

**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: ORFEL Ltd
C/- Boffa Miskell Ltd
PO Box 110
CHRISTCHURCH

Attention: Chris Ferguson, Planner
Phone: (03) 353 7568
Mobile: 021 907 773
Email: Chris.Ferguson@boffamiskell.co.nz

ORFEL Ltd makes the submissions on the Proposed Queenstown Lakes District Plan ("PDP") set out in the **attached** document.

This submission does not relate to trade competition or the effects of trade competition.

We would like to be heard in support of this submission.

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



Chris Ferguson
for ORFEL Limited

23rd day of October 2015

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 site is located on the south side of Fitzpatrick Road, and north of the Shotover River. The majority of the site has been identified as being within the Rural General Zone under the Proposed Queenstown Lakes District Plan (“PDP”). The north-western corner of the site is proposed to be zoned Rural Lifestyle, consistent with the area north of Fitzpatrick Road. The entire site is zoned Rural General in the operative District Plan. Under the PDP, the entire site is located within the Rural Landscape Classification (RLC).
2. The current location of the Rural Zone/Rural Lifestyle Zone boundary across the site is arbitrary and illogical from a landscape character perspective, and the site has limited value for productive farming use. The purpose of this submission to the PDP is to rezone the northern part of the site as Rural Lifestyle to enable rural lifestyle residential development in recognition of its different landscape characteristics, its ability to absorb visual change, and its suitability for low density residential activity. The submission also seeks to make some minor amendments to the rules, policies and objectives of the PDP to provide an appropriate basis for managing subdivision, use, and development in the Rural Lifestyle Zone.

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

Description of the Site

3. The site is located within the western part of the Wakatipu Basin, directly north of the roche moutonnée of Ferry Hill, separated by the incised Shotover River. The landscape is gently undulating and characterised by numerous areas where residential development is present. There is a notable concentration of development to the north of the site around Dalefield. Closer to the Shotover River, including the southern part of the site, the landscape appears more open, principