

Appendix B – a copy of the Appellant's submission and further submissions

**SUBMISSION ON THE PROPOSED QUEENSTOWN LAKES DISTRICT PLAN
UNDER CLAUSE 6 OF THE FIRST SCHEDULE TO
THE RESOURCE MANAGEMENT ACT 1991**

To: Queenstown Lakes District Council
Private Bag 50072
QUEENSTOWN 9348

Submitter: Treble Cone Investments Ltd
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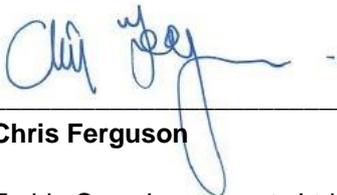
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Treble Cone Investments Ltd ("Treble Cone") makes the submissions on Stage 2 of the Proposed Queenstown Lakes District Plan ("PDP") set out in the **attached** document.

Treble Cone confirms their submission does not relate to trade competition or the effects of trade competition.

Treble Cone would like to be heard in support of its submission.

If other persons make a similar submission then Treble Cone would consider presenting joint evidence at the time of the hearing.



Chris Ferguson

Treble Cone Investments Ltd

23rd day of February 2018

OUTLINE OF SUBMISSION

This submission has been structured under the following headings:

Section A: Overview

Section B: Reasons for, and matters raised, in the Submission

Section C: Specific Submissions to the Proposed Queenstown Lakes District Plan

SECTION A: OVERVIEW

1. The Treble Cone SASZ is located on east facing slopes below Treble Cone (alt. 2058m), approximately 23 km from Wanaka Township. Treble Cone is an established ski area accessed from the western side of Wanaka Mount Aspiring Road and includes two main chair lifts located on the front side and in saddle basin. This site comprises the main ski area and a smaller parcel containing the Treble Cone Ski field access road. Both are leases from the Crown under s.83 of the Land Act.
2. The Treble Cone SASZ land is legally described, as follows:
 - (a) Pt Runs 333A and Part Run 334B Motatapu SD, being 770 hectares in area and contained within Computer Interest Register OT8C/243; and
 - (b) Section 1 SO Plan 23260 and Section 2 SO Plan 22995, being 35.1577 hectares in areas and contained within Computer Interest Register OT17C/552.
3. The level of current and planned investment in infrastructure as part of this SASZs by Treble Cone is significant. It contributes to the range of outdoor recreation activities available within the District and enhancing its reputation as a major national and international tourist destination. The Stage 2 topics notified as part of the District Plan Review include a new Chapter 25 – Earthworks, which has implications for the ongoing operation and development of ski areas within the SASZs.
4. Submissions on the provisions relating to the SASZs as well as their mapping under the PDP was considered at hearings on the Stage 1 proposed in 2017. Treble Cone seek to ensure that the outcomes promoting at these hearings and through their submission to Stage 1 are integrated with Stage 2 topics, including earthworks.

SECTION B: REASONS FOR, AND MATTERS RAISED, IN THE SUBMISSION

Chapter 6 Landscape

5. The effect of the changes made to Chapter 6 are to broaden the application of the landscape provisions to apply across all zones within the PDP, inclusive of all rural and urban zones and to also apply the landscape assessment matters (Chapter 21) to the rural lifestyle and rural residential zones. MCL opposes these changes and considers the rules within Chapter 6 should be amended to clarify that the classification of the landscapes of the District and related objectives and policies for each landscape within Chapter 6 apply only to the Rural zone and not to the SASZs.

6. Under Chapter 6 (as notified), the landscapes of the district have been categorised into three classifications within the rural zone¹, being the outstanding natural landscapes, outstanding natural features and the rural landscape classification. This is reflected within Policy 6.3.1.2 which establishes the policy basis for the landscape classification within the rural zone. The variation to Chapter 6 introduced at the rear of the new Chapter 38 Open Space and recreation does not alter this policy.
7. In the event the Panel are satisfied with the SASZ over the Treble Cone it submits that the outcomes from subdivision or development undertaken in accordance with either SASZ rules would create considerable tensions with the objectives and policies for Outstanding Natural Landscape. Policy 6.3.7.3 expressly seeks to exclude the identified SASZs from the landscape categories and implementation method 6.4.1.3 expressly excludes the SASZ from the landscape assessment matters. The variation to the PDP has not changed these higher order landscape policies, which are now in direct conflict with Policy 6.3.7.3.
8. From a procedural perspective, Treble Cone did not submit on the landscape classification of the land around its site during Stage 1 of the PDP. The reason for not submitting was based on an understanding the objectives and policies relating to Outstanding Natural Landscapes did not apply to the SASZs. Because the proposed changes to the Rules in Chapter 6 impact on the application of the landscape categories, Treble Cone consider that the mapping of the landscapes over these zones falls within the scope of the Stage 2 topics. It is therefore open to Treble Cone to submit to that matter at this time.
9. In addition, Treble Cone submit that if the Stage 2 proposals for Chapter 6 are accepted, the Panel would need to reopen the hearings on the SASZs (Stream 02) to resolve how these tensions that would arise from the application of the objective and policies relating to the landscape categories.
10. Treble Cone submits that the Council has failed to consider the implications of the proposed changes to Chapter 6, including any s32 analysis of the impact of this changes on the SASZs beyond the proposed Open Space and Recreation Zones.
11. Where the rule (as originally notified as part of Stage 1) includes the term “landscape categories”, Treble considers that the plan is not referring to Part 2 of the Act but rather the objectives, policies and assessment matters that apply to the three landscape classifications under the PDP. Accordingly, Treble Cone seeks that the wording of this rule could be amended to reflect that it is the classification of landscapes of the District and related objectives and policies for each classification within Chapter 6, which apply to the Rural Zone (excluding the SASZs).
12. In order to remain consistent with the policies, Treble Cone submits that the Rule should also be amended to clarify that the Rural Zone is just that and does not include the rural lifestyle zone and the rural residential zones (Chapter 22) or the recently notified Wakatipu Basin Rural Amenity Zone (Chapter 24).

