

Appendix [1]

R & R Jones and Scott Crawford submissions

RESOURCE MANAGEMENT ACT 1991: FORM 5
SUBMISSIONS ON THE PROPOSED QUEENSTOWN LAKES DISTRICT COUNCIL PLAN

Clause 6 of the First Schedule, Resource Management Act 1991 – amended 30th August 2010.

TO: Mr Mathew Paetz
Planning Policy Manager
Queenstown Lakes District Council
Private Bag 50077
QUEENSTOWN

SUBMITTER:

R & R Jones

We cannot gain an advantage in trade competition through this submission. We are, or could be, directly affected by the subject matter of the submission that:

- (a) adversely affect the environment; and
- (b) do not relate to trade competition or the effects of trade competition.

1.0 Introduction to the subject site

The submitters are the owners of the following:

- Sections 109, 110, 66 & 129 Blk III Shotover SD.
- Lot 2 DP 20797
- Lot 2 DP 475594

The location of the above is highlighted in yellow on the Operative and Proposed Planning Maps contained in Attachment [A] of this submission.

For the purposes of the current submission the above properties are referred to as “the land”.

2.0 OVERALL ISSUES THAT HAVE DETERMINED THE APPROACH IN PREPARING THIS SUBMISSION IN RESPECT TO THE PROPOSED DISTRICT PLAN

- 2.2 Notwithstanding the above, the submitter opposes the Proposed District Plan for the following reasons;

It does not accord with, or assist the territorial authority to carry out its functions to achieve, the purpose of the Resource Management Act 1991 (the Act);

- i. It does not promote the sustainable management of resources;
- ii. It does not meet section 32 of the Act;
- iii. It does not consistent with Part II of Act;
- iv. It does not represent integrated management or sound resource management practice;
- v. It does not meet the reasonably foreseeable needs of future generations;
- vi. It does not implement the most appropriate standards, rules or methods for achieving the objectives set out in the Proposed District Plan.

3.0 SPECIFIC SUBMISSIONS

Without derogating from the generality of the above, the specific parts of the Proposed District Plan that this submission relates to are:

Submission 1: Rural General Zone

We OPPOSE the Rural General zoning of a land

- 3.1 In reviewing the Rural General Zone the Council has failed to take into account the changing nature of residential activities in Lake Hayes Estate and Shotover Country which adjoin the subject site.
- 3.2 The area has been domesticated by the residential zones.
- 3.3 Future development can be located within the subject site without detracting from the landscape and visual amenity of the wider Wakatipu Basin.
- 3.4 The land is accessed by a road network which already serves Shotover Country and Lake Hayes Estate.
- 3.5 The Council has failed to consult with landowners as to appropriate zoning for their land.
- 3.6 The Council's exercise in terms of land to be rezoned as part of the District Plan Review is not considered to be comprehensive and has failed to undertake a detailed analysis of zoning requirements and needs.
- 3.7 By not considering the rezoning of the subject site as part of the District Plan review the Council have missed an opportunity to provide additional low density residential land.

- 3.8 The Council have also failed to assess if the current zoning can meet the objectives of the Rural Zone and Strategic Directions Chapter of the Proposed District Plan.

Submission 2: Section 32 Analysis Rural General Zone

- 3.9 The submitter is concerned to note that the Section 32 Analysis accompanying this Chapter of the Plan Review does not address all the Objectives included in the Plan Review itself. As a consequence, the submitter considers that the Plan Review should be withdrawn and re-notified for consideration once a complete document has been prepared. The submitter considers the omission of a complete Section 32 Analysis is a fundamental flaw in the plan review documentation, and that the Council cannot continue to process the Plan Review in the absence of this information.
- 3.10 Due to the apparent deficiencies of the Section 32 Analysis, the submitter considers that there will need to be scope to call any additional evidence in the course of the hearing required once full analysis has been provided. This might mean having to adjourn the hearing.
- 3.11 Notwithstanding the submitters concerns in respect of the above, the submitter makes the following submission in the event that the Council elect not to pursue the issue of an incomplete Section 32 Analysis.

