site is cut into the terrace flat in order to descent to the bridge crossing level. This places the road increasingly lower than the subject land moving towards the river, shielding the subject land from the view of road users. Jims Way is located between the state highway and the subject land, preventing any development occurring along the top edge of the cutting. The land is also screened from view from those approaching along the Frankton Flats section of SH6 to the south west, largely by existing conifer shelter belts, either along the road edge or within the neighbouring lots. Other than a short (approximately 45m) section of the shelter belt, these sit outside the subject land and do not have any statutory protection.
- 8 The subject land is currently zoned Rural, Quail Rise G (Open Spaces Activity & Passive Recreation & landscaping), and Quail Rise (RR) Rural Residential and retains a rural ambience. The Quail Rise Special Zone section District Plan currently states ¹: *“The subject site is visible from parts of the rural area in the Wakatipu Basin and it is appropriate to enable the ongoing development of the area in a way which protects the rural character and landscape of the wider area. Of particular importance in the expansion of the zone is the need to maintain and enhance the naturalness of the vista that is available from State Highway 6 by ensuring that buildings in the R2 (Design Urban Edge) Activity Area are not visible from State Highway 6”*.
- 9 However the R2 (Design Urban Edge) Activity Area is approximately 150m to the north of the subject land and the view over the subject land from east of the Shotover River is relatively oblique owing to the relative flatness of that land in comparison to the developed part of Quail Rise, and the screening effect of the existing, or already enabled, development in the foreground. Of particular relevance here is that the proposed R2(B) area is not proposed to have any greater development density than is already enabled, other than where it extends over what is currently zoned G(Design Urban Edge).
- 10 On the west side of the State Highway along the Frankton Flats, from the Delta Utilities site opposite Grant Road northwards, there remains open green pasture up to the edge of Ferry Hill, which is classified as part of an Outstanding Natural Landscape. This plays its part in the entry experience to Queenstown from the east, with particular regard to how the closed and contained section of the highway that rises from the Shotover crossing through the embankment cuttings, and then the

highway edge conifer shelter belts, opens out to outstanding views across open land towards the Remarkables and Peninsula Hill to the south and Ferry Hill to the north. Whether the flat foreground to the view of Ferry Hill should be protected from development entirely, in contrast to the urban development proposed on the opposite side of the Highway, is not however currently relevant as the subject land is shielded from view when entering or exiting Queenstown along this route. However the existing conifer hedge that comes to play a significant role in the framing of the entry experience described above, starts within the subject land. It is important that this hedge-row is retained, both for its screening effect of development for traffic moving north eastwards, and its role in the entry experience described above.

¹ District Plan (2007), Page 12-101, part 12.14.1

Proposed Lot Sizes

- 11 I regard the subject land as appropriate for low density suburban development. Although relatively close to the retail centre enabled at Frankton Flats special Zone (A), the State Highway remains an impediment at that distance to encouraging pedestrian, and to a lesser extent cycle, patronage that could justify higher densities, even if a direct link to the designated roundabout is eventually achieved. However the adopted QLDC Growth Management Strategy advocates for urban consolidation and the Frankton Flats as a whole is now subject to zoning or proposed zoning that effectively pushes the effective urban boundary out to the Shotover River. With a much improved connection to the State Highway still in prospect, the densities proposed by the Plan Change are in my opinion relatively low.

APPENDIX D

QLDC TRANSPORTATION ASSESSMENT

Memo



To:	Karen Page
From:	Denis Mander
Date:	Thursday, 16 September 2010
cc:	
Subject:	Plan Change 37

I refer to the above plan change, and your particular questions regarding the transport network.

A concern expressed over the original plan change application was the absence of information on a transport assessment, provision for cycling and walking, and passenger transport. It is accepted that the lesser extent on the current plan change limits the extent to which network effects of the plan change on transport choices can be considered.

I do not comment on the links to the state highway network as these issues are within the realm of the NZTA as road controlling authority for the state highway, however a feature of the original application was the connection to the proposed new State highway roundabout given concerns over ability of the Tucker Beach State highway intersection to cater for increasing demands.

Provision of Cycling and Walking network

An outcome QLDC is seeking is the provision of a transport network that enables road users to have good quality transport mode choices. It is important that Council standards for road design be met, and that opportunities for providing direct pedestrian / cycle links are considered.

As it stands, without the road link to the proposed state highway roundabout, the pedestrian links to the Frankton Flats area and Queenstown are weak.

There does not appear to have been any discussion between NZTA and the applicant with respect to developing a pedestrian cyclist route at the western end of the area covered by the plan change – incrementally the plan change appears to be further consolidating transport choices around reliance on the car.

Construction of Ferry Hill Rd in stages

Through development of the Notice of Requirement for the new State highway roundabout, there is acknowledgement of the desirability of a link between the area covered by the plan change and the proposed new State Highway roundabout. It is acceptable that the road link be developed in stages, but certainty is required as to its alignment.

Denis Mander
Transport Manager

APPENDIX E

QLDC ENGINEERING ASSESSMENT

1.0 GENERAL

- 1.1 The Quail Rise Plan Change (PC 37) is able to be serviced by the Queenstown Lake District Council in association with input from the Developer.

2.0 WATER SUPPLY

- 2.1 The water supply to the Frankton Flats area covered by PC 37 is sourced from two water intakes at Kelvin Heights and Two Mile via a network of reservoirs and pipes. The Kelvin Heights source provides nearly all the water to Frankton. The council has identified that there are various improvement options available to provide water for PC 37 as the existing infrastructure is close to capacity. The final design has not as yet been determined and will be based on numerous factors including funding, whole of life costs, rate of growth and maximising the use of existing infrastructure.
- 2.2 Council will design, construct, maintain and manage whatever infrastructure is necessary to support PC 37. It is recognised that the council has other statutory requirements that will determine how the infrastructure is used to obtain cost effectiveness and minimise the use of resources.
- 2.3 The council will determine how and when it will service the area covered by PC 37 through its Long Term Council Community Plan (LTCCP). This document will be based on the Activity Management Plan (AMP) which will be developed to plan for all growth covered within its District Plan. The AMP will be confirmed on a year by year basis by the Council's Annual Plan. The LTCCP, AMP and the Council's Annual Plan are documents that require public consultation and as such will determine how and when the infrastructure to support PC 37 will be constructed.
- 2.4 The LTCCP which incorporates the AMP will determine the issues that are required to be resolved and when they are likely to be needed. It will also estimate the cost of the solution and determine how the solution is to be funded. The Council's Annual Plan will either confirm the funding or postpone the solution. This decision will be made as determined by the council of the time and not until the funding is confirmed will the projects to support PC 37 be initiated. The AMP is reliant on those proposing

development within PC 37 to fully inform the council to enable them to plan the timing, cost and scale of the infrastructure required.

- 2.5 It is possible, but not confirmed that the council at the time of approving future Resource Consents within this area will impose any or all of the following restrictions.
- The water supply will utilise a gravity supply from the Quail Rise reservoir or other reservoir or come direct from the mains.
 - The water supply will require additional reservoir capacity at the cost of the applicant
 - The available supply may require building platform restrictions to below an appropriate contour level to ensure that water is able to be supplied.
 - The water supply will be required to service adjoining future potential development not as yet covered by a Plan Change.
 - The council may require a separate Lot to construct future water supply infrastructure.
 - The council may undertake to supply a restricted connection limited to 2 cubic meters per property per day.
 - The council will require the proposed reticulation to be approved prior to the Resource Consent application.

3.0 WASTEWATER RETICULATION

- 3.1 The wastewater reticulation from the Frankton Flats area covered by PC 37 is to the Shotover Ponds. The Shotover Ponds are due to be replaced by a new treatment plant in 2014. The council has capacity within the new plant to cater for the full effects of the wastewater for PC 37. The final design of the reticulation from this Plan Change has not yet been determined and will be based on numerous factors including funding, whole of life costs, rate of growth and maximising the use of existing infrastructure.
- 3.2 Council will approve, maintain and manage whatever infrastructure is necessary to support PC 37. It is recognised that the council has other statutory requirements that will determine how the infrastructure is used to obtain cost effectiveness and minimise the use of resources.
- 3.3 It is likely but not confirmed that the council at the time of approving future Resource Consents within this area will impose the following restrictions.
- The wastewater system will utilise a gravity supply into the existing Quail Rise, Glenda Drive or other reticulation.

- The available supply may require building platform restrictions to above an appropriate contour level to ensure that wastewater is able to be fed into the scheme.
- The council will require the proposed reticulation to be approved prior to the Resource Consent application.

4.0 STORMWATER

- 4.1 The stormwater from the area covered by PC 37 will require a new Catchment Management Plan (CMP). The CMP is part of the AMP. The AMP will identify the works that need to be constructed to support PC 37. The final design of the reticulation for this Plan Change has not yet been determined and will be based on numerous factors including funding, whole of life costs, rate of growth and maximising the use of existing infrastructure.
- 4.2 Council will approve, maintain and manage whatever infrastructure is necessary to support PC37. It is recognised that the council has other statutory requirements that will determine how the infrastructure is used to obtain cost effectiveness and minimise the use of resources.
- 4.3 It is likely but not confirmed that the council at the time of approving future Resource Consents within this area will impose the following restrictions.
- The stormwater system will utilise a gravity supply into the future Frankton Flats or other reticulation.
 - The available supply may require building platform restrictions to above an appropriate contour level to ensure that stormwater does not enter buildings.
 - The council will require the proposed reticulation to be approved prior to the Resource Consent application.

5.0 CONCLUSION

- 5.1 The Queenstown Lakes District Council has a process that accommodates the development of PC 37. The process is dependent on the Council completing the LTCCP and AMP, as it is legally required to undertake. The council will manage the process and will be required to balance the risk of completing infrastructure that has not yet been fully funded against the cost to the developer that the infrastructure may not be ready as he requires it. The council's Annual Plan is subject to public consultation, in

which the developer is included, and as such the timing of the projects will be determined on the basis of risk, political will, and affordability at the time.

- 5.2 The council relies on the developer to provide realistic timeframes and expects them to work closely with QLDC to ensure that the infrastructure is appropriately programmed and delivered. It wishes to identify at an early stage that development will be in accordance with its proposed Infrastructure Plan.

G P Essenberg

1 September 2010

APPENDIX F

LAKES ENVIRONMENTAL LANDSCAPE ASSESSMENT

REPORT TO: Karen Page (Senior Policy Analyst)
FROM: Antony Rewcastle (Landscape Architect)
REFERENCE: 440031 – Quail Rise (Plan Change 37)
SUBJECT: Landscape Assessment
DATE: Monday, 30 August 2010

INTRODUCTION

1. The following report has been prepared for the Queenstown-Lakes District Council to provide a consideration of relevant landscape issues associated with a private plan change to re-zone approximately 11.8 hectares, located within, and immediately south of, the existing Quail Rise – Special Zone (Part 12).
2. I understand that the plan change was publicly notified on 5 May 2010 and public submissions have closed.

PROPOSAL

3. The plan change proposes to create Quail Rise – ‘Residential 2’ (R2) zones within areas currently zoned: Quail Rise – ‘Rural Residential’ (RR); Quail Rise – ‘Open Spaces Activity & Passive recreation & landscaping’ (G); and Rural General (approximately 3.1ha), amending the maximum number of residential units from 183 to 234, which is an increase by 51 (based on a lot size of 1000m²) or 40 more than are currently consented within the zone.
4. The majority of the subject site is near the southern part of the existing Quail Rise Zone, however it is also proposed to rezone part of a separate site (Quail Rise Estate Ltd, Lot 50 DP 370064) adjacent to Abbotswood Lane, from Quail Rise – ‘Open Spaces Activity & Passive recreation & landscaping’ (G) zone to Quail Rise – ‘Residential 2’ (R2) in order to provide for two additional residential dwellings.
5. The proposed southern zone boundary is setback by 30m from the Transpower transmission (33kVA) lines that diagonally dissect the adjoining rural lot. A 15m ‘building restriction area’ (buffer) is proposed along Frankton-Ladies Mile Highway (State Highway 6).
6. Vehicle access is proposed to be provided via existing access ways and a southern extension to Ferry Hill Drive. An existing legal road which acts as an informal public walkway / cycleway between Ferry Hill Drive, Jims Way, and Frankton-Ladies Mile Highway is proposed to be maintained.
7. The plan change proposes to amend the Quail Rise provisions accordingly in order to provide for the above, including several minor amendments to the Quail Rise provisions in order to rectify several discrepancies in the existing rules.
8. I note that a private plan change was originally lodged (July 2009) to re-zone approximately 19.9 hectares of land, to provide for an additional 115 residential allotments with a minimum allotment size of 1000m², a small corner shopping centre, and a connection from Ferry Hill

Drive through to a proposed roundabout on Frankton-Ladies Mile Highway. As a result of an internal Council review of the proposal, and subsequent discussions with the Applicant, the plan change was amended to its current form.

SITE DESCRIPTION

9. Quail Rise is located at the northern point of a broad flat terrace area (known as the Frankton Flats), at a position where the flats narrow to meet the base of Ferry Hill (to the north-west) and the escarpment which falls to the Shotover River (to the north-east). Ferry Hill rises to approximately 694masl and this summit is approximately 1km north-west of the subject site.



Photo A: View of Ferry Hill from Lower Shotover Road (2.33pm 23/8/2010).

10. The subject site displays complex topography, which is a combination of roche mountonee landform (Ferry Hill, formed by glacial action scraping from south to north), remnant glacial moraine (the undulating, hummocky plateau between Ferry Hill and the Shotover River, formed as a result of the deposition of sand and gravel associated with melting water from the recession of a glacier (approximately 10,000 years ago)), and subsequent alluvial deposition (associated with the historic flood plain of the Shotover River delta when Lake Wakatipu was about 60m higher than its present level¹).
11. The Quail Rise – Special Zone comprises a mix of activity areas, including residential, rural residential, open space, and building restriction areas.
12. The subject site consists of two areas. The larger site (Southern Quail Rise) is at the southern end of the existing Quail Rise – Special Zone, comprising flat land at the base of Ferry Hill which is currently utilised for pastoral grazing of sheep and horses. The site adjoins Ferry Hill Drive on its north-western side and Jims Way and Frankton-Ladies Mile Highway on its eastern side.
13. Vegetation on the subject site is predominantly exotic pastoral grasses with exotic shelter planting (relating to a history of pastoral grazing), including mature Douglas fir, pine, and Eucalyptus, and some indigenous (grey shrubland) species on the slopes of Ferry Hill. The southern site includes an Oak (Heritage tree #203² associated with Pinewood Gardens). Rocky outcrops remain present on the more elevated slopes of Ferry Hill.

¹ Turnbull, I.M; Forsyth P.J., and Geological Society of NZ (1988), Page 21.

² District Plan (December 2008). Page A3-15.



Photo B: View of subject site to east from Ferry Hill (2.19pm 23/8/2010).

14. The smaller site (Lot 50 DP 27480, comprising 1.0990ha) is approximately 500m north, and forms part of the base of Ferry Hill. The site comprises unmaintained exotic pastoral grasses and a water race which passes adjacent to the western boundary at an elevation of approximately 420masl. The site adjoins Ferry Hill Drive and Abbotswood Lane on its eastern side.



Photo C: View of subject site and base of Ferry Hill from Ferry Hill Drive (2.00pm 23/8/2010).

BACKGROUND

15. Variation 12 to the District Plan amended the Shotover Resort Zone (which included a nine-hole golf course and a range of passive and active recreation facilities) to create the existing Quail Rise – Special Zone providing for “...*low density residential and rural residential living in a sustainable manner which conserves and enhances amenity and rural character*”³. This created zone standards, including:
- A maximum of 183 residential units, including 44 residential units for Lot 6, DP300296⁴.
 - A maximum site coverage of 30% within the ‘Residential 2’ (R2) zone⁵ and 15% within the ‘Rural Residential’ (RR) zone⁶.
16. On 2 September 2004 resource consent (Quail Rise Estate Limited – RM040704) was granted to subdivide to create two new titles by way of boundary adjustment. On 27 October 2004

³ District Plan (June 2007), Page 12-101, part 12.14.1.

⁴ District Plan (March 2010), Page 12-109, part 12.15.5.2 i.

⁵ District Plan (March 2010), Page 12-109, part 12.15.5.2 v (d).

⁶ District Plan (March 2010), Page 12-109, part 12.15.5.2 v (e).

resource consent (Quail Rise Estate Limited – RM040725) was granted to subdivide into three residential allotments and a balance lot. This decision states⁷:

The subdivision includes parts of the G Activity Area within each lot, the G Activity Area being the most visible area. The use of this area is restricted to outdoor recreation activities and open space. Open space is defined in the plan as:

'Any land or space which is not substantially occupied by buildings and which provides benefits to the general public as an area of visual, cultural, educational, or recreational amenity values'.

The G Activity Area can be subdivided and held in individual titles by private landowners, however, it must appear to, and provide benefit to, the 'general public' as an area used as open space or recreational activities. It is considered that the erection of fences around individual lots, or separate land management practices such as one owner mowing their lot and another owner leaving theirs as rank grass, or another constructing a rock garden, would be contrary to what the zone objectives, policies and rules are trying to achieve.

It is considered that it is vital to the success of the development of this Zone that the open space activity areas are developed as part of a comprehensive landscape design that creates a visually cohesive open area. This is especially important since parts of the open space activity area will be in private ownership and could potentially be developed in an ad-hoc piecemeal manner which will negate its benefits.

17. On 25 February 2005 resource consent (Quail Rise Estate Limited – RM040972) was granted to undertake stage two of a three stage subdivision - create 26 residential allotments, one road reserve and one recreation reserve. With regard to 'Views and Outlook – G Activity Area' the decision reiterated that "Although, the area is able to be subdivided and held in private ownership, they must appear to remain visually cohesive, open and devoid of structures"⁸. This was varied (RM050283) on 22 April 2005.
18. On 23 March 2005 resource consent (Quail Rise Estate Limited – RM041228) was granted to undertake stage four of a subdivision - create 15 residential allotments.

Southern Quail Rise

19. On 18 May 2006 an objection to Conditions 7(c) and 7(f) of resource consent RM050917 to subdivide Lot 1 DP 302053 into eight allotments to create Stage 6 of the Quail Rise Subdivision was upheld. Subdivision consent RM050917 authorised subdivision of 5 rural-residential lots which met the minimum 4,000m² standard set for the Rural Residential – Quail Rise zone. The objection allowed for the 5m height limit to relate specifically to lots 2 and 4 only, and for the remaining lots, located on slopes and lower in height to Lots 2 and 4, to maintain the 7m height restriction permitted in the Quail Rise Estate zone. Council's Landscape Architect (Mr Rhys Girvan) reasoned that the lower height limit was appropriate on proposed Lots 2 and 4 as they contained elevated hummocky areas within which development had the potential to appear prominent when viewed from surrounding areas.
20. On 5 September 2006 resource consent (Quail Rise Estate Limited – RM051160) was declined to construct a residential unit and attached garage within the Open Space G Activity Area. I understand the decision was upheld following an appeal to the Environment Court.
21. On 15 June 2007 resource consent (Quail Rise Estate Limited – RM061154) was declined to subdivide a 35.56 hectare area (being the whole of the land to which the subdivision consented to under RM050917 was granted) at the southern end of the Quail Rise Zone. The application included the creation of 11 lots ranging in size from 1,013m² to 4,264m² and earthworks comprising 7,400m³ of cut, with this material to be redistributed within the site as fill. The Environment Court issued a consent order (4 April 2008) to establish 8 lots, retaining the 'hillocks'. Subsequent subdivisions (RM081433 (26 November 2008), RM090254 (1 February 2010), and RM100139 (15 March 2010)) have been granted, whilst RM090919 was withdrawn (24 February 2010).

⁷ Decision of QLDC – RM040725 (27 October 2004). J Laming (Planner). Page 5 – Reasons for the Decision.

⁸ Decision of QLDC – RM040972 (25 February 2005). J Laming (Planner). Page 7 – Reasons for the Decision.

Lot 50 DP 27480

22. On 16 May 2006 resource consent (Quail Rise Estate Limited – RM060292) was granted to subdivide Lot 44 DP 357615 and Lot 50 DP 27480 by boundary adjustment (creating the current Lot 50).
23. On 4 May 2010 resource consent (Quail Rise Estate Limited – RM090658) was declined for land use consent to construct a dwelling in the Open Space G Activity Area.

LANDSCAPE CLASSIFICATION

24. The District Plan (based on Environment Court Decision C180/99⁹ classified the subject site as being within a Visual Amenity Landscape and an Outstanding Natural Landscape (Wakatipu Basin)¹⁰. I understand that the exact location of the boundary between these two landscape categories has not been determined by the Environment Court, but that the area of Outstanding Natural Landscape incorporates Ferry Hill, Queenstown Hill, and Lake Johnson. The original landscape assessment for Quail Rise Stage 3¹¹, and subsequent landscape assessments, have generally classified the subject site as being within a Visual Amenity Landscape, and adjacent to an Outstanding Natural Feature (Ferry Hill). Following assessment of the site, I concur with this classification, and consider that the line between the Outstanding Natural Feature and the Visual Amenity Landscape to the south, in the vicinity of the subject site, is at the base of Ferry Hill, west of the formed section of Ferry Hill Drive.

LANDSCAPE ASSESSMENT

General

25. With regard to the importance of the landscape in the Shotover Bridge area Council's original Environment Court landscape assessment refers to a report ('Queenstown Entrances – A conceptual design of the eastern and southern entrances to Queenstown') and notes that¹²:

"Native tree and understorey planting should screen sewerage ponds and gradually cover the escarpment face on the west side of the river. This vegetation must effectively screen the industrial zone and significantly soften development in the Quail Rise area. Further development that is prominent in views available from the bridge and cutting area is to be avoided."

26. The Quail Rise zone was well considered at the time of its conception, and created a network of open space areas which separated built form and identified balance areas which were more visually and geologically sensitive. Whilst subsequent resource consent applications (such as RM061154, RM090919, and RM090658) have exceeded the level of anticipated development within parts of the zone (in terms of quantity of dwelling, density and effects on landform), other areas (such as the 'Residential 2' (R2) zone, including the Bragg property (Lot 2 DP 300296 Lot 1 DP 324970)) are yet to be developed to the anticipated level.
27. Quail Rise is visible and apparent from surrounding positions including: Frankton-Ladies Mile Highway (State Highway 6); Maxs Way; Jims Way; Margaret Place and Glenda Drive; and other roads within Quail Rise including the un-named legal road.
28. The current zoning provides for dwellings to be screened from the Highway "...to ensure this site is developed in a way that does not appear to be the beginning of the Queenstown urban area"¹³. This was proposed to be controlled through utilising existing topography, proposed vegetation, and the provision of appropriate zone (and sub-zone) boundaries, including the

⁹ Environment Court Decision C180/99, Wakatipu Environmental *et al* vs. QLDC. Paragraph 112, Page 65.

¹⁰ District Plan (December 2005), Appendix 8a - Map 1 (Landscape categorisation in the Wakatipu Basin).

¹¹ Peter Rough Landscape Architects (September 2001). Quail Rise Stage 3, Visual Assessment. Part 7.0, Page 6.

¹² Environment Court evidence (RMA 0221/03 – Quail Rise Estates Limited) – B. Espie (Landscape Architect). Page 3, paragraph 3.2.

¹³ Environment Court (RMA 0221/03) primary evidence – D. Collins (Planner) – Variation 12 to the Proposed Queenstown Lakes District Plan (3 November 2003). Page 8, paragraph 48.

identification of specific building platforms within the Quail Rise – ‘Residential 2’ (R2) zone. With regard to visibility of the Quail Rise zone the District Plan states¹⁴:

“The subject site is visible from parts of the rural area in the Wakatipu Basin and it is appropriate to enable the ongoing development of the area in a way which protects the rural character and landscape of the wider area. Of particular importance in the expansion of the zone is the need to maintain and enhance the naturalness of the vista that is available from State Highway 6 by ensuring that buildings in the R2 (Design Urban Edge) Activity Area are not visible from State Highway 6.”

