

Appendix B – a copy of the Appellant's original submission

**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
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Submitter: Glendhu Bay Trustees Limited
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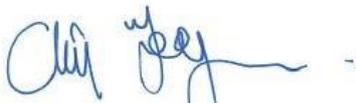
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Glendhu Bay Trustees Limited ("GBT") makes the submissions on Stage 2 of the Proposed Queenstown Lakes District Plan ("PDP") set out in the **attached** document.

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

GBT would like to be heard in support of its submission.

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



Chris Ferguson

Glendhu Bay Trustees Limited

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. GBT owns land known as Glendhu Station near Wanaka. Its land has been identified within the Rural Zone under the Proposed Queenstown Lakes District Plan ("PDP"). It has the same zoning under the operative District Plan and has submitted on Stage 1 of the PDP seeking to rezone land as a new Glendhu Station Zone.
2. The submission to Stage 1 PDP by GBT sought the creation of a new Glendhu Station Zone across Glendhu Station and comprising land of approximately 2,834 ha in area. The purpose of the Glendhu Station Zone is to provide for residential and visitor accommodation within an outstanding natural landscape rural setting, a high standard of built amenity an 18-hole championship golf course, other recreation and tourist amenities and to provide environmental benefits through the provision of public access, protection of open space and biodiversity enhancement. The proposed Glendhu Station Zone encompasses the main area of residential, commercial, recreation and tourist based activity within Glendhu Bay with wider areas of rural activity being accommodated within the Open Space Farm Activity Area. The Open Space Farm Activity Area provides for the management of an important area of farm land of Glendhu Station and surrounding the areas of more intensive development within the other activity areas. It is important as it also contains a range of open space protection, vegetation management and enhancement, public access trails and related provisions that are vital to the enablement of development elsewhere in the Zone.
3. Integral to the zone is a structure plan which provides for the spatial layout of activity and mechanisms for protection of the environment. The structure plan forms a part of the zone provisions and is informed and reliant on the related rules. The Structure Plan and provisions for the zone have been informed from an approved land use consent held by Parkins Bay Preserve Ltd to undertake the following:
 - An 18 hole championship golf course located either side of the Mt Aspiring Road;
 - A series of lakeside buildings, including:
 - (a) a club house with restaurant and cafe;
 - (b) a jetty to facilitate public access to the building from the water;
 - (c) twelve visitor accommodation units, spread over three buildings;
 - 42 residences/visitor accommodation units, to be located on the rolling terrace to the south of the golf course, each set on an area of land between 3,525 m² and 8,719 m² ;
 - Ecological enhancement of approximately 65 hectares in accordance with a revegetation strategy including planting of locally appropriate native plants in the golf course and around the proposed houses;
 - Covenanted areas from which stock are precluded to allow natural revegetation to occur;

- Enhanced public access to the site including provision of formed access from the Mt Aspiring Road to the Parkins Bay foreshore, formed access from Glendhu Bay to Parkins Bay and further along Parkins Bay, northwest of the Clubhouse to form a link to the second underpass under Mt Aspiring Road; and
 - Further public access in the form of a track along the Fern Burn to the existing Motatapu Track, provision for mountain bike access to the Motatapu Track, a track to the high point on Glendhu hill, and a track from Rocky Mountain to the existing Matukituki River track, upon a set of terms and conditions set out in the decision and in accordance with the plans and maps attached to that decision
4. Hearings on submissions for the Upper Clutha Mapping requests, including on the creation of the Glendhu Station Zone, were completed in July 2017 with decisions from the Council pending.
 5. This submission to the Stage 2 topics of the PDP generally seeks to ensure consistency in the planning approach taken within the Glendhu Station Zone in the event its submission on the stage 1 rezoning is successful. It seeks to ensure proposed changes to the application of landscape categories and assessment matters, earthworks rules and visitor accommodation appropriately integrate with the objective and methods established for the proposed Glendhu Station Zone.
 6. The reasons for this submission are outlined in Section B with the specific relief being contained within Section C.

