

IN THE ENVIRONMENT COURT OF NEW ZEALAND
CHRISTCHURCH REGISTRY

ENV-

I TE KŌTI TAI AO
ŌTAUTAHI ROHE

BETWEEN

CASSIDY TRUST

Appellant

AND

QUEENSTOWN LAKES DISTRICT COUNCIL

Respondent

APPENDIX 'B' TO NOTICE OF APPEAL BY CASSIDY TRUST

Submissions on behalf of the Cassidy Trust PDP/Stage 1 dated 23 October 2015

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Dear Sir/Madam

re **SUBMISSION ON THE QUEENSTOWN LAKES DISTRICT COUNCIL PROPOSED PLAN**

1 Please find enclosed submission on behalf of the Cassidy Trust.

Yours faithfully
WEBB FARRY



Shelley Chadwick
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QUEENSTOWN



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Form 5 Submission on the Queenstown Lakes District Council Proposed Plan

To Queenstown Lakes District Council

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Queenstown 9348

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Submission by: Cassidy Trust

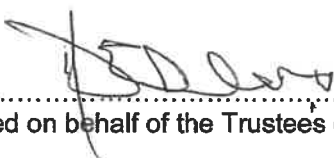
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- 1 This Submission relates to the Queenstown Lakes District Council Proposed District Plan ("proposed plan").
- 2 The Cassidy Trust ("Trust") does not gain an advantage in trade competition through this submission.
- 3 The submission of the Trust relates to:
 - a Chapter 6 Landscapes.
 - b Chapter 22 Rural residential and rural lifestyle.
 - c Chapter 26 Historic heritage.
 - d Chapter 27 Subdivision and development.
- 4 The Trust's submission, and reasons for the submission:
 - 4.1 The Trustees of the Cassidy Trust own land in Lower Shotover Road which has been re-zoned rural lifestyle by the proposed plan. The Trust supports this re-zoning as it recognises that this is an appropriate area for new rural lifestyle development to occur, where such development is well thought out and undertaken in a sympathetic manner reflecting the character of the area.
 - 4.2 Farming on this land has become uneconomical and unprofitable. The Trustees of the Trust have owned and farmed this land at Lower Shotover Road since 1990 and have been directly affected by the decline in profitability. The new rural lifestyle zone reflects the fact that this land is no longer able to be farmed and enables property owners to better utilise the available resource.
 - 4.3 Development permitted in the new rural lifestyle zone provides important opportunities for members of the Queenstown community to live in and enjoy a rural lifestyle.
- 5 The Trust seeks the following in its submission:
 - 5.1 The Trust supports the ability to subdivide properties to smaller lot sizes within the rural lifestyle zone. It is submitted that it is appropriate for the rules to allow for new proposed lots to follow natural or recognisable boundaries in appropriate cases.

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- 5.2 The Trust supports Rule 6.4.1.3.
- 5.3 The Trust supports Rule 22.5.12.3 but seeks an amendment to delete the second sentence of this Rule.
- 5.4 The Trust opposes Rule 27.4.2.b to the extent that it applies to its property. It is submitted that this information overly complicates the operation of this Rule and should be information retained only for Council's purposes in assessing a discretionary resource consent Application.
- 5.5 The Trust supports Rule 27.5: Standards for subdivision activities, as they apply to the rural lifestyle zone, but seeks an amendment to the relevant rule to strike out the second sentence which reads "*For the purpose of calculating any average, any allotment greater than four hectares, including the balance, is deemed to be four hectares*".
- 5.6 The Trust strongly opposes Rule 27.5.1 particularly because it is difficult to understand. It should be redrafted to make it clear for the community how it might apply to their properties. The Trust submits that the discretion retained by the Council in assessing any application for resource consent is adequate to consider issues raised by varying lot sizes. It is further submitted that some lots may be more appropriately subdivided to a smaller size due to natural or clearly perceived boundaries such as land forms or development clusters, etc.
- 5.7 The Trust supports the current rural lifestyle zone over its property and suggests plan maps 31 and 30 should be amended so that the rural lifestyle zone is extends along the lower boundary of the OMF towards State Highway 6 to be bounded by Spring Bank Grove.
- 6 The Trust wishes to be heard in support of its submission.
- 7 The Trust would consider presenting a joint case with others presenting similar submissions.


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Signed on behalf of the Trustees of the Cassidy Trust

Date: 23 October 2015