

**W3989 - Hawea Campground – Stage 2 – Proposed District Plan**

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**District Plan Review – Glen Dene Station and Hawea Campground, SH6, Hawea****Submission summary**

The Hawea Campground is situated on land owned by QLDC, and currently leased to Glen Dene Ltd as campground operators. Glen Dene Ltd have an interest in the proposed Stage 2 Open Space Zone, and specifically the proposed rezoning of 'Pt Section 2 BLK II Lower Hawea SD' and 'Lot 1 DP 418978' as '*Community Purpose – Campground*'.

It is noted that the Stage 2 PDP maps (notified on 23 November 2016) included Lot 1 DP 418978 as being within the '*Community Purpose – Campground*' zone. However, a subsequent memorandum of Counsel for QLDC<sup>1</sup> confirmed that this was a mapping error and it is understood this zoning is to be withdrawn. Lot 1 DP 418978 is therefore to be considered as Rural as per the Stage 1 notified PDP maps, and has been 'whited out' on the PDP maps. The implications of this memo are discussed again below.

In summary, Glen Dene Ltd wish to **support** the proposed zoning of Section 2 BLK II Lower Hawea SD as '*Community Purpose – Campground*' and seek that this zoning be retained over the existing campground.

Glen Dene Ltd also **oppose** the zoning of Lot 1 DP 418972 and Lot 2 DP 418972 as Rural, and instead seek that the zoning of Lot 1 DP 418972 be amended to '*Community Purpose – Campground*'.

**Background:**

The Hawea Campground occupies 15.7 hectares immediately north of the Hawea Dam. The campground operation extends across two land parcels, both of which have the legal description Pt Sec 2 Block II Lower Hawea Survey District. These are contained in CFR 370244. Campground operations and facilities extend over both parcels.

Pt Section 2 BLK II Lower Hawea SD is owned by QLDC and subject to Designation 175 (Motor Park).

Adjacent to the campground lease, or to the north of the campground are two additional parcels (Lot 1 DP 418972 and Lot 2 DP 418972) owned by Glen Dene Ltd. The managers of the campground are the owners of these parcels.

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<sup>1</sup> Dated 13 December 2017

The subject land is identified in the figure below.



Although Lot 1 DP 418972 and Lot 2 DP 418972 are outside of the campground lease area with QLDC, campground activities presently occur on these adjacent land parcels in the form of additional camping areas.

Presently the campground is busy during the peak summer camping months, however stays are limited in the winter months due to a lack of suitable accommodation facilities and supporting infrastructure. To improve the operational viability of the campground on an ongoing basis, Glen Dene Ltd would like to provide additional facilities on Lot 1 DP 418972 and Lot 2 DP 418972 to provide a wider range of built visitor accommodation facilities so as to extend the camp season beyond the summer period.

#### **Submission on Stage 1 of the PDP:**

Glen Dene Ltd (the campground operator) and Sarah Burdon submitted on the proposed Rural zoning of their land and QLDC land during Stage 1 of the PDP. Submission numbers were #282 and #384 respectively.

These submissions, in summary, sought the following relief:

- Removal of the ONL from the campground.
- Designation 175 extended over the whole camp ground, inclusive of Lot 1 DP 418972, Lot 2 DP 418972 and Pt Section 2 BLK II Lower Hawea SD (owned by QLDC).
- Rural Visitor Zone be applied to the camp ground, Lot 1 DP 418978 and Lot 2 DP 418972.

Evidence was presented to the various hearing panels in support of these submissions<sup>2</sup> and proposed specific provisions for the land to preserve the lower density, open space and relaxed lakeside

<sup>2</sup> Statement of Evidence of Duncan Lawrence White For Sarah Burdon #282 and Glen Dene Ltd #384, 4 April 2017

character of the Hawea Campground. These included a 20m vegetation buffer adjoining SH6, and building heights of 5.5m and 8m based on specific landscape evidence<sup>3</sup>.

Submissions #282 and #384 are recommended to be rejected in full by Council's reporting planners, and a decision on these submissions now remains with the Stage 1 hearings panel. Council has indicated that decisions on Stage 1 are anticipated in the first quarter of 2018. Therefore, at the present time there is no certainty regarding the outcome of the Stage 1 submissions.

#### **Status of Stage 1 Submissions and Scope:**

On the 11<sup>th</sup> December 2017 the chair of the hearings panel for Stream 12 issued a minute requesting a response from QLDC as to how the Stage 1 submissions of Glen Dene Ltd (#384) and Sarah Burdon (#282) (in addition to others of similar nature) were to be addressed – recognising the visitor accommodation provisions which have been released in Stage 2.

In response, a Memorandum of Counsel for QLDC was filed on the 13 December 2017 and confirmed the following:

- (a) The rezoning of Lot 1 DP 418972 and Section 1 SO 24546 on the notified Stage 2 maps was a mapping error and is intended to be withdrawn, therefore this land will revert to the Stage 1 'Rural' zoning;
- (b) The Stream 12 hearings panel will **not** make a recommendation on these submissions as they relate to the Pt Section 2 BLK II Lower Hawea SD (owned by QLDC) as this part of the submission is now transferred to Stage 2;
- (c) The Stream 12 hearings panel **will** continue to make a recommendation on submissions #384 and #282 as it relates to Lots 1 and Lot 2 DP 418972, as this land has not been rezoned in Stage 2.
- (d) The Stage 1 submitters need to make a decision as to whether they want to make a submission in Stage 2.