SECTION B: REASONS FOR SUBMISSION

Chapter 6 Landscapes

7. 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. GBT opposes this change and considers that the rules within Chapter 6 should be amended to clarify that the role of the objectives and policies within this chapter should not apply to the Glendhu Station Zone.
8. GBT acknowledges that the provisions of the proposed Glendhu Station Zone were initially developed to integrate with the objectives and policies of Chapter 6, and noting that the Glendhu Station Zone did not form a part of the Stage 1 PDP as notified by the Council. However, that approach has evolved over the course of the hearing process to a point where the management of landscape values within the Glendhu Station Zone is now supported by an objective and strong policy to “protect the qualities of the Glendhu Station, Glendhu Bay and Parkins Bay landscape from adverse effects of inappropriate subdivision, use and development”¹.
9. The policy and related structure plan and rules provide for the protection of this landscape in specific ways, including by:
 - a) Enabling the use of land in certain locations where views are maintained and controls over buildings to maintain amenity values.
 - b) Elevating the protection of more sensitive parts of the landscape through a policy to avoid development and a related Landscape Protection overlay identified on the structure plan;

¹ Supplementary Statement of Evidence of Christopher Bruce Ferguson, 6 June 2017, Appendix 1, Policy 44.3.1.1,

- c) Restricting the range of permissible activities; and
 - d) The protection and enhancement of indigenous biodiversity values, including through the provision of standards for revegetation across parts of the Zone.
10. The provisions were developed off a background of detailed analysis of the resources of this area through the Glendhu / Cattle Flat Resource Study.
 11. Together the Zone establishes a targeted regime for protecting the landscape values in a way that is more specific to the Glendhu Station Zone and that implements the higher order objectives and policies from Chapter 6 without necessarily needing to refer to these to manage the effects of subdivision and development undertaken within the zone. In this way, the proposed new Chapter 44 provisions are more relevant as a policy structure for the assessment of landscape effects within the proposed Glendhu Station Zone.
 12. This is not to suggest that Chapter 6 is irrelevant, as the provisions of the Glendhu Station Zone have been developed to expressly implement the outcomes relevant to the policies for the ONL. Having developed this more refined policy and rule structure, the blanket application of the objectives and policies for the ONL of the Glendhu Station landscape would create unnecessary tension and uncertainty.
 13. GBT supports the intent of having rules that clarify the intended application of the landscape provisions within Chapter 6. Rather than developing an inclusive list of zones where these provisions apply (such as the Rural Zone), GBT considers that a more effective approach would be to simply apply the Chapter 6 provisions to land located outside urban areas or lifestyle zones where the consideration of landscape values has been incorporated into spatial and planning outcomes such as the Glendhu Station Zone, and identified Urban Growth Boundaries.

Earthworks

14. The proposed Glendhu Station Zone makes provisions for earthworks rules within that chapter. In the event that the decision on the Stage 1 Upper Clutha Mapping hearings of the PDP agree to the creation of the Glendhu Station Zone, GBT submit that it would be appropriate and desirably to incorporate those provisions into the new Chapter 25 provisions.
15. GBT seeks a number of changes to the Earthworks Chapter that are designed to make provision of the Glendhu Station Zone and to achieve the following outcomes:
 - (a) A more balanced policy structure that provides for earthworks while minimising the adverse effects of such works on the environment; and
 - (b) A range of minor edits to Advice Notes and Rules to improve administration and clarity of language.

Visitor Accommodation

16. Parts of the Glendhu Station Zone are designed to provide for Visitor Accommodation, including within the Residences, Campground, Farm Homestead, Lakeshore and Open Space Farm Activity Areas. The Glendhu Station Zone is proposed to be created by submission and GBT is concerned with the potential changes to the changes to the definition of Visitor Accommodation, the proposed new definition of Residential Visitor Accommodation that might have unintentional impacts on the Glendhu Station Zone. In the event the submission on the Stage 1 PDP are unsuccessful, GBT wish to also ensure that the changes to the Visitor Accommodation rules within the Rural Zone do not impact on the ability to provide for short term letting of residential units as this was not an outcome explicitly provided for as part of its underlying consent.