29. Although it was originally considered important that Quail Rise did not appear as the ‘beginning of the Queenstown urban area’ the current proposal needs to be considered in the evolving context of the Glenda Drive industrial area and Frankton Flats development, which includes Five Mile, Queenstown Airport, and Remarkables Park.
30. Current plan provisions provide for the Glenda Drive industrial area and Quail Rise to appear as two distinct, separate outlier zones (industrial and residential), separated by buffers of mounding (hillock landform features), vegetation, and open space at the southern boundary of the Quail Rise Zone. It is likely that the proposed plan change, involving the removal of vegetation, earthworks to create building and curtilage areas, and residential development would result in built form and development visually linking Quail Rise and Glenda Drive industrial area. I consider that the proposal would increase visual connectivity with development on the Frankton Flats, and as a result is likely to enforce the edge of the Shotover River escarpment as the Queenstown town boundary. This may have the effect of further weakening the existing town boundary, rather than consolidating it.
31. The existing Quail Rise Zone utilises the Rural Residential lot sizes and open space to provide a buffer to the south. Whilst the proposal might “...result in the extension and consolidation of nearby residential development...”¹⁵ proposed development would compromise the integrity and effectiveness of the broader Quail Rise Zone to provide separation and successfully perform as a buffer between Quail Rise residential areas to the north and Rural General land (or potentially higher density development which could result from the Frankton Flats - Plan Change 19) to the south. A Rural Residential zone (with 4000m² minimum lot size) combined with the protection of landform features and vegetation, at the southern boundary would assist retain the appearance of a buffer.
32. I understand that removal of vegetation is a discretionary activity under the existing provisions of the Quail Rise zone. The proposed density of built form is such that removal of planting and landforms are likely to be required in order to allow for development. This is likely to expose future and existing development to views from the Highway.
33. Both subject sites form part of the base of the Ferry Hill – Outstanding Natural Feature. The proposed zoning simplifies the complex (existing) sub-zone structure, and fails to convey the importance of this Feature or protect the legibility of other natural landscape features associated with the undulating glacial moraine plateau. In terms of recognising the importance of these landform features, a section (or skirt) of flat open space which contrasts and displays the undulating landform and rising slopes should be provided (particularly when viewed from the Highway). To understand this concept, one might consider the way a statue is displayed on a plinth, a building is displayed with a simple, contrasting site, or a picture is framed. It is not simply a matter of development extending to the base of these landscape features.
34. The proposed plan change would create the requirement for earthworks within natural hillock landforms, which have previously been protected (via a consent order). These earthworks would disrupt openness and naturalness, adversely affecting legibility and recognition of areas and landform features which have originally identified as being sensitive to development. Consent to subdivide should require consideration and protection of these natural landform.

¹⁴ District Plan (June 2007), Page 12-101, part 12.14.1.

¹⁵ Quail Rise Zone Extension – Assessment of Landscape and Visual Effects (8 March 2010). Dr M Steven (Landscape Planner). Paragraph 31, Page 7.

35. The spur landforms which extend from the base of Ferry Hill into the flat alluvial plains (within Section 20 Block II Shotover SD) are unusual features, and I consider that development should be located sensitivity within these forms. It appears the northern half of the property might absorb 2-3 dwellings, whilst the flat area at south might contain more.
36. The loss of open space (as defined in the District Plan) would clearly result in a loss of the "...benefits to the general public as an area of visual, cultural, educational, or recreational amenity values"¹⁶. Compensation for this loss (in either site) does not form part of the current proposal. It is likely that there is some expectation (including that from current residents of Quail Rise) that the 'Open Spaces Activity & Passive recreation & landscaping' (G) zone would be retained in perpetuity.
37. The southern and south-eastern aspect of the landform, with Ferry Hill rising to the north may affect access to sunlight, although views west over the Shotover River and south over Glenda Drive and the airport towards the Remarkables Mountain Range are provided.

Highway Buffer

38. I consider that the proposed 15m buffer adjacent to Frankton-Ladies Mile Highway would not be sufficient to create a distinction between Quail Rise and Glenda Drive, or prevent the appearance of development connecting across the Highway. The extent of the setback in this location is more relevant to views from the eastern side of the Shotover River or when approaching from Frankton, than when immediately adjacent to the site. Despite the retention of the small, visually more open, rural area immediately south (Hansen: Rutherford property), as discussed above, the edge of the Shotover River escarpment would appear as the entrance to Queenstown.
39. I also consider that the proposed 15m setback would not sufficiently acknowledge the importance of the wider landscape and that it would result in development detracting from distant views of the wider (mountainous) setting, which incorporates Queenstown Hill, Ferry Hill, Remarkables, Peninsula Hill, and Cecil Peak.