Chapter 25 Earthworks

13. Treble Cone participated in the review of the earthworks provisions conducted through Plan Change 49 ('PC49') under the operative District Plan. Following the resolution of appeals, PC 49 was made operative on 27 July 2017. Whilst it was apparent at the time of PC49 being notified that it would intersect with the District Plan review, the issue proceeded to be

¹ 6.2, Page 6 – 2, Chapter 6, PDP - Values

considered by the Council and took on-board many of the point raised by submitters, including Soho (through Blackmans Creek No1 LP).

14. Under the operative District Plan Chapter 22, and as determined through PC 49, earthworks within the SASZ are exempt from the earthworks rules. This recognises the approach under the operative District Plan, prior to PC49 and of the substantial earthworks that are required in conjunction with ski area operations, including the establishment of ponds for snow making and earthworks for other recreational activities such as cycling and walking.
15. Apart from minor changes to integrate with the remainder of the notified Stage 1 topics, Treble Cone submit that Chapter 25 does not need to make any further or significant change to the approach taken under the operative District Plan (as above). Unfortunately, a number of key changes have occurred from the operative provisions. The rationale for these changes has not been addressed in the s32 analysis.
16. The Council has failed to also adequately consider the extent to which earthworks are integrated with and would otherwise control the effects of earthworks through the rules within Chapter 21 Rural Zone, Chapter 27 Subdivision, and Chapter 33 Indigenous Vegetation and Biodiversity.
17. Accordingly, Treble Cone are opposed to the changes sought to Chapter 25 and seek the following relief:
 - a) Inclusion of an objective and related policies acknowledging the benefits of earthworks for the continued operation and development of ski areas within the SASZs;
 - b) Removing the priority afforded to objective 25.2.1 within Policy 25.2.2.1 to the enablement of earthworks necessary to provide for recreation and tourism activities within the SASZs;
 - c) Amending Rule 25.3.4.2 to exempt earthworks associated with ski area activities located within SASZs from all of the earthworks rules in Chapter 25;
18. In the event the relief in c) above is not adopted, Treble Cone seeks to amend the following Rules to exempt earthworks associated with a ski area activity located within a SASZ:
 - a) Rule 25.5.11 maximum area of earthworks;
 - b) Rule 25.5.12 Sedimentation;
 - c) Rule 25.5.13 Roads
 - d) Rule 25.5.14 Dust Suppression
 - e) Rule 25.5.18 farm tracks and access ways
 - f) Rule 25.5.20 Water bodies
 - g) Rule 25.5.21 Groundwater

Chapter 31 Signs

19. Treble Cone oppose several of the rules and standards within this chapter. In general terms, the Signs rules take a blanket approach to the management of the effects of signs across whole groups of Zones, including the SASZs located within the Rural Zone. It is submitted that this blanket approach does not adequately recognise and provide for the functional and operational needs of the ski areas. Ski areas require signs to safely manage large numbers of people through access and parking areas, base facilities, amenities, and route finding on-mountain.

Treble Cone submits that within the ski areas, where people have chosen to undertake recreation activities, there is an understanding and acceptance that signage is a necessary part of those activities.

20. The relevant standards also fail to explicitly provide for signage within or attached to buildings that is more commercially oriented but which is an important element associated with the growth and development of ski areas activities.
21. Based on these concerns, Treble Cone seek a range of amendments to the rules and standards, including formulation of new standards specific to ski areas as set out within the table contained within Section C (below).