17. In addition to these specific concerns regarding the interface of the variation with the Glendhu Station Zone, GBT submits that the effects of short term stays within the rural zone does not justify the proposed restrictions for the following reasons:
- a) This zone contributes comparatively little to the housing stock across the District and enabling this form of accommodation has much less impact on the availability houses to provide for residential accommodation;
 - b) Housing within rural areas is less affordable than housing within the urban areas and any reduction to residential capacity within these areas through short term accommodation would have little impact on the affordability of housing within the District;
 - c) Based on the analysis provided in support of the changes to the PDP by Infometrics², the majority of short term accommodation is occurring within urban areas of the District³; and
 - d) The addition of the rules over short term guest accommodation within residential units or residential flats is not effects based;
 - e) Short stay visitor stays within residential units and residential flats provides for the economic wellbeing of people and communities without adversely affecting the environmental qualities of the rural environment; and
 - f) A blanket restriction by the Council to exclude short term guest stays within residential units or residential flats across all zones providing for residential accommodation is overly restrictive. The rural and rural living areas would provide one example of areas where enabling short term guest stays on residential accommodation would be both appropriate and have no adverse effects.
18. GBT submits that if there are any wider effects of short term visitor stays (beyond the availability of houses for residential activity), the rural zone is ideally suited to internalise such effects due to the generous nature of open space, distances between neighbours and the ability to provide for car parking and services.
19. The relief sought in the submission by GBT is to delete the changes to Chapter 21 Rural Zone introduced through the Stage 2 proposals notified by the Council

Consequential and Further Changes

20. GBT seeks to make any similar, alternative and/or consequential relief that may be necessary or appropriate to address the matters raised in this submission or the specific relief requested in this submission.

² Infometrics, "Measuring the scale and scope of Airbnb in Queenstown-Lakes District" (November 2017)

³ Section 6, *ibid*

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>GBT 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>GBT 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>⁴, 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</p>	<p>Amend Rule 6.4.1.2, as follows:</p> <p style="text-align: center;"><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>

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

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	<p>objectives and policies is a correct reflection of the 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”, GBT 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, GBT 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 Glendhu Station 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</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>zones, including the Glendhu Station Zone. As detailed in 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", GBT 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, GBT submits that the wording of this rule could be improved 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, GBT seeks that the Rule 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		
Policy 25.2.1.2	<p>Oppose</p> <p>GBT are opposed to 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>

Specific Provision	Submission	Decisions Sought [New text shown <u>underlined bold italics</u> and deleted text shown as <i>italic strike-through</i>]
		<p><i>a. Outstanding Natural Features and Landscapes;</i></p> <p><i>b. the amenity values of Rural Landscapes and other identified amenity landscapes;</i></p> <p><i>c. significant Natural Areas and the margins of lakes, rivers and wetlands;</i></p> <p><i>d. the exposure of aquifers, in particular the Wakatipu Basin, Hāwea Basin, Wanaka Basin and Cardrona alluvial ribbon aquifers;</i></p>
Policy 25.2.2.1	<p>Oppose</p> <p>GBT 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 and the appropriate balancing of provisions.</p>	<p>Amend Policy 25.2.2.1, as follows:</p> <p>Subject to Objective 25.2.1, e<u>Enable</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>GBT 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>
Advice Note 25.3.3.3	<p>Support in Part</p> <p>GBT 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</u></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>]
		<i>provisions of this chapter <u>do not</u> prevail over those of Chapter 33 Indigenous Vegetation and Biodiversity.</i>
Advice Note 25.3.3.4	<p>Support in Part</p> <p>GBT 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. Ne<u>The provisions of this chapter <u>do not</u> prevail over those of Chapter 26 Historic Heritage.</u></i></p>
Advice Note 25.3.3.11	<p>Support in Part</p> <p>GBT 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 are</u> the following activities managed in Chapter 30 Energy and Utilities:</i></p> <p>...</p>
25.3.4 General Rule 25.3.4.1	<p>Support in Part</p> <p>GBT 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 subject to resource consent applications for Controlled or Restricted Discretionary activity subdivisions pursuant to section 11 of the Act and the provisions of Chapter 27, shall bear:</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> <i>c. Rule 25.5.17 fill.</i> <p><i><u>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.</u></i></p>