Access Road to Highway

40. As was identified as 'Option A' in the original 'Frankton Flats North Proposed Private Plan Change' (and on the existing Quail Rise Structure Plan), I consider that the link between Ferry Hill Drive and the proposed roundabout on the Highway should follow the existing farm track (through Lot 8 DP 22166) before stepping down onto the flats in the vicinity of the Oak (Heritage tree) and passing through (Lot 2 DP 308784) adjacent to the base of the hill, in a similar manner to the current terminus of Ferry Hill Drive (as well as other examples such as Hansen Road and recent roading within Threepwood Farm (Ladies Mile Highway)).
41. Whilst this would require some earthworks, a significant area of earthworks has recently occurred immediately south of Ferry Hill Drive and the alignment would provide separation from the highway and maintain openness and access (visual and physical) to the base of Ferry Hill.
42. Proposed 'Option B' is clearly less efficient use of land than 'Option A', and would result in dwellings and earthworks close to the base of Ferry Hill, with increased potential for adverse landscape and visual effects. I do not believe the reference to the Ladies Mile Highway entry to Lower Shotover Road should be promoted (as suggested by the applicant) as a successful example in terms of effects on landscape and amenity values (or efficiency).

Public walkway/ cycleway

43. I understand that potential footpath and cycleway linkages may be considered at the time of subdivision, however, as additional pedestrian or vehicle links do not form part of the proposed plan change there is no improvement to physical connectivity. As discussed above, the link between Ferry Hill Drive and the proposed roundabout on the Highway would improve

¹⁶ District Plan (March 2010), Page D-7.

connectivity and provide associated potential recreational benefits for the wider Community, although retaining a link to Jims Way would also improve connectivity.

44. The proposed R2 zone within Lot 50 would restrict visual access and eliminate existing opportunities for physical access to Ferry Hill (and the Arrow Irrigation Race) from this part of the Quail Rise. I note that opportunities for access remain in the southern part of Ferry Hill Drive.

Southern boundary

45. The location of the proposed southern zone boundary (between the proposed Quail Rise – ‘Residential 2’ (R2) zone and the existing Rural General zone) is based on a 30m setback from the location of Transpower transmission lines. These lines diagonally bisect (vertically well above) the cultural landscape pattern (which comprises fencelines and shelterbelts) and natural landform pattern. I consider this would draw unnecessary attention to the arbitrary line created by the lines, that it is inappropriate to justify the delineation of the zone boundary based on these overhead wires, and that it does not provide an appropriate interface with the rural area.
46. It would be more appropriate to either incorporate (absorbing) the lines within the higher density (R2 or Rural Residential) development or (preferably) provide a set back and buffer zone which incorporates the unique spurs of landform (and existing pond) which extend into the flat alluvial (Frankton Flats) (within Section 20 Block II Shotover SD).

Submissions

47. I understand that a submission (Bragg, #37/3/1) seeks to include a further 9 lots into that site (Lot 2 DP 300296 Lot 1 DP 324970, comprising 3.3256ha). Whilst only 1 dwelling has been constructed, 8 residential lots are currently allocated to the site and a total of 17 are proposed. This is likely to require significant earthworks and buildings in prominent and sensitive locations, and would compromise the integrity of the undulating landform. The proposed plan change increases density (intensification) to the extent which would further compromise rural amenity, result in adverse effects on landscape and visual amenity values, and reduce some of the qualities that currently enable this scattering of established dwellings to sit appropriately within its setting.
48. If it can be determined (through comprehensive design) that additional dwellings can appropriately be absorbed within the site then I consider that any adverse effects should be identified and addressed with the consideration of the steeply undulating topography and the potential for development to be prominent. I consider that development in this location would be difficult to mitigate and would need to be well designed. I therefore consider that it would be more appropriate to assess the effectiveness of a comprehensively designed proposal at the time of resource consent rather than through the more broad scale plan change process.

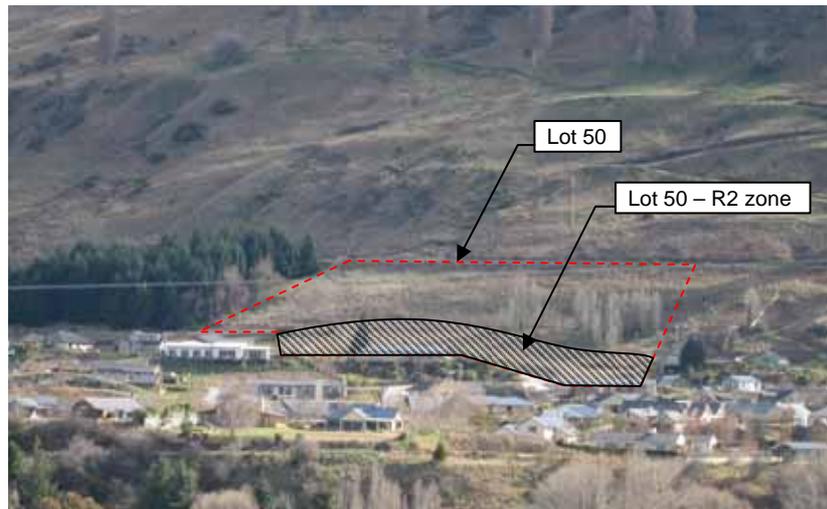


Photo D: View of Ferry Hill from Lower Shotover Road (2.33pm 23/8/2010).