SECTION C: SPECIFIC SUBMISSIONS TO THE PROPOSED QUEENSTOWN LAKES DISTRICT PLAN (STAGE 2 TOPICS)

Specific Provision	Submission	Decisions Sought [New text shown <i><u>underlined bold italics</u></i> and deleted text shown as <i>italic strike-through</i>]
Chapter 6 Landscapes		
6.2 Values	<p>Oppose</p> <p>Treble Cone opposes removal of the description of the values contained within 6.2, to the extent that it creates the potential for the landscape policies to apply to development located outside of the rural zone.</p>	Retain 6.2 Values, as detailed within Stage 1 of the PDP
Rule 6.4.1.2	<p>Oppose</p> <p>Treble Cone opposes the modification to this rule that have the effect of broadening the application of the Chapter 6 landscape categories to land located outside of the Rural Zone,</p> <p>The landscapes of the district have been categorised into three classifications <u>within the rural zone</u>², being the outstanding natural landscapes, outstanding natural features and the rural landscape classification. This is reflected within Policy 6.3.1.2 which establishes the policy basis for the landscape classification within the rural zone. The changes introduced through the Variation at the back of proposed Chapter 38 does not change this policy. The clarification under Rule 6.4.1.2 stating that the landscape categories apply only to the rural zone and that the landscape chapter and strategic directions chapters objectives and policies is a correct reflection of the</p>	<p>Amend Rule 6.4.1.2, as follows:</p> <p style="padding-left: 40px;"><i><u>The classification of landscapes of the District and related objectives policies for each classification within Chapter 6 landscape categories apply only to the Rural Zone. The Landscape Chapter and Strategic Direction Chapter’s objectives and policies are relevant and applicable in all zones where landscape values are at issue.</u></i></p>

² 6.2, Page 6 – 2, Chapter 6, PDP - Values

Specific Provision	Submission	Decisions Sought [New text shown <u><i>underlined bold italics</i></u> and deleted text shown as <i>italic strike-through</i>]
	<p>structure of the unmodified policies and the proposed changes by the council conflict with this policy direction.</p> <p>Where the rule includes the term “landscape categories”, Soho considers that the plan is not referring to Part 2 of the Act but rather the objectives, policies and assessment matters that apply to the three landscape classifications under the PDP. Accordingly, Treble Cone seeks that the wording of this rule could be amended to reflect that it is the classification of landscapes of the District and related objectives and policies for each classification within Chapter 6, which apply to the Rural Zone</p>	
<p>Rule 6.4.1.3</p>	<p>Oppose</p> <p>The effect of the proposed change to Rule 6.4.1.3 it to focus the application of the rule to “assessment matters”. This is confusing because Chapter 6 does not contain any assessment matters and the only other relevant assessment would be those included within Chapter 21 Rural Zone. Chapter 22 does not have any assessment matters relevant to subdivision and development (except with respect to hazards in the Makarora Lifestyle Zone). In addition, because this rule is worded in the negative i.e. the assessment matters do not apply to the certain areas, it could be interpreted that the assessment matters do apply to all other zones, including the Rural Residential Zone, outside of those listed exemptions.</p> <p>On this basis, the effect of the proposed changes to Rule 6.4.1.3 would be to apply assessment matters for the three landscape classifications within Chapter 21 Rural Zone to subdivision or development across all other zones, including the Rural Residential Zone. As detailed in</p>	<p>Amend Rule 6.4.1.3, as follows:</p> <p><u><i>The landscape categories classification of landscapes of the District, the related objectives policies for each classification within Chapter 6 and the landscape assessment matters within provision 21.7 (Chapter 21), do not apply to the following within the Rural Zones:</i></u></p> <ul style="list-style-type: none"> a. <i>Ski Area Activities within the Ski Area Sub Zones.</i> b. <i>The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps.</i> c. <i>The Gibbston Character Zone.</i> <p><u><i>For the avoidance of doubt, the Rural Zone does not include the Wakatipu Basin Rural Amenity Zone (or Precincts) (Chapter 24), the Rural Lifestyle Zone or the Rural Residential Zone (Chapter 22).</i></u></p>

Specific Provision	Submission	Decisions Sought [New text shown <u><i>underlined bold italics</i></u> and deleted text shown as <i>italic strike-through</i>]
	<p>the submission made above on Rule 6.4.1.2 the policies of Chapter 6 apply the landscape classifications and related provision to the Rural Zone. The Council hasn't sought to amend these policies and the changes to this Rule would not change how the policies relating to the three landscape classifications would apply.</p> <p>Where the rule (as originally notified as part of Stage 1) includes the term "landscape categories", Soho considers that the plan is not referring to Part 2 of the Act but rather the objectives, policies and assessment matters that apply to the three landscape classifications under the PDP. Accordingly, Treble Cone seeks that the wording of this rule be amended to reflect that it is the classification of landscapes of the District and related objectives and policies for each classification within Chapter 6, which apply to the Rural Zone</p> <p>In order to remain consistent with the policies, Treble Cone seeks that the Rule should also be amended to clarify that the Rural Zone is just that and does not include the rural lifestyle zone and the rural residential zones (Chapter 22) or the recently notified Wakatipu Basin Rural Amenity Zone (Chapter 24).</p>	
Chapter 25 Earthworks		
25.2 Objectives and Policies	<p>Oppose</p> <p>Treble Cone oppose the structure of the objectives and policies that fail to sufficiently balance the social and economic benefits of enabling earthworks with the SASZs.</p>	

