

SPECIFIC PROVISIONS OF THE PROPOSAL THAT OUR SUBMISSION RELATES TO

QLDC seeking approval to include the Lake Hawea South land in the Urban Intensification Variation notification.

SUBMISSION

BACKGROUND

1. One of the key goals of The Hawea Community Association Incorporated (HCA) is to promote the interests, needs and well-being of the Hāwea Community (the Community).
2. The HCA has continually engaged with the Community over the years regarding Community growth, development, and how this would ideally look for the Community.
3. In July 2015 the HCA engaged Southern Planning Group Resource Management Consultants to review the Hawea Community Plan; summarise feedback from community consultation; and to make recommendations regarding HCA's stance in respect of the QLDC District Plan Review at that time. This document, annexed and marked "A", provides useful background to the challenges facing growth, at that time, and before the Lake Hawea South land was developed or contemplated by the community.
4. From the end of 2021 to on or about August 2022 the HCA consulted with the Community to gauge its needs and wants over the ensuing decades towards 2050. This community-led consultation process was called 'Shaping our Future'. The resulting Community feedback was reviewed by the HCA.
5. A key message from the Community, arising from consultation, was the acknowledgement that the local population of Lake Hawea and environs was likely to grow considerably over the next few years, as new residents moved to the Lake Hawea area.
6. Based on the Shaping our Future consultation and Community feedback, the HCA in good faith provisionally supported an Environment Court appeal to a proposed plan change to a large parcel of land at Lake Hawea South (Lake Hawea South) by developer Universal Developments Hawea Limited (UDHL), from Rural General to a mixture of Residential, as well as greenspace and commercial areas, but, subject to key conditions (the Plan Change).

7. That Environment Court appeal was against an earlier planning decision, by QLDC, to reject the proposed plan change.
8. Mediated discussions ensued between QLDC, UDHL, HCA, and nearby developer, Domain Acres Limited.
9. In good faith, a mediated agreement was executed between those parties, resulting in the Environment Court consent order decision number [2023] NZEnvC 110 (the Decision) dated 29 May 2023, approving the plan change and associated amendments.
10. On 19 July 2023 QLDC produced an “Attachments booklet for item 6: Approval to include Lake Hawea South land in the Urban Intensification Variation notification”.
11. On 10 August 2023 QLDC endorsed notification of its’ intention to include Lake Hawea South in the Urban Intensification Variation to the proposed district plan (the Variation).
12. The proposal by QLDC to include Lake Hawea South in the Variation, is purportedly to give effect to policy 5 of the National Policy Statement for Urban Development (NPSUD).
13. The inclusion categorically conflicts with the negotiated Lake Hawea South plan Decision to which QLDC was a party.
14. The HCA opposes inclusion of Lake Hawea South in the Variation in its totality.

GROUNDINGS OF OPPOSITION

15. Ninety-eight percent (98%) of respondents to a recent survey, by HCA to the Community, “strongly disagree” to the inclusion of Lake Hawea South in the Variation.
16. Inclusion of Lake Hawea South in the Variation, and the Variation itself, will be ineffective in providing more housing, or housing in the right place.
17. QLDC has neglected to establish a cogent case, for adequate consideration by the Community, that supports the inclusion of Lake Hawea South in the Variation
18. The Variation places a significant emphasis on increasing housing density without adequately addressing the significant requirements for additional infrastructure and services. QLDC reports that: there are currently 800 existing dwellings at Lake Hawea (Source: Housing Capacity Assessment 2020 Growth Projections); there is currently plan-enabled capacity at Lake Hawea for approximately 3,100 additional homes; and that an additional 1,040 lots would be enabled at

Lake Hawea South if it was to be included in the Variation. Hawea's infrastructure is presently under significant pressure as it is.

19. There is no meaningful analysis of the effects of intensification on transportation, infrastructure, commercial nor industrial viability in the documents accompanying the s32 report.
20. There is presently no public transportation available between Hawea and other town centres such as nearby Wanaka.
21. The inclusion of Lake Hawea South in the Variation conflicts with the stated purpose of the National Policy Statement Urban Development 2020 ("NPSUD"), which is:

"To make sure capacity is provided in accessible places, helping New Zealanders build homes in the places they want – close to jobs, community services, public transport, and other amenities our communities enjoy" "To make sure capacity is provided in accessible places, helping New Zealanders build homes in the places they want – close to jobs, community services, public transport, and other amenities our communities enjoy"

The Lake Hawea South land does not serve to satisfy what the NPSUD was intended for: with limited opportunities for work in Hawea, limited public services and no public transport. Inclusion of Lake Hawea South, without significant investment in commercial, social and industrial facilities conflicts with the very purpose of the NPSUD.

22. Another stated intention of the NPSUD document is to:

"...improve the evidence used by decision-makers in planning decisions (Objective 7, subpart 3 of Part 3)

Research commissioned by QLDC has indeed identified that Hawea is not a preferred area for intensification or development due to infrastructure constraints; with the one-lane bridge being a major factor in both the short and medium term; and three-waters provision being a major concern in the short term. (QLD PDP Section 32 Evaluation Report for Implementing Policy 5 of the NPSUD – Urban Intensification Variation; M.E. QLDC Residential Intensification Model 2022/2023 p.91).

23. Policy 1 of the NPSUD seeks to ensure an outcome of well-functioning urban environments. The infrastructure constraints, namely the lack of public transport and lack of a suitable route to carry people in any volume to where the main concentration of jobs and facilities are (Wanaka), would mean not only that this outcome is unlikely to be achieved through intensification of the Lake

Hawea South land as sought by the Variation, but it would furthermore place Community well-being at serious risk.

24. There is no supporting analysis in the s32 report that intensification at Lake Hawea South will be affordable. Inclusion of Lake Hawea South in the Variation will not achieve stated national nor regional goals, but will rather add to the quota of unaffordable housing, at a cost to the very environment that is valued by local communities and tourists alike. The proposal for inclusion clearly does not promote the purpose of the RMA.
25. The analysis and justification for intensification at Lake Hawea South is flawed. It fails to assess the potential for intensification in other significant areas of the Queenstown Lakes District, which are likely to be more suited to intensification than Lake Hawea South.
26. The NPSUD is a one-size-fits-all strategy, unsuitable for, and fails to recognise the unique needs and specific circumstances of, the Community. The NPSUD appears to 'rewrite' the RMA's definition of amenity values and the body of case law ruling on the interpretation and application of that definition. Notwithstanding, the Variation will not result in outcomes that maintain or enhance amenity values (as defined in s2) nor the quality of the unique and highly valued environment of Lake Hawea.
27. QLDC's 2021 Housing Capacity Assessment identifies that the Proposed District Plan and Spatial Plan has sufficient capacity to accommodate housing growth, and that this is more than sufficient to meet the projected demand in all locations of the district in the short, medium and long term as required by the NPSUD. There is no shortfall in zoning/capacity for housing as such. The district-wide Variation, with its simple supply and demand model, will only serve to exacerbate the housing capacity issue, again at the expense of Community wellbeing and the environment.
28. High cost of living is the primary contributor to the affordable housing problem in the wider Queenstown Lakes District, not lack of supply. It consistently ranks as one of the most expensive areas to live in New Zealand. The Variation and its proposals for intensification do not adequately account for the very high cost of living in this region. Housing affordability is a critical concern. A one-size-fits-all approach will exacerbate the cost of living issue, and likely to lead to increased socio-economic disparities, and a denigration of Community wellbeing.
29. The housing market at Lake Hawea is different to other townships in the Queenstown Lakes District, which is in turn different to other areas of New Zealand. Tourism, and the low average

household income proportionate to house prices and rental costs, characterises the Queenstown Lakes District in general. This consideration appears to have been overlooked in the Council's justification for including Lake Hawea South for intensification.

30. Many of the areas identified for intensification, including Lake Hawea, already have very high land values and will clearly remain unaffordable no matter the 'incentives' to intensify. The Variation does not mitigate the affordability problem. It is more likely that the Variation will contribute to housing inequality by promoting large-scale developments that cater primarily to higher-income brackets.
31. In the Decision, Justice Hassan allowed the appeal on the basis that "*all parties are satisfied that all matters proposed for the court's endorsement.... conform to the relevant requirements and objectives of the RMA including, in particular, pt2.*"
32. The decision by HCA to support the Plan Change was on the basis that the Plan Change accorded with the Part 2 of the RMA: the sustainable management of natural and physical resources. Sustainable management means:

Section 5(2).....managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

 - (a)sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b)safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c)avoiding, remedying, or mitigating any adverse effects of activities on the environment.*
33. The inclusion of Lake Hawea South in the Variation no longer accords with Part 2 of the RMA, specifically section 5. Such inclusion would directly contradict Justice Hassan's rationale for approval of the plan change to the Lake Hawea South land in the first place.
34. If QLDC decides to include Lake Hawea South in the Variation, QLDC will be contravening Part 2 of the Resource Management Act 1991 (the Act).
35. Finally, if one of QLDC's reasons for wishing to include Lake Hawea South in the Variation is in order to avoid it being reclassified as a Tier 1 Authority, this is entirely unfounded. The Right Honourable Dr Megan Woods: Minister of Housing; Infrastructure; Building and Construction; Energy and Resources; confirmed by letter to the HCA of 4 October 2023 (at paragraph 3) that

“...the Government would not consider reclassifying QLDC as a tier 1 council under the NP-SUD if intensification is not enabled within Hawea...” Dr Woods’ letter is annexed and marked “B”.

HCA SEEKS THE FOLLOWING DECISION

That QLDC declines to include Lake Hawea South in the Variation.