



FORM 6: FURTHER SUBMISSION

IN SUPPORT OF, OR IN OPPOSITION TO,
SUBMISSION ON A NOTIFIED PLAN CHANGE,
VARIATION OR PROPOSED POLICY STATEMENT



Clause 8 of Schedule 1, Resource Management Act 1991



TO // Queenstown Lakes District Council

Name of submitter [full name] Wayne Foley for Koko Ridge Limited



FURTHER SUBMISSION // In support of (or opposition to) a submission on the following:

Te Putahi Ladies Mile plan variation dated 27 April 2023

I AM [state whether you are]

A person representing a relevant aspect of the public interest; or

[in this case, also specify the grounds for saying that you come within this category]

A person who has an interest in the proposal that is greater than the interest the general public has; or

[in this case, also explain the grounds for saying that you come within this category]

Koko Ridge Ltd is owner of land within the land subject of variation proposal

The local authority for the relevant area.



I SUPPORT (OR OPPOSE) // The submission of:

[Include: name and address of original submitter and submission number of original submission if available]

I oppose the submission of Corona Trust



THE PARTICULAR PARTS // Of the submission I support (or oppose) are:

[clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the proposal]

SEE ATTACHED SUBMISSION

THE REASONS // For my support (or opposition) are:

[give reasons]

I oppose the submission for the reasons as set out in the attached submission.

**I SEEK** // That the whole (or part [describe part]) of the submission be allowed (or disallowed):

[give precise details]

I seek that the whole of the submission be disallowed as set out in the attached submission form.

I wish / do not wish*

to be heard in support of my further submission.

I will / will not*

consider presenting a joint case with others presenting similar submissions.

* Select one.

SIGNATURE**Signature
[or person authorised to sign on behalf of submitter]AUTHORISED TO SIGN ON BEHALF OF
KOKO RIDGE LIMITED

Date 3 August 2023

** A signature is not required if you make your submission by electronic means.

YOUR DETAILS // Our preferred methods of corresponding with you are by emailElectronic address for service of submitter [email] kristy.rusher@awslegal.co.nz

Telephone [work] 03 211 9036 DDI

[home]

[mobile] 021 400 133

Postal Address
[or alternative method of service under section 352 of the Act] AWS Legal
80 Don Street
InvercargillPost code
9840

Contact person [name and designation, if applicable] Kristy Rusher, solicitor for Koko Ridge Limited

NOTE // To person making further submission**A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority.**

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- > it is frivolous or vexatious:
- > it discloses no reasonable or relevant case:
- > it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- > it contains offensive language:
- > it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.



Ref: Kristy Rusher
Email: Kristy.Rusher@awslegal.co.nz

3 August 2023

Queenstown Lakes District Council

By email: pdpsubmission@qldc.govt.nz

Dear Sir/Madam

FURTHER SUBMISSION BY WAYNE FOLEY AND KOKO RIDGE LIMITED

Wayne Foley and Koko Ridge Ltd (the Submitter) made submissions (OS80.1-OS80.19) on the proposed variation to the Queenstown-Lakes District plan Te Putahi Ladies Mile Masterplan (Variation 1).

This is a further submission by the Submitter on Variation 1.

The Submitter's further submissions, reasons for submissions and decision sought are set out in appendix 1 **attached**.

The relief sought by the submitters with respect to the further submission is also set out in Appendix 1 attached, and:

- Will achieve the purpose and principles of the Resource Management Act 1991.
- Promotes the sustainable management of resources
- Represents the most appropriate way to achieve the objectives and policies of the Queenstown-Lakes District plan.
- Will enable the integrated use, management and development of land.
- Will give effect to the national policy statement on urban development.

The Submitter wishes to be heard and support of this further submission and will not consider presenting a joint case with any other person with a similar or related interest.