Specific Provision	Submission	Decisions Sought [New text shown <u><i></i></u> and deleted text shown as <i></i>]
Policy 25.2.1.2	<p>Oppose</p> <p>Treble Cone oppose the proposed wording of this policy seeking to “protect” the listed resources as it is overly restrictive and conflicts with the objective to minimise adverse effects.</p>	<p>Amend Policy 25.2.1.2, as follows:</p> <p><i>Protect</i> <u><i>Minimise the adverse effects of earthworks on the following valued resources including those that are identified in the District Plan from the inappropriate adverse effects of earthworks:</i></u></p> <ul style="list-style-type: none"> <i>a. Outstanding Natural Features and Landscapes;</i> <i>b. the amenity values of Rural Landscapes and other identified amenity landscapes;</i> <i>c. significant Natural Areas and the margins of lakes, rivers and wetlands;</i> <i>d. the exposure of aquifers, in particular the Wakatipu Basin, Hāwea Basin, Wanaka Basin and Cardrona alluvial ribbon aquifers;</i>
Policy 25.2.2.1	<p>Oppose</p> <p>Treble Cone oppose prefacing this policy with “subject to Objective 25.2.5.1” as it has the effect of undermining the significance of social and economic wellbeing and the community benefits of earthworks within the SASZs and the appropriate balancing of provisions.</p>	<p>Amend Policy 25.2.2.1, as follows:</p> <p><i>Subject to Objective 25.2.1, e</i><u><i>Enable</i></u> earthworks that are necessary to provide for people and communities wellbeing, having particular regard to the importance of:</p> <p>...</p>
25.3.3 Advice Notes 25.3.1	<p>Support in Part</p> <p>Treble Cone support in part the inclusion of this Advice Note to clarify how the volume of earthworks is calculated. It is suggested that as earthworks are a dynamic process during construction phase, it would be assist in the understanding of the rule if volume was calculated at the completion of such work.</p>	<p>Amend Advice Note 25.3.3.1, as follows:</p> <p><i>Volume shall mean the sum of all earth that is moved within a site and includes the total of any combined cut and fill, <u>measured at the completion of that work.</u> Refer to Interpretive Diagrams 25.1 to 25.3 located within Schedule 25.9.</i></p>

Specific Provision	Submission	Decisions Sought [New text shown <u><i>underlined bold italics</i></u> and deleted text shown as <i>italic strike-through</i>]
Advice Note 25.3.3.3	<p>Support in Part</p> <p>Treble Cone supports the meaning of this Advice Note and suggests a minor wording change to better express its meaning.</p>	<p>Amend Advice Note 25.3.3.3, as follows:</p> <p><i>Refer to Chapter 33 Indigenous Vegetation and Biodiversity for land disturbance activities within Significant Natural Areas. No <u>The provisions of this chapter do not prevail over those of Chapter 33 Indigenous Vegetation and Biodiversity.</u></i></p>
Advice Note 25.3.3.4	<p>Support in Part</p> <p>Treble Cone supports the meaning of this Advice Note and suggests a minor wording change to better express its meaning.</p>	<p>Amend Advice Note 25.3.3.4, as follows:</p> <p><i>Earthworks are also managed as part of development activities and modifications to Historic Heritage items and settings identified on the Planning Maps and in Chapter 26 Historic Heritage. No <u>The provisions of this chapter do not prevail over those of Chapter 26 Historic Heritage.</u></i></p>
Advice Note 25.3.3.11	<p>Support in Part</p> <p>Treble Cone supports the meaning of this Advice Note and suggests a minor wording change to better express its meaning.</p>	<p>Amend Advice Note 25.3.3.11, as follows:</p> <p><i><u>The provision of this chapter do not apply to</u> are <u>the following activities managed in Chapter 30 Energy and Utilities:</u></i></p> <p>...</p>
25.3.4 General Rule 25.3.4.1	<p>Support in Part</p> <p>Treble Cone supports this rule in part, but considers that it should be broadened to apply to all subdivision, not just subdivision that is a controlled or restricted discretionary activity. Changes to the structure of the rule are also proposed as earthworks are not “subject to” subdivision consent, being the very point of the rule. It is suggested instead that “earthworks associated with subdivision” be exempt.</p>	<p>Amend Rule 25.3.4.1, as follows:</p> <p><i>Earthworks <u>associated with</u> subject to resource consent applications for Controlled or Restricted Discretionary activity <u>subdivisions pursuant to section 11 of the Act and the provisions of Chapter 27, shall be:</u></i></p> <p><i><u>i) exempt from the following Rules:</u></i></p> <ul style="list-style-type: none"> <i>a. Table 25.2 volume;</i> <i>b. Rule 25.5.16 cut; and</i>