Submission 3: Urban Growth Boundary

- 3.12 An Urban Growth Boundary is required which should be applied to the “Boundary of Proposed Low Density Residential Zone” as defined on the plan contained in Attachment [A] and described in Part 1.

Submission 4: Subdivision

We OPPOSE the proposed Chapter 27.

- 3.13 The purpose of Chapter 27 does not acknowledge that subdivision upon creation of a residential zone the subdivision of land within does not warrant a discretionary status in creating land parcels where the landuse and servicing have already been accepted.
- 3.14 There seems to have been no analysis or identification of the legal and technical issues created by including Subdivision and Development (Chapter 27) in the Proposed District Plan.

- 3.15 It is unclear if Stage 2 of the Plan review will create a new Subdivision and Development Chapter to apply to the remaining Chapters in Stage 2 or a Council variation will be undertaken for Chapter 27 to apply to those zones. Fundamentally the current approach promoted in the Proposed Plan review is lacking in completeness and sound resource management practice.
- 3.16 Proposed Chapter 27 seems to have been drafted to make all subdivision Restricted Discretionary without adequate analysis as to the effect of this. In order for the proposed residential zoning to occur as part of the review we are promoting a specific Controlled subdivision rule to apply.
- 3.17 We oppose all subdivision being a Restricted Discretionary Activity in the District without the benefit of a thorough analysis.
- 3.18 We submit that Subdivision should be a Controlled activity within the Low Density Residential Zone.

Relief Sought

Submission 1: Rural General Zone

The Operative Rural General Zone be removed from the land in favour of Low Density Residential under the Proposed District Plan.

Submission 2: Section 32 Analysis Rural General Zone

The Plan Review should be withdrawn and re-notified for consideration once a complete Section 32 document has been prepared

Submission 3: Urban Growth Boundary

The Urban Growth Boundary should be applied to the boundary of the land as defined on the plan contained in Attachment [A] and described in Part 1 of this submission.

Submission 4: Subdivision

Restricted Discretionary status is removed from Part 27.5 of the Proposed District Plan and replaced with a controlled activity status for subdivision within the Low Density Residential Zone.

The submitter wishes to be heard in support of this submission.

If others make a similar submission, the submitter would be prepare to consider presenting a joint case with them at any hearing,

Signature: _____



Date: 12-11-15.

Address for service of person making submission:

Clark Fortune McDonald & Associates

PO Box 553

QUEENSTOWN 9348

Attn: Nick Geddes

Telephone: 4416071

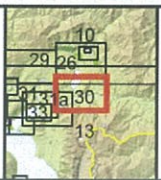
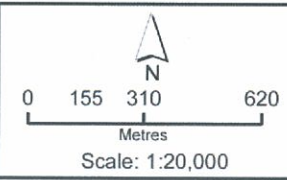
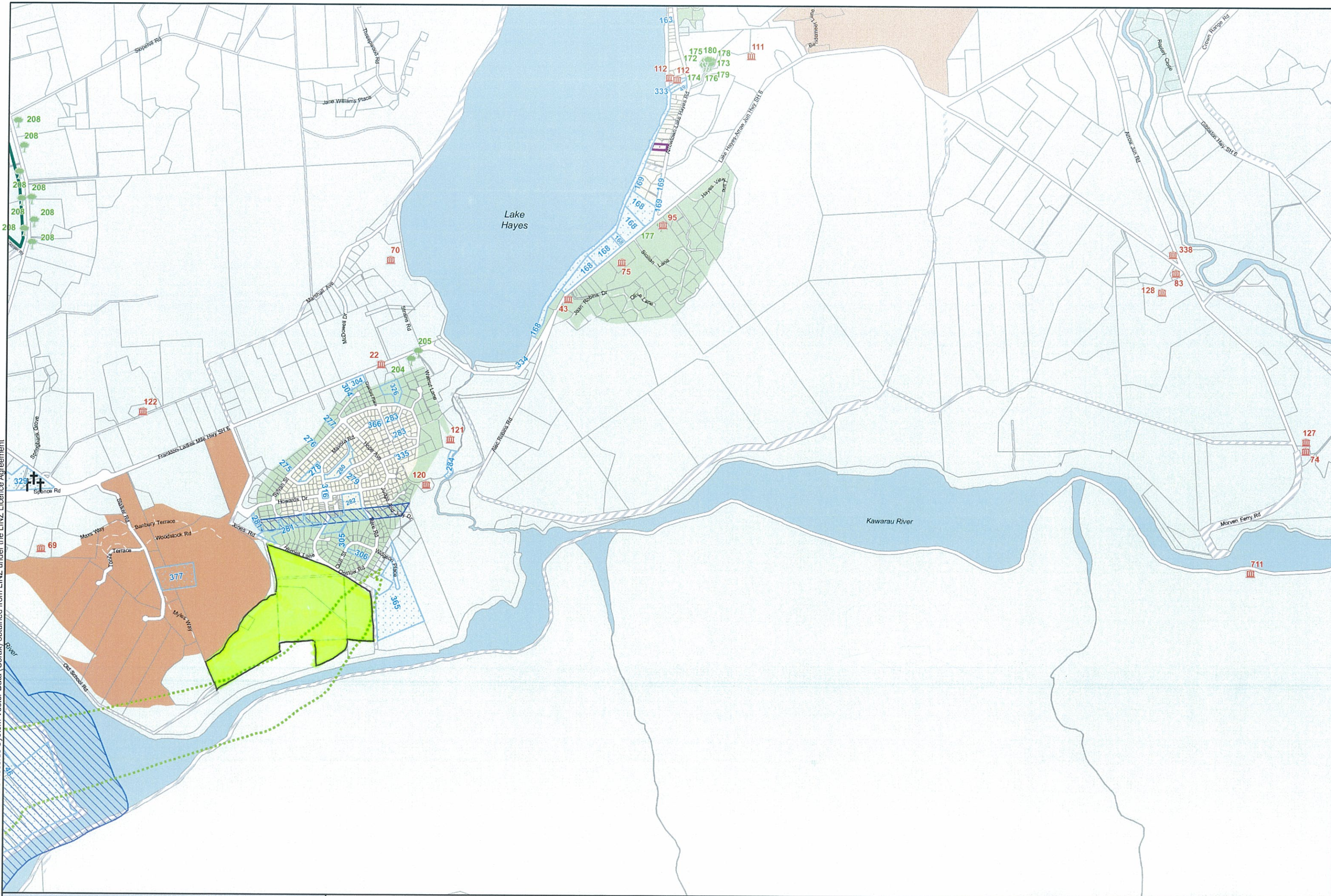
E-mail: ngeddes@cfma.co.nz

ATTACHMENT [A]

Location of Subject Property:

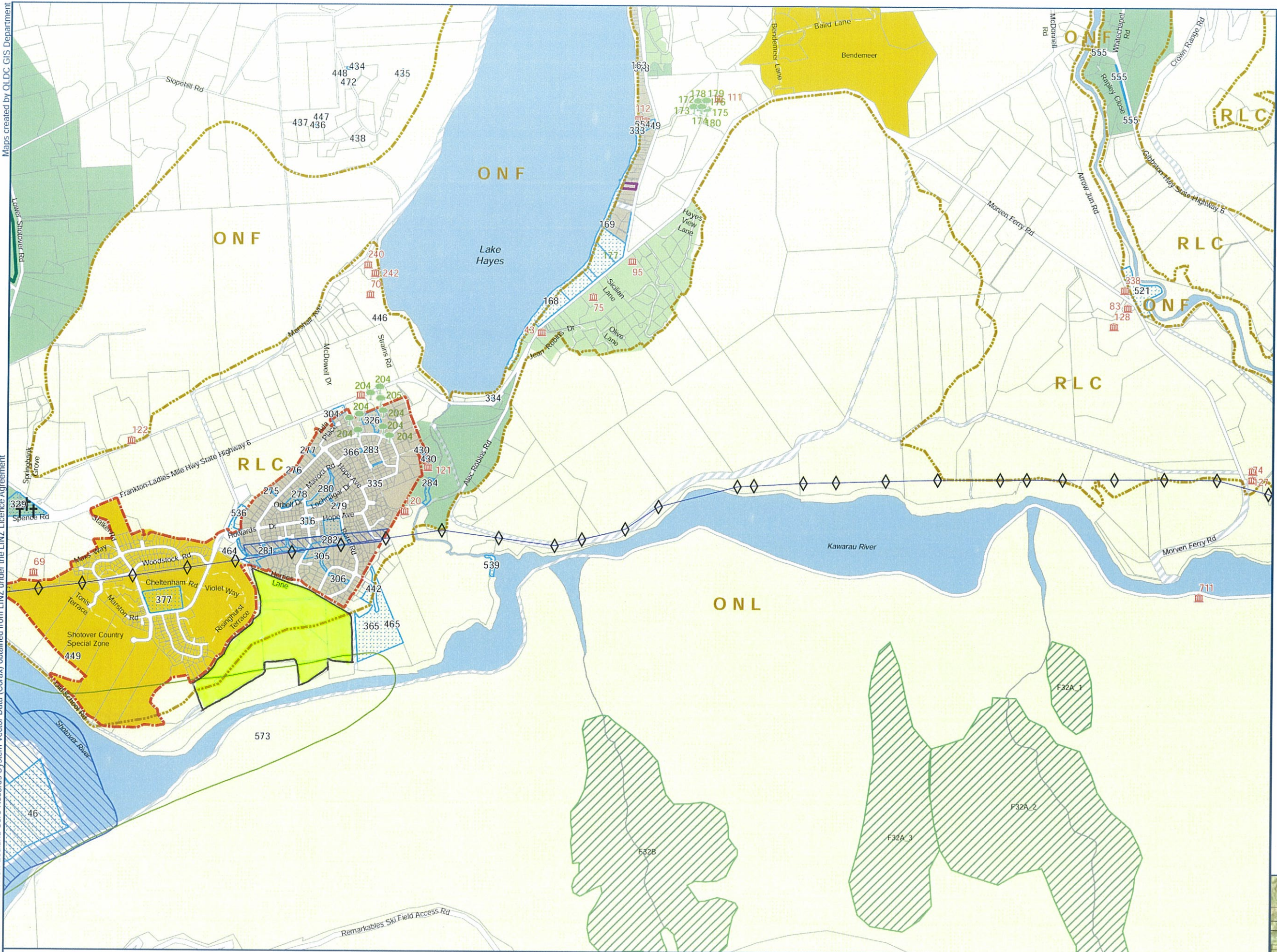
Operative and Proposed Planning Maps

Parcel boundaries derived from New Zealand Core Records System Vector Data (Corax) obtained from LINZ under the LINZ Licence Agreement



Maps created by QLDC GIS Department

Parcel boundaries derived from New Zealand Core Records System Vector Data (Corax) obtained from LINZ under the LINZ Licence Agreement



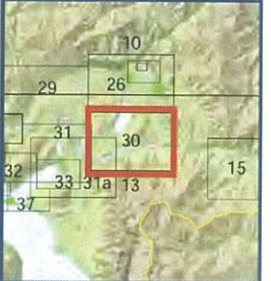
- Legend**
- ◇ Transpower Pylons
 - ⊕ Open Cemetery
 - 🏠 Historic Heritage Features
 - 🌳 Protected Tree
 - 🌿 Protected Avenue of Trees/Other Vegetation
 - 📏 Transmission Corridor
 - ▭ Parcel/Road Boundary
 - 📏 Landscape Classification (ONF, ONL, RLC)
 - 🔴 Urban Growth Boundary
 - 📏 Queenstown Airport Outer Control Boundary (Ldn65)
 - 🌿 Significant Natural Area
 - 📏 Unformed Roads
 - 📏 Designated Areas
 - 🏠 Visitor Accommodation Sub-Zone
 - 📏 Building Restriction
 - 🏠 Low Density Residential
 - 🌿 Rural
 - 🌿 Rural Residential
 - 🌿 Rural Lifestyle
 - 🟡 Special Zones
 - 💧 Water



Proposed District Plan Map 30 - Lake Hayes



Date Published: 26/08/2015



Submission on the Proposed Queenstown Lakes District Plan 2015 (Stage 1)

Pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

To: Queenstown Lakes District Council

Address: Sent via email to: services@qldc.govt.nz

Name of submitter: Scott Crawford

About the submitter: The submitter owns the land described as Lot 403 DP379403, which is located at Onslow Road, Lake Hayes Estate.