AWS Legal

per



K L Rusher

Appendix 1 – Further Submission of Wayne Foley for Koko Ridge Limited (submitter #80) on submissions made by Corona Trust (submitter #99)

Name of Original Submitter (and Submission Number)	Submission Point	Further Submitters' support/oppose	Reason for Further Submitters' support/opposition	Decision Sought by Further Submitters
Corona Trust (submitter # 99)	OS99.1	Oppose	The submitter supports the intensification of development in the Ladies Mile area.	Decline the relief
Corona Trust (submitter # 99)	OS99.2	Oppose	The intensification of land shown as Sub-area H2 in the LDR precinct of the zone is supported by the submitter.	Decline the relief
Corona Trust (submitter # 99)	OS99.3	Oppose	The Submitter seeks that the Koko Ridge land (comprising that land legally described as Lot 1 DP 431492 and Lot 2 DP 325561) defined as Sub area H2 in the LDR precinct of the zone is included in the plan change.	Decline the relief
Corona Trust (submitter # 99)	OS99.4	Oppose	The Submitter seeks that the appropriate density of development is established within the Sub area H2.	Decline the relief
Corona Trust (submitter # 99)	OS99.5	Oppose	The submitter seeks that provisions are retained in the Plan, to the extent that doing so is consistent with its earlier submissions.	Decline the relief

Appendix 1 – Further Submission of Wayne Foley for Koko Ridge Limited (submitter #80) on submissions made by Corona Trust (submitter #99)

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Corona Trust (submitter # 99)	OS99.6	Oppose	The zone purpose does not require amendment other than to the extent that they are provided for in the Koko Ridge submission.	Decline the relief
Corona Trust (submitter # 99)	OS99.7	Oppose	The zone purpose does not require amendment other than to the extent that they are provided for in the Koko Ridge submission.	Decline the relief
Corona Trust (submitter # 99)	OS99.8	Oppose	The bulk and location controls provided for in the LDR-H2 are appropriate. The height restriction proposed of 5.5m does not achieve any benefit to the submitter as there are appropriate private covenants in place. The submitters requested relief is inconsistent with the existing zone provisions as well as the operative resource consent for this site.	Decline the relief
Corona Trust (submitter # 99)	OS99.9	Oppose	The proposal to include an extension of the no build area to the Southern Boundary of the submitters land and impose a height limit over the area shown is not consistent with good resource management	Decline the relief

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			outcomes. The submitters requested relief is inconsistent with the existing zone provisions as well as the operative resource consent for this site.	
Corona Trust (submitter # 99)	OS99.10	Oppose	The provisions of the variation make appropriate provision for the amenity of the adjoining rural living environments.	Decline the relief
Corona Trust (submitter # 99)	OS99.11	Oppose	The submitter seeks that the changes requested are not given effect to.	Decline the relief
Corona Trust (submitter # 99)	OS99.12		The plan change should make provision for non-notification of consent applications as the implementation of the structure plan provides a high degree of certainty as to the environmental effects of the proposed development. There is no additional benefit from notifying a consent application that is consistent with the structure plan.	Decline the relief
Corona Trust (submitter # 99)	OS99.13	Oppose	The changes requested are inconsistent with the relief sought by Koko Ridge Limited.	Decline the relief

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Corona Trust (submitter # 99)	OS99.14	Oppose	The changes requested are inconsistent with the relief sought by Koko Ridge Limited.	Decline the relief
Corona Trust (submitter # 99)	OS99.15	Oppose	The changes requested are indicative of a person wishing to transfer a private cost of planting to a developer and do not serve a resource management purpose. Planting is a matter for a private land owner.	Decline the relief
Corona Trust (submitter # 99)	OS99.16	Oppose	The proposed zone objectives make appropriate and adequate provision for the adjoining rural areas.	Decline the relief
Corona Trust (submitter # 99)	OS99.17	Oppose	The proposed policy is unnecessary, uncertain and unworkable. The setback and controls on built form proposed by QLDC are appropriate to the extent they are compatible with the outcomes sought by Koko Ridge Limited.	Decline the relief
Corona Trust (submitter # 99)	OS99.18	Oppose	The proposed insertion of wording is opposed. The purpose of the structure plan is to create a precinct with a distinctive, high quality look and feel with a high level of amenity.	Decline the relief

Appendix 1 – Further Submission of Wayne Foley for Koko Ridge Limited (submitter #80) on submissions made by Corona Trust (submitter #99)

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			It would defeat the purpose of the zoning to require that it is developed with regard to the "adjoining" zones.	
Corona Trust (submitter # 99)	OS99.19	Oppose	Koko Ridge seeks that visitor accommodation is provided for within the zone to enable home owners to provide for accommodation for families, friends and associates to stay on a fee paying basis as this provides for the diversity and inclusion of a wide range of accommodation options in the zone and achieves the zone purpose.	Decline the relief
Corona Trust (submitter # 99)	OS99.20	Oppose	The proposed insertion of wording is opposed. The purpose of the structure plan is to create a precinct with a distinctive, high quality look and feel with a high level of amenity. It would defeat the purpose of the zoning to require that it is developed with regard to the "adjoining" zones.	Decline the relief
Corona Trust (submitter # 99)	OS99.21		No submission on this point as it concerns lighting.	