Specific Provision	Submission	Decisions Sought [New text shown <u><i>underlined bold italics</i></u> and deleted text shown as <i>italic strike-through</i>]
		<p><i>c. Rule 25.5.17 fill.</i></p> <p><i>ii) Applications for subdivision involving any earthworks shall be considered against the matters of discretion for earthworks in Part 25.7 and assessment matters in Part 25.8.</i></p> <p><i>All other rules in the Earthworks Chapter apply to applications for subdivision consent.</i></p>
25.3.4.2	<p>Support in Part</p> <p>Treble Cone supports this rule in part, but considers that it should be broadened to apply to all of the standards within Chapter 25 Earthworks.</p>	<p>Amend Rule 25.3.42, as follows:</p> <p><i>Earthworks for Ski Area Activities within the Ski Area Sub Zones and vehicle testing facilities within the Wairau Ski Area Sub Zone are exempt from the earthworks rules, with the exception of the following rules that apply:</i></p> <p><i>a. Rules 25.5.12 to 25.5.14 that control erosion and sediment, deposition of material on Roads and dust;</i></p> <p><i>b. Rule 25.5.20 setbacks from waterbodies; and</i></p> <p><i>c. Rule 21.5.21 exposing groundwater.</i></p>
General Rule 25.3.4.3	<p>Support in Part</p> <p>Treble Cone support the intent of this rule and proposed a change to enable volume and areas of earthworks to be calculated across “any” consecutive 12 month period, rather than only “one” 12 month period.</p>	<p>Amend Rule 25.3.4.3, as follows:</p> <p><i>The maximum volume and area of earthworks shall be calculated per sSite, within one <u>any</u> consecutive 12 month period</i></p>
Rule 25.5.11	<p>Oppose</p> <p>Treble Cone opposes the inclusion of the SASZs within the area thresholds and seek to exempt this zone from the rule to be consistent with the approach taken with the</p>	<p>Amend Rule 25.5.11 to add the following statement:</p> <p><u><i>Except this rule shall not apply Ski Area Activities located within the Ski Area Sub-Zones.</i></u></p>

Specific Provision	Submission	Decisions Sought [New text shown <u><i>underlined bold italics</i></u> and deleted text shown as <i>italic strike-through</i>]
	maximum volume limitations and to integrate with the other stage 1 Chapters.	
Rule 25.5.12	<p>Oppose</p> <p>Treble Cone oppose the inclusion of the SASZs within this standard relating to sedimentation and seeks an exempt for Ski Area Activities within the SASZs. In addition, Treble Cone oppose non-complying activity status for a breach of this rule, which is considered able to be appropriately managed as a restricted discretionary activity. Non-complying activity stratus does not follow from the wording of the relevant policies.</p>	<p>Amend Rule 25.5.12 to:</p> <ul style="list-style-type: none"> a) Change the status of non-compliance to restricted discretionary; and b) Add an exemption stating that this rule shall not apply Ski Area Activities located within the Ski Area Sub-Zones.
Rule 25.5.13	<p>Oppose</p> <p>Treble Cone oppose non-complying activity status for a breach of this rule, which is considered able to be appropriately managed as a restricted discretionary activity. In addition, non-complying activity stratus does not follow from the wording of the relevant policies.</p>	Amend Rule 25.5.13 to change the status of non-compliance to restricted discretionary
Rule 25.5.15	<p>Support</p> <p>Treble Cone supports the intent of this rule to establish a permissive approach for managing accidental discovery, archaeological sites and contaminated land through the relevant legislation applying to these matters and not as a separate rule trigger.</p>	No changes
Rule 25.5.18	Support in Part	Amend Rule 25.5.18, to provide an exemption stating that this rule shall not apply Ski Area Activities located within the Ski Area Sub-Zones.

Specific Provision	Submission	Decisions Sought [New text shown <u><i>underlined bold italics</i></u> and deleted text shown as <i>italic strike-through</i>]
	Treble Cone opposes the application of this rule to ski area activities located within the SASZs which involve the formation of access to facilitate ski area activities and for the reasons detailed above.	
Rule 25.5.20 and Rule 25.5.21	<p>Oppose</p> <p>Treble Cone oppose the application of this rule to ski area activities located within the SASZs. In addition, the operative earthworks rules provide for 20m³ of earthworks within 7m of a water body. The 7m setback is also consistent with rules within the Otago Regional Water Plan. No assessment has been made to justify this departure.</p>	Amend Rule 25.5.20 and Rule 25.5.21, to provide an exemption stating that this rule shall not apply Ski Area Activities located within the Ski Area Sub-Zones
Chapter 31 Signs		
31.2 Objectives and Policies	<p>Oppose</p> <p>Treble Cone oppose the lack of recognition of signage necessary to serve the functional and operational needs of ski areas located within the SASZs through the objectives and policies, as notified. Based on the further concerns raised with respect to the rules and standards, Treble Cone consider that further support is required within the Objectives and Policies for such methods.</p>	Formulate a new objective and associated policies seeking to enable signs associated with ski area activities located within SASZs
Rule 31.5.9 Free Standing Signs	<p>Support</p>	Retain Rule 31.5.9

Specific Provision	Submission	Decisions Sought [New text shown <u><i>underlined bold italics</i></u> and deleted text shown as <i>italic strike-through</i>]
	Treble Cone support permitted activity status for free standing signs, particular where they are in support of any Ski Area Activity located within a SASZ.	
Rule 31.6.7 Free Standing Signs	<p>Oppose</p> <p>Treble Cone oppose the maximum area restriction of 2m² on free standing signs as well as the maximum height limit of 3.5m. It is submitted that these restrictions would have not been designed or assessed with the SASZs in mind and because of the nature of ski area operations would be overly restrictive. Treble Cone seek to exempt ski area activities within the SASZs from this rule.</p>	Amend Rule 31.6.7 to provide an exemption stating that this rule shall not apply to Ski Area Activities located within the Ski Area Sub-Zones.
31.9 Standards for Signs in Other Areas	<p>Oppose</p> <p>Treble Cone oppose the blanket approach taken to sign standards within the rural area and lack of recognition of the SASZs within Table 31.9. Given the express objective of the PDP to encourage future growth, development and consolidation within the SASZs and the unique nature of ski area operations located within isolated alpine areas, signs will have very little effect. Moreover, the ski areas require a significant number of directional signs for route finding, traffic management, safety as well as commercial signage associated with certain base facilities. These are all distinct elements within the SASZs that require separate standards.</p> <p>The standards in this table also fail to explicitly provide for signage within or attached to buildings, including base facilities, on-mountain restaurants or visitor accommodation. Due to the construction of the chapter,</p>	<p>Amend the standards for signs in other areas (Table 31.9) to:</p> <ul style="list-style-type: none"> a) Separately recognise and provide for the signage requirements for ski areas and that are not sufficiently addressed through the existing standards applying across the Rural Zone as a permitted activity; and b) Provide for signage within or attached to buildings associated with ski area activities located within SASZs as a permitted activity.

Specific Provision	Submission	Decisions Sought [New text shown <u><i>underlined bold italics</i></u> and deleted text shown as <i>italic strike-through</i>]
	whereby all signage that is not provided for becomes a discretionary activity (refer Rule 31.5.1), this gap in the standards is significant. Accordingly, Treble Cone seek to have signage for commercial or recreation activities associated with ski area activities within or attached to buildings provided for in Table 31.9.	
Rule 31.9.1	<p>Oppose</p> <p>Treble Cone oppose this standard restricting the maximum area of signage to 2m² per site. This area limitation would fail to provide for the operational and safety needs of ski areas and is contrary to the objective and policies for the SASZs. Accordingly, Treble Cone seek amendments to this standard to exempt ski area activities located within the SASZs.</p>	Amend Rule 31.9.1 to exempt signage associated with Ski Area Activities location within SASZs.
Rule 31.9.11	<p>Oppose</p> <p>Treble Cone oppose discretionary activity status to any sign failing to comply with the standards within the Rural Zone, including the SASZs.</p>	Amend Rule 31.9.11 to exempt signage associated with Ski Area Activities location within SASZs.

Treble Cone opposes Chapter 25 Earthworks and Chapter 31 Signs if the deficiencies identified in this submission are not addressed, and seeks that Chapters 25 and 31 be declined in the event the deficiencies are not addressed.

Treble Cone seeks any other consequential or other changes / relief as necessary or appropriate in order address the issues raised in this submission

**FURTHER SUBMISSION ON THE PROPOSED QUEENSTOWN LAKES DISTRICT PLAN
UNDER CLAUSE EIGHT OF THE FIRST SCHEDULE TO
THE RESOURCE MANAGEMENT ACT 1991**

To: Queenstown Lakes District Council
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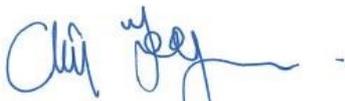
Treble Cone Investments Ltd ("**TC**") makes further submissions on Stage 2 of the Proposed Queenstown Lakes District Plan as set out in the **attached** document.

TC confirms it is a person who is representing a relevant aspect of the public interest, and has an interest in the proposal that is greater than the interest the general public has (it is affected by the content of a submission).