In relation to item (d), it is noted that to Section 1 SO 24546, Lot 1 DP 418972 and Lot 2 DP 418972 are to be 'whited out' on the Stage 2 PDP maps and appears to be out of scope for Stage 2 submissions. However, it is considered that in this circumstance in which a new zone type has been identified by Council, that landowners have the scope for this zone to also be applied to their land (whether it be a VA Subzone or the Open Space Zone).

It is considered there is scope for this Stage 2 submission, and this approach is consistent with the 'fairness and natural justice' comments outlined in the Reply of QLDC's legal counsel for Stream 13<sup>4</sup> which at section 5.6(f) which states: *"the Council will consider the merits of such submissions seeking a Stage 2 Rural Visitor, Industrial or Township zone (for any other such zone type) over Stage 1 land, and will not oppose such submissions on the basis of there being no scope"*.

The Stage 1 submissions in relation to the area around the campgrounds remain live even with this submission.

#### **The Stage 2 submission:**

The submitter supports the Stage 2 proposed rezoning of Pt Section 2 BLK II Lower Hawea SD 'Community Purpose – Campground'. The provisions of this zone recognise the existing and ongoing use of this land as a campground, and are more enabling of any future ancillary works through

<sup>3</sup> Ben Espie evidence

<sup>4</sup> PDP Stream 13 – Right of Reply - Legal Submissions on behalf of QLDC 6 October 2017 para 5.6(f).

identifying 'camping grounds, recreation facilities' as a Permitted activity; and new buildings and alterations as Controlled Activities. The submitter considers that the proposed Stage 2 'Community Purpose – Campground' zoning is appropriate for the campground.

The submitter seeks to also rezone Lot 1 DP 418972 to the north of the Council owned campground be rezoned from Rural to 'Community Purpose – Campground'. The reasons for this are discussed below.

It is the lessee's intentions to upgrade the facilities within Pt Section 2 BLK II Lower Hawea SD and Lot 1 DP 418972 and develop the campground into a tree-dominated lakeside campground and to provide detached visitor accommodation units, camping, powered sites for motorhomes, permanent glamping sites and associated camp facilities such as staff accommodation, maintenance sheds, ablution blocks, administration blocks, kitchens and social spaces. Each of these proposals are consistent with existing campground operations, and the notified purpose of the 'Community Purpose – Campground' zone.

The current rural zoning of the land does not acknowledge the inherent integration of this land with the existing campground area, and its compatibility for expanding campground facilities on this immediately adjoining land. Under the (notified) PDP Rural Zone Chapter, new buildings would require Discretionary resource consent under Rule 21.4.10, and additionally, consideration to the landscape assessment matters for the ONL. This would be an onerous process for the landowner seeking to enhance campground operations through limited additional built form (such as self-contained units) or infrastructure and part of the reason that the submitters sought an alternative zoning for these areas.

Conversely, the provisions for activities in the proposed 'Community Purpose – Campground' zone are structured around consistency with campground use. As such there are limits on the scale of retail and commercial activities, ground floor area, and other activities not typically associated with a campground are identified as Discretionary or non-complying. According to the Stage 2 (notified) Chapter 38, resource consent would still be required for new buildings (Rule 38.9.24 and 38.9.25), with matters of control for building design in proposed 38.13.2, and building colours and reflectivity addressed through Rule 38.10.10. Therefore, this zoning retains specific control over the possible effects of new built form.

Accordingly, the 'Community Purpose – Campground' zone is considered to be more appropriate for Lot 1 DP 418972 than the Rural zone. Applying this zoning over this land would enable greater flexibility in the future enhancement of the campground, generating benefits to the local community and Council (as the owners and lessor of the campground), and while remaining sympathetic to the landscape setting (recognising the proposed matters of control for building design).

It is recognised that 38.7 specifies that the purpose of the Community Purposes Zone (Camping Ground), comprises "*campground facilities that are owned by the Council, but are leased to private interests*". The submitter opposes this purpose, as there is no s32 justification as to the reasons that this zoning should only be applied to land owned by the Council, and it is questioned whether a broader assessment of other appropriate sites has been undertaken.

**The submitter seeks the following relief:**

- **Confirm** the proposed zoning of Pt Section 2 BLK II Lower Hawea SD as 'Community Purpose – Campground' and seeks that this zoning be retained.
- **Rezone** Lot 1 DP 418978 from Rural to 'Community Purpose – Campground'.
- **Confirm** the following provisions of Chapter 38:

- 38.7.1.4
- 38.7.1.5
- 38.9 (Rules – Activities)
- 38.10.1 (Building Height)
- 38.10.2 (Ground Floor Area of Buildings)
- 38.10.8 (Lighting and Glare)
- 38.10.9 (Maximum GFA retail space)
- 38.10.10 (Building Colours)
- 38.13.2 (Matters of Control)
- 38.14 (Matters of Discretion)
- **Amend** 38.7 (Purpose) so that the purpose of the Community Purpose – Campground’ is not only related to land owned by QLDC.
- Any other additional or consequential relief to give effect to this submission.

**Dated:** 22 February 2018

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