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>]								
		<i>All other rules in the Earthworks Chapter apply to applications for subdivision consent.</i>								
General Rule 25.3.4.3	<p>Support in Part</p> <p>GBT 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 style="text-align: center;"><i><u>The maximum volume and area of earthworks shall be calculated per Site, within one any consecutive 12 month period</u></i></p>								
Table 25.2 Maximum Volumes	<p>Support in Part</p> <p>GBT seek changes to the maximum volume table to provide for the Glendhu Station Zone, to ensure appropriate volume triggers are provided for in the standards, consistent with and integrate with the positions advanced within the Glendhu Station Zone advanced at the stage 1 hearing.</p>	<p>(a) Amend Rule 25.5.2 to introduce appropriate maximum volume thresholds for the Glendhu Station Zone, based on the table below</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr style="background-color: #808080; color: white;"> <th style="padding: 5px;">Activity Area</th> <th style="padding: 5px;">Maximum Total Volume per site</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Activity Area R Activity Area GS(FH) Activity Area GS(C)</td> <td style="padding: 5px;">500 m³</td> </tr> <tr> <td style="padding: 5px;">Activity Area GS(OS/F)</td> <td style="padding: 5px;">1,000 m³</td> </tr> <tr> <td style="padding: 5px;">Activity Area G Activity Area LS</td> <td style="padding: 5px;">No maximum</td> </tr> </tbody> </table> <p>(b) Make any further consequential changes to the maximum volume triggers to integrate final activity areas arising from decisions on the Stage 1 hearing for the Glendhu Station Zone.</p>	Activity Area	Maximum Total Volume per site	Activity Area R Activity Area GS(FH) Activity Area GS(C)	500 m ³	Activity Area GS(OS/F)	1,000 m ³	Activity Area G Activity Area LS	No maximum
Activity Area	Maximum Total Volume per site									
Activity Area R Activity Area GS(FH) Activity Area GS(C)	500 m ³									
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Rule 25.5.11	<p>Support in part</p> <p>GBT supports this rules on the basis it provides an exemption for the Glendhu Station Zone from the area</p>	<p>Amend Rule 25.5.11 to add the following statement:</p> <p style="text-align: center;"><i><u>Except this rule shall not apply within the Glendhu Station Zone.</u></i></p>								

Specific Provision	Submission	Decisions Sought [New text shown <i>underlined bold italics</i> and deleted text shown as <i>italic strike-through</i>]
	thresholds to be consistent with the approach taken within the proposed earthworks rules for this chapter.	
Rule 25.5.12	<p>Oppose</p> <p>GBT 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 25.5.12 to change the status of non-compliance to restricted discretionary.
Rule 25.5.13	<p>Oppose</p> <p>GBT 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>GBT 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	<p>Support in Part</p> <p>GBT is unclear whether access ways are intended to capture roads, including roads created through subdivision and seeks changes to ensure roads to vest or private roads are exempt from this rule. The reasons</p>	<p>Amend Rule 25.5.18, as follows:</p> <p><i>Earthworks for farm tracks and access ways, <u>but not roads vest or private road created by subdivision consent,</u> in the following Zones and Activity Area shall comply with rules (a) to (c).</i></p>

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	being that their effects are appropriately managed through the broader consideration of subdivision works and the other standards within this chapter.	
Rule 25.5.20	<p>Oppose</p> <p>GBT oppose the introduction of a new 10m setback for all earthworks from the bed of any water body. In relation to water bodies the operative earthworks rules and those proposed within the Glendhu Station Zone 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. GBT seek to change the rule to retain the ability to undertake 20m³ of earthworks within 7m of a waterbody.</p>	<p>Amend Rule 25.5.20, as follows:</p> <p><i>Earthworks greater than 20m³ in volume shall be setback a minimum distance of 40 <u>7</u> metres from the bed of any water body:</i></p> <p>...</p>
Rule 25.5.22 Cleanfill	<p>Oppose</p> <p>It is unclear how this rule is intended to operate when all earthworks to operate a Cleanfill are listed as a discretionary activity through Rule 25.4.3</p> <p>GBT support establishing a trigger for Cleanfill and the</p>	Delete this rule or otherwise amend to relate to Rule 25.4.3.
Schedule 25.10 Accidental Discovery Protocol	<p>Support</p> <p>GBT supports the addition of an accidental Discovery Protocol into the PDP, in the event its wording has been agreed to by the relevant agencies and Mana Whenua.</p>	

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Definition of Earthworks	<p>Oppose</p> <p>GBT oppose the addition of cleanfill into the definition of earthworks on the basis that Cleanfill is separately defined and supplemented by a separate discretionary activity rule regardless of volume.</p>	Amend the definition of Earthworks to remove the deposition and removal of Cleanfill.
Chapter 27 Subdivision		
Rule 27.3.2.1 Earthworks associated with subdivision	<p>Support in Part</p> <p>GBT generally supports the addition of a cross reference to the earthworks rule within Chapter 25 but consider that this should be expanded to be made clearer and to follow the approach taken with Rule 25.3.4.1.</p>	<p>Amend Rule 27.3.2.1 [Rule 27.4.2.1 Revised Proposal], as follows</p> <p style="text-align: center;"><i>Earthworks undertaken for the development of land associated with any subdivision <u>are subject to certain standards of the Earthworks Chapter, including</u> shall be considered against the matters of control or discretion from that chapter of the District Wide Earthworks Chapter as part of any subdivision activity and in particular Rule 15.2.20. Refer to Rule 25.3.4.1 (Chapter 25).</i></p>
Visitor Accommodation Variation		
Definition of "Visitor Accommodation"	<p>Oppose</p> <p>The Visitor Accommodation variation proposes to amend the definition of Visitor Accommodation to exclude residential units and residential flats from that definition and is coupled with the introduction of an additional definition of Residential Visitor Accommodation, which is designed to capture short term stays of guests not exceeding 90 within a residential unit or a residential flat.</p>	Reinstate the definition of Visitor Accommodations as to include any residential unit or residential flat.

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	<p>The standards proposed to be applied to the Rural Zone will mean that any Residential Unit used for short term visitor accommodation and falling within the definition Residential Visitor Accommodation will become a non-complying activity where it exceeds the specified standards for up to 3 lets not exceeding a total of 28 nights per year and the two vehicle trip trigger.</p> <p>GBT are concerned about the change to the definition of Visitor Accommodation, coupled with the new definition of Residential Visitor Accommodation and the application of standards to areas of the Rural Zone that have been consented to provide for visitor accommodation. The combined changes would result in short stay visitor accommodation of houses consented for visitor accommodation becoming a non-complying activity.</p> <p>GBT submits that such an outcome is perverse when a dwelling could be erected for visitor accommodation purposes. GBT submits that dual use of a dwelling already consented for visitor accommodation is a practical outcome providing an efficient utilisation of the land resource and ultimately having the flexibility to adapt over time.</p> <p>On this basis, GBT seeks to delete the proposed additions to the definition of Visitor Accommodation excluding the use of a residential unit or residential flat.</p>	
Rule 21.4.37 Residential Visitor Accommodation	<p>Oppose</p> <p>GBT oppose the addition of a new permitted activity standard, based on the new and amended definitions of</p>	Delete Rule 21.4.37

Specific Provision	Submission	Decisions Sought [New text shown <u><i></i></u> and deleted text shown as <i>strike-through</i>]
	Residential Visitor Accommodation and Homestays within the Rural Zone. GBT seeks to delete this rule.	
Rule 21.5.53 Standards for Residential Visitor Accommodation	<p>Oppose</p> <p>GBT opposes the addition of standards relating to the use of Residential units or Residential Flats for short term guest stays within the Rural Zone for the reasons expressed within Section B above. GBT seeks to delete this standard.</p>	Delete Rule 21.5.53
Rule 21.5.54 Standards for Homestays	<p>Oppose</p> <p>GBT opposes the addition of standards relating to the use of Residential units or Residential Flats for short term guest stays within the Rural Zone for the reasons expressed within Section B above. GBT seeks to delete this standard</p>	Delete Rule 21.5.54

GBT opposes the Variations and Stage 2 chapters in their entirety if the deficiencies identified in this submission are not addressed, and seeks that the Stage 2 Variations and Chapters be declined in the event the deficiencies are not addressed.

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