TC wishes to be heard in support of its further submission.

If other persons make a similar further submission then TC would consider presenting joint evidence at the time of the hearing.

A copy of this further submission has been served on the original submitters to which this further submission relates.



Chris Ferguson

For and behalf of Treble Cone Investments Ltd

27th day of April 2018

FURTHER SUBMISSIONS

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support or opposition are:
Ian Dee (#2327) PO Box 247 Cromwell ianrdee@gmail.com	Chapter 25 Earthworks, Policy 25.2.2 (Submission point 2327.1)	Oppose	TC agrees with the sentiment of this submission, in that activities should not be allowed to destruct soil. Objective 25.2.2 is focussed on the human (social, cultural and economic wellbeing) outcomes to be gained from earthworks and it is not a territorial local authority function to control the use of land for soil conservation purposes (refer s30(1)(c)(i)). TC supports the notified version of Objective 25.2.2.
Department of Conservation (#2242) Private Bag 4715 Christchurch 8140 hfamilyton@doc.govt.nz	Chapter 25 Earthworks, Objective 25.2.1 (Submission point 2242.12)	Oppose	TC opposes the suggested amendment to Objective 25.2.1 seeking to avoid adverse effects of earthworks on ONF/Ls, significant natural areas, wetland, and the margins of lake and rivers. This change elevates protection and is inconsistent with s.6 which seeks to protect ONF/Ls from the adverse effects of inappropriate subdivision, use or development.
	Chapter 25 Earthworks, Assessment Matters 25.8.6 - Effects on water bodies, ecosystem services and indigenous biodiversity (submission point 2242.16)	Oppose	Avoidance of adverse effects as part of this assessment matter is opposed as being inconsistent with the relevant objectives and policies and imposes a significant barrier for subdivision, use or development within SNAs.
	Chapter 31 Signs, 31.2.1 - Objective 1 (Submission point 2242.9)	Support	TC supports the proposed change to this objective as better reflecting s7 of the Act
	Chapter 31 Signs, Policy 31.2.1.5(a) (Submission point 2242.1)	Support	TC supports the additions to this policy that seek to improve knowledge of public access provisions to public spaces.
	Chapter 31 Signs, additional advice note to Rule 31.4.2 g) (submission point 2242.11)	Support/Oppose	TC support the changes sought to this provisions in part so far as it provides an exception for land uses consistent with the listed conservation act strategies and plans. TC oppose inclusion of a subjective reference to significant adverse effects as that qualifier cannot be objectively measured to determine compliance.

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support of opposition are:
Heritage New Zealand (#2446) PO Box 5467 Dunedin 9058 jodea@heritage.org.nz	Chapter 25 Earthworks, Rule 25.4.5 (submission point 2446.9)	Support	TC supports the intent of the proposed changes in the event they continue to narrow the range of control and improve certainty.
	Chapter 25 Earthworks, new rule within Table 25.1 (submission point 2446.1)	Oppose	TC supports in part the addition of a new rule controlling earthworks within the setting/curtilage/extent of any building structure or feature listed in Schedule 26.9, but considers that the proposed wording leaves considerable uncertainty to determine compliance. Further, TC considers an exemption should be introduced where an archaeological authority is obtained.
	Chapter 25 Earthworks, Rule 25.5.15 (Submission point 2446.13)	Oppose	TC oppose the changes sought to this rule having the effect of making earthworks where an archaeological authority as requiring resource consent. TC considers this change inefficient.
Otago Fish and Game Council (#2455) PO Box 76 Dunedin 9016 n.paragreen@fish_game.org.nz	Chapter 25 Earthworks, Rule 25.7, matter of discretion 25.7.1 (e) (Submission point 2455.18)	Oppose	TC considers that an additional assessment matter to specifically address the habitat of trout and salmon would better provide for the concerns raised by Fish and Game and the requirements of s7(h) of the Act.
	Chapter 25 Earthworks, 25.8.6 - Effects on water bodies, ecosystem services and indigenous biodiversity (Submission point 2455.19)		TC considers that an additional assessment matter to specifically address the habitat of trout and salmon would better provide for the concerns raised by Fish and Game and the requirements of s7(h) of the Act
Te Anau Developments Ltd (#2494) C/- John Edmonds + Associates Ltd Ben@jea.co.nz	Chapter 25 Earthworks, Rule 25.4 - Amend Rule 25.4.5 so that archaeological sites managed by other legislation are not covered by the Earthworks rules. (Submission point 2494.18)	Support	TC supports changes to the rule so that archaeological sites managed by other legislation are not covered by the Earthworks rules. A blanket listing of such activities as being discretionary conflicts with the approach taken within Rule 25.5.15 and its link to 25.10 Accidental Discovery, which sets out a path for such activities to commence once the relevant statutory authorities have been obtained.
Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou, Hokonui Runanga, Te Runanga o Waihopai, Te Runanga o Awarua	Chapter 29 Earthworks – reference to wāhi tūpuna mapped areas. (Submission Point 2329.1)	Support	TC generally supports the identification of wāhi tupuna, however cannot properly assess the impact of the proposed changes to the earthworks rules until this work has been completed (indicated as being through Stage 3). TC

