

## Plan Changes 11 and 11B relating to the Definition of Ground Level

As of 9 April 2008, Council has withdrawn Plan Change 11: Definition of Ground Level and replaced it with an alternative Plan Change 11B: Definition of Ground Level, Height and the Rural General, Gibbston Character, Low and High Density Residential, Rural Living, Township, Quail Rise and Meadow Park Zone Building Height Standards.

Pursuant to Clause 8(d) of the First Schedule of the Resource Management Act 1991, the Queenstown Lakes District Council gives public notice as of 9 April 2008 to effect these changes.

### Why is Plan Change 11: Definition of Ground level being withdrawn?

The Plan Change as notified was not able to resolve the matters under appeal and subsequently a new Plan Change is proposed.

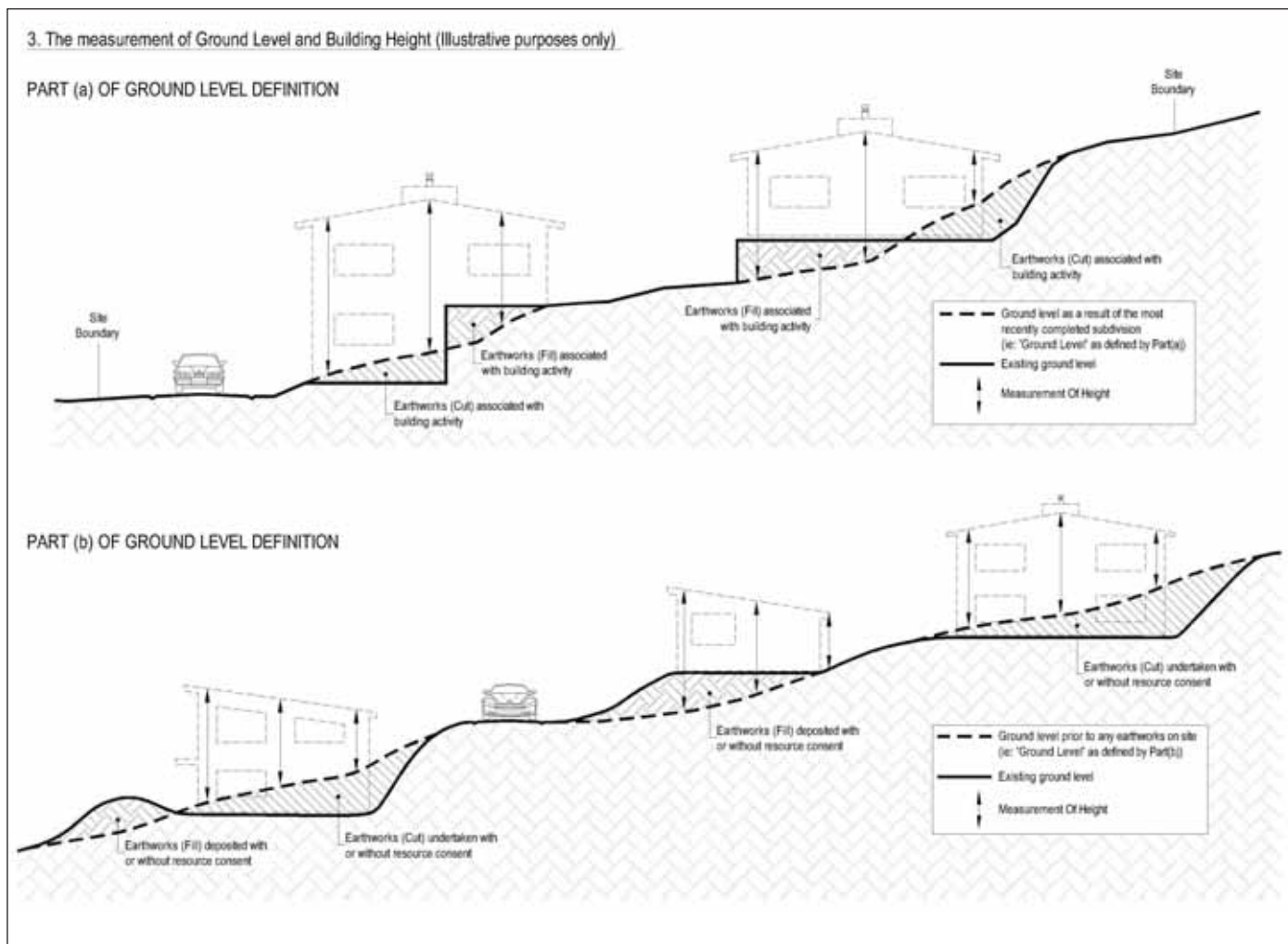
### What is the purpose of the new Plan Change 11B? Why is it better?