Trade Competition: The submitter cannot gain an advantage in trade competition through this submission.

Submission and decisions sought: The proposed district plan provisions this submission relates to, and the decisions sought, are as set out in the attached table.

Hearings: The submitter wishes to be heard in support of this submission.

Address for Service: S Crawford
C/- John Edmonds + Associates Ltd
Email: reception@jea.co.nz
Phone: 03 450 0009

Date: 23rd October 2015

Submission point	Plan Provision	Relief sought (amended wording sought shown in <u>underline</u> strikeout)	Reasons
1	Planning Map 30	Amend the zoning of the Site to Medium Density Residential	The whole site land is ideally suited to be zoned Medium Density Residential.
2	Planning Map 30	Amend the Planning Map to remove Urban Growth Boundaries Alternatively, reposition the Urban Growth Boundary to include all of the submitters land.	An Urban Growth Boundary is not necessary and duplicates zone boundaries and landscape lines. Natural topographical features, servicing and infrastructure constraints provide an appropriate and logical urban growth boundary in this location.
3	Planning Map 30	Amend the Planning Map so that the Outstanding Natural Landscape line is relocated to the south of the Site along the true left bank of the Kawarau River.	The adjacent river flats are owned by the Council and gazetted as Recreation Reserve (Widgeon Park), which enables a range of activities, structures, car-parking areas and lights to be established without consent. The river flats are the logical recreation space for a growing Lake Hayes Estate and Shotover Country community that are likely to have a resident population similar to Wanaka. The Outstanding Natural Landscape boundary at Lake Hayes Estate is inappropriately located along the elevated river terrace . In comparison, the Outstanding Natural Landscape boundary adjacent to Shotover Country is located along the edge of the main stem of the Shotover River, a substantial distance from the elevated river terraces.
4	Chapter 4	Delete Paragraph 4.1, Objective 4.2.2, 4.2.3, 4.2.4 and associated policies	- The proposed Urban Development Chapter is largely contrived around a single method – urban growth boundaries. Urban growth boundaries in a District plan are neither an efficient nor effective method for managing urban growth. The Section 32 report for this section provides insufficient justification required by that section of the Act for a method of this nature. There has been no meaningful assessment or quantification of potential effects on issues such as housing supply, landscape values or energy use. Rather it appears to set out a value based preference for

Submission point	Plan Provision	Relief sought (amended wording sought shown in <u>underline</u> strikeout)	Reasons
			<p>“compact urban forms” without sufficient evidence on the resource management benefits of such an approach. There is too much reliance on non-statutory Council led community planning documents which are now out of date.</p> <ul style="list-style-type: none"> - In many places urban growth boundaries are illogically located. They often do not follow natural topography lines and incorporate entire Special Zones when only parts of them are anticipated to be urbanised. They also do not appear to anticipate sufficient room for future expansion – effectively ring fencing the current urban zoning. Such an approach does not constitute strategic planning. - The Plan and accompanying documentation is misguided in focusing on “urban growth” <i>per se</i> as a resource management issue. Urban growth is a process essential to the wellbeing of the District’s communities. The focus should be on the resource management issues that can result from urban growth (landscape degradation, transport inefficiencies etc). Objectives and policies should establish communities’ expectations around what outcomes are expected, what values are most important and what effects are to be managed. This will provide a more useful framework for all users of the Plan and lead to better strategic planning.
5	-	The inclusion of transport standards for the Medium Density Residential Zone	<p>The notification of the District Plan has not included a Transport chapter; instead interim reliance must be placed on the Operative District Plan (Chapter 14).</p> <p>That Chapter does not contain reference to a Medium Density Residential Zone, and numerous residential zones referred to in Table 1 commencing at page 15-15 no longer exist.. As a result there is no parking standard for Medium Density Housing. The default position is Rule 14.2.2.3 (ii) so that all residential activity in the proposed Medium Density Residential zone requires Discretionary Activity consent.</p>