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and Te Runanga o Oraka-Aparima (Kai Tahu) (#2329) PO Box 446 Dunedin 9054 maree@aukaha.co.nz			suggest that changes to the earthworks provisions occur at the same time as mapping of wāhi tupuna occurs.
Cardrona Alpine Resort Limited (#2492) C/- John Edmonds + Associates Ltd Ben@jea.co.nz	Chapter 29 Transport (submission point 2492.3)	Support	TC supports recognition of the benefits of air transport for ski areas. This approach generally aligns with the additional policies sought during Stage 1 PDP to Chapter 21 Rural Zone to provide for the functional relationship of SASZs to the Districts transportation
	Chapter 29 Transport (Submission point 2492.4)	Support	TC supports recognition of private roads and car parking associated with accessing Ski Area Sub-Zones. This approach aligns with the additional policies sought during Stage 1 PDP to Chapter 21 Rural Zone to provide for the relationship of SASZs to the Districts transportation infrastructure.
	Chapter 31 Signs (submission point 2492.5)	Support	TC supports the intent of the changes to the signage rules providing for signs within the SASZs as a permitted activity, where they are not visible from a public place or neighbouring property, and that where visible from a public place or neighbouring property, signs are provided for as a controlled or restricted discretionary activity.
	Chapter 31 Signs (submission point 2492.6)	Support	TC supports the intent of the changes to the signage rules providing for signs located outside of a SASZ as a permitted activity, subject to appropriate standards.
Luise Lockwood (#2184) 6 Baird Lane Bendemeer Queenstown 9371 Luise.marris@gmail.com	Chapter 31 – Signs (submission point 2184.2)	Oppose	TC considers the scale of signs related to commercial development should be determined by the sensitivity of the receiving environment and the amenity values expected for those areas and not through a blanket reduction.
Real Journeys Ltd (#2466)	Chapter 31 – Signs (submission point 2466.1)	Support	TC supports recognition within the Signs chapter of signage needing to be conspicuous.

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C/- John Edmonds + Associates Ltd Ben@jea.co.nz	Chapter 31 – Signs (submission point 2466.11)	Support	TC supports amendments to the signage rules to make signs a permitted activity where they are not visible from a public place or a neighbouring property. Such a provision would be a relevant and beneficial within the SASZs.
Tony MacColl, On Behalf of NZ Transport Agency (#2538) PO Box 5245 Moray Place Dunedin 9058 tony.maccoll@nzta.govt.nz	Chapter 31 Signs, Objective 31.2.6 (Submission point 2538.94)	Oppose	TC oppose the changes sought to Objective 31.2.6. discouraging off-site signage. Off-site signage may be appropriate in some situations and the notified policy appropriately recognises this.
	Chapter 31 Signs, Rules – General Standards (Submission Point 2538.102)	Oppose	TC oppose the new Rule for signs adjacent to State Highways, to the extent the suggested rule fails to quantify the distance of any "adjacent" sign needs to be to be captured by the rule.
Chorus (#2194) PO Box 25-289 Christchurch 8144 matthew@incite.co.nz	Chapter 31 Signs, Rule 31.5.14 (submission point 2194.2)	Support	TC supports deletion of the rule listing hoardings, including hoardings located above roads as a prohibited activity. Such status is unnecessary and not justified on the level of effects likely to arise.
Queenstown Trails Trust (#2575) C/- John Edmonds & Associates Ltd hayley@jea.co.nz	Chapter 31 Signs, Rule 31.5.23 (Submission Point 2575.15)	Support	TC supports the amendments proposed to Rule 31.5.23 including pedestrian and cycle trail signs within the list of permitted activities.
	Chapter 31 Signs, Rule 31.5.23 (a) (Submission Point 2575.16)	Support	TC supports the amendments proposed to Rule 31.5.23(a) including pedestrian and cycle trail signs within the list of permitted activities.
NZSki Ltd (#2454) C/- Southern Planning PO Box 1081 Queenstown 9448 sean@southernplanning.co.nz	Chapter 25 Earthworks (Submission Point 2454.8)	Support	TC supports the relief sought in the submission by NZSki Ltd to provide a total exemption from the earthworks rules within the SASZs located on Public Conservation land administered by the Department of Conservation.
	Chapter 25 Earthworks, 25.2 new Objective and policies (Submission Point 2454.6)	Support	TC supports the relief sought in the submission by NZSki Ltd requesting that there be a new objective and supporting policies to enable earthworks and commercial recreational activities in the SASZs.