49. Lot 50 is steeper than adjacent sites and provides a break or reprieve in the line of residential development at the base of Ferry Hill. While small, subtle terraces exist, the proposed plan change would result in buildings extending higher on the slope than adjacent buildings, would domesticate the site, and increase visibility of built form, curtilage area, and access ways from areas on the eastern bank of the Shotover River (including the Highway). As discussed above, the proposal would also affect visual and physical access to Ferry Hill.
50. I understand that proposed building platforms on these steep slopes may require protection measures from potential debris flow. I consider that these measures have the potential to contribute to adverse visual effects as well as effects on natural landform (noting that the Arrow Irrigation Race runs along the top of the property).

CONCLUSION

51. A private plan change request has been received to re-zone approximately 11.8 hectares, located within and immediately south of the existing Quail Rise – Special Zone (Part 12) providing for an additional approximately 40 residential dwellings.
52. The Quail Rise Zone is a comprehensive network of sub-zones which create a separate residential and rural residential outlier which “...conserves and enhances amenity and rural character”¹⁷. It is distinct from Glenda Drive (industrial), Frankton Flats, and Queenstown, and is currently separated by buffers of natural landforms, vegetation, and open space. Given its proximity to the Frankton Flats it is important that any development is considered in the evolving context of this area.
53. The proposed plan change would result in the further, gradual (incremental) degradation of an area which forms the southern buffer to the Quail Rise Zone and would visually connect Quail Rise with Glenda Drive industrial area and the Frankton Flats.
54. The transmission lines are not an appropriate landscape feature to justify the proposed zone boundary as they do not acknowledge the existing dominant landscape pattern (cultural or natural) which provides some obvious and effective justification as a boundary.
55. If the plan change was amended to allow rural residential development in the southern part of the Quail Rise Zone and provide for the protection spur and hillock landforms in this part of the site, some level of structure (although weaker) would be maintained, and the zone would continue to display a distinct character and associated identity.

¹⁷ District Plan (June 2007), Page 12-101, part 12.14.1.

56. Additional development within Lot 50 would reduce visual and physical access to an area of open space associated with the eastern base of Ferry Hill. Whilst this would be noticeable from outside the site (eastern side of the Shotover River) adverse effects would generally be contained to within the Quail Rise area.
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Report prepared by

Antony Rewcastle
SENIOR LANDSCAPE ARCHITECT

Report reviewed by

Marion Read
PRINCIPAL : LANDSCAPE ARCHITECTURE

APPENDIX G
LATE SUBMISSION WAIVER

M E M O		 QUEENSTOWN LAKES DISTRICT COUNCIL
To:	Debra Lawson	
From:	Karen Page	
Date:	Thursday, 9 September 2010	
File:		
Cc:		
Subject:	Accepting Late Submissions	

Under Section 37(1)(b) of the Resource Management Act 1991 the Council is able to waive a failure to comply with the closing date for submissions. Section 37A details the issues that need to be taken into account when considering to allow a waiver. Specifically, section 37A details the following:

- (1) *A consent authority or local authority must not extend a time limit or waive compliance with a time limit....In accordance with section 37 unless it has taken into account:*
 - (a) *the interest of any person who, in its opinion, may be directly affected by the extension or waiver; and*
 - (b) *the interest of the community in achieving adequate assessment of effects of a proposal, policy statement or plan; and*
 - (c) *its duty under section 21 to avoid unnecessary delay.*

After taking into account section 37A I consider that no person will be directly affected by waiving compliance as the drafting of the planners report had not commenced.

It is considered that waiving compliance will allow consideration of the point raised in the submissions and therefore take into account the interests of the community in achieving adequate assessment of the effects of Plan Changes.

A total of two late submissions were received after the 4 June 2010 being the closing date for original submissions. Both were in opposition to the plan change.

One late further submission was received after the closing date for further submissions. This was also in opposition to the plan change.

The late submissions did not raise any additional issues that had not already been raised by other submitters. Both sought that a roading connection be provided for via this plan change through to the State Highway.

Signed:..... (Senior Policy Analyst – QLDC)

Under Section 37A of the Resource Management Act the submissions outlined in this memorandum are waived in respect failing to meet the closing date of submissions.

Signed: (Debra Lawson– Chief Executive Officer)

Date:.....