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Corona Trust (submitter # 99)	OS99.22	Oppose	The proposed provision amendments undermine the purpose of the zone provisions. The amendments proposed are contrary to the purpose of the structure plan.	Decline the relief
Corona Trust (submitter # 99)	OS99.23	Oppose	The proposed amendments are not appropriate for urban residential zones. It should be further noted that the figure 3 in the submission made for the Trust are indicative lines that do not appear to have been drawn accurately or to scale.	Decline the relief
Corona Trust (submitter # 99)	OS99.24	Oppose	The proposed inclusion of the additional policies proposed does not serve a resource management purpose as they are aligned with serving private interests rather than the regional need to provide housing in this locality. Privacy and amenity interests for land adjoining the sub area H2 have already been provided for by way of private covenant.	Decline the relief

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Corona Trust (submitter # 99)	OS99.25	Oppose	There is no resource management purpose served by the building height being restricted to 5.5m within Sub Area H2 and this proposal is contrary to the zone purpose.	Decline the relief sought
Corona Trust (submitter # 99)	OS99.26	Neutral	The submitter requests that it is included in any discussions and decisions concerning any amendment of the recession plane.	Grant the relief sought to the extent that it is compatible with the submissions of Koko Ridge Limited
Corona Trust (submitter # 99)	OS99.27	Oppose	The issue of the appropriate dimension of building setbacks in the Sub Area H2 has already been extensively considered by QLDC in various decisions on resource consents and the variation's pre-planning consultation. The relief sought by the submitter is inconsistent with the previous planning decisions and existing resource consents.	Decline the relief sought
Corona Trust (submitter # 99)	OS99.28	Oppose	The density of sub area 2 is insufficient to enable the most effective and efficient provision of housing in this location. Therefore, the zone should provide for greater density than	Decline the relief sought

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			is proposed by the variation rather than being reduced as proposed by the Corona Trust.	
Corona Trust (submitter # 99)	OS99.29	Oppose	The requirement to direct exterior lighting away from the southern boundary of the zone is not achievable.	Decline the relief sought
Corona Trust (submitter # 99)	OS99.30	Neutral	The submitter requests that it is included in discussions and decisions pertaining to the notification status of activities within the zone.	Decline the relief sought to the extent that it is compatible with the submission of Koko Ridge Limited.
Corona Trust (submitter # 99)	OS99.31	Oppose	The issue of the appropriate dimension of building setbacks in the Sub Area H2 has already been extensively considered by QLDC in various decisions on resource consents and the variation's pre-planning consultation. The relief sought by the submitter is inconsistent with the previous planning decisions on the consent.	Decline the submission
Corona Trust (submitter # 99)	OS99.32	Oppose	The purpose of the landscape buffer is to mitigate the effects of the state highway on the adjacent land. The anticipated effects of the development	Decline the relief sought

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			proposed do not require mitigation, and certainly not to the equivalent degree of a state highway. The submitter is attempting to use this plan change process to transfer private costs on to a developer.	
Corona Trust (submitter # 99)	OS99.33	Oppose	The zone purpose is to provide for a unique and distinctive urban precinct. The relief sought by the submitter is inconsistent with these objectives.	Decline the relief sought
Corona Trust (submitter # 99)	OS99.34	Oppose	The proposed provision is ultra vires and seeks to restrict the Council's discretion to consideration of one boundary, clearly for the submitter's private purposes. The Council must consider all relevant effects of a proposal, not just those on one boundary with one submitter.	Decline the relief sought
Corona Trust (submitter # 99)	OS99.35	Oppose	The submitter requests that it is included in discussions and decisions pertaining to the notification status of activities within the zone.	Decline the relief sought to the extent that it is compatible with the submission of Koko Ridge Limited.

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Corona Trust (submitter # 99)	OS99.36	Oppose	The proposed height restriction is inconsistent with the purpose of providing a unique and distinctive zone in this location. The restriction proposed is contrary to the wider purpose of providing housing in this location. The zone provisions as notified do not cause environmental effects that would require the implementation of a 5.5m building height restriction. The heights are also not compatible with the purpose of the zone to provide a high level of amenity in this location.	Decline the relief sought