The purpose of PC 11B is to implement a clear and consistent Definition of Ground Level in to the District Plan. As this plan change relates to a definition in the plan, it has district wide application (excluding the Remarkables Park Zone which is subject to a different ground level definition). It is noted that while the issues identified in relation to the definition largely concern ambiguities with wording, changes to this wording may affect the way maximum building heights are measured. Thus, to the extent that resource users have relied on alternate interpretations of the definition in terms of calculating building height, the effect of these changes may be significant.

The scope of this plan change also extends to include minor and consequential amendments to: the definition of height; height standards in the Rural General, Gibbston Character, Low and High Density Residential, Rural Living, Township, Quail Rise and Meadow Park zones; references to "ground slope" in the Low and High Density Residential zones and the Township zone; and Part 2.1.4 of the Plan relating to information. These changes do not substantively alter the force or effect of the relevant provisions; they merely resolve minor ambiguities with wording.

### How are Ground Level and Height measured under the plan change?

The following interpretive diagram illustrates how the definition works:





#### Ground Level means:

(a) Where land has been subdivided under the Resource Management Act 1991 or Local Government Act 1974, the finished surface of the ground following all approved works associated with the most recently completed subdivision of the land but excluding changes to the surface of the ground as a result of earthworks associated with building activity where such building activity is permitted or has been approved by resource consent.

(b) In all other cases, the surface of the ground prior to any earthworks on the site.

#### For the purposes of this definition:

- Completed subdivision means a subdivision (excluding boundary adjustments, cross lease, company lease or unit title subdivision) in respect of which a certificate pursuant to section 224(c) of the Resource Management Act 1991 or a completion certificate under the Local Government Act 1974 has been issued.
- Ground level interpretations are to be based on credible evidence including existing topographical information, site specific topography, adjoining topography and known history.

*Note: A Letter of Certification of Ground Level can be applied for with respect to a site's ground level in accordance with this definition. Refer to Part 2.1.12 of the District Plan."*

#### Where can I get a copy?

A full copy of the Plan Change and associated Section 32 Report can be inspected at the following locations:

- Queenstown Lakes District Council offices during normal office hours at 10 Gorge Road, Queenstown and 47 Ardmore Street, Wanaka;
- Queenstown Public Library, 10 Gorge Road, Queenstown;
- Wanaka Public Library, Dunmore Street, Wanaka;
- Lakes Environmental, Shotover Street, Queenstown and 33-35 Reece Crescent, Wanaka.
- On the QLDC website - [www.qldc.govt.nz](http://www.qldc.govt.nz).

#### Make a Submission

Any person may make a submission to the proposed Plan Change. Submission forms are available from the above locations. The closing date for submissions is **30 May 2008**. Submissions must be in writing and sent to: Cara Doyle, Queenstown Lakes District Council, PO Box 50072, QUEENSTOWN  
Fax: 03 450 2228. Email: [carad@qldc.govt.nz](mailto:carad@qldc.govt.nz)

#### What happens next?

Following the receipt of public submissions, a summary of the submissions lodged will be prepared. This will be publicly notified and any person may lodge a further submission in support or opposition to any original submission.

The Council will appoint a Hearing Committee to assess the Plan Change and the submissions lodged to it, including further submissions. The Committee will hold a public hearing to enable submitters to present their submissions.

Following deliberation, a decision will be issued by the Council to withdraw, retain or modify the Plan Change. Any person who was a submitter, or lodged a further submission, and who is not satisfied with the decision reached, may appeal that decision to the Environment Court.

#### Want more info?

For further information regarding this Plan Change or the process outlined above, please call Scott Figenshow at the Queenstown Lakes District Council on (03) 441 0499.

*This notice is pursuant to Clause 5 of the First Schedule to the Resource Management Act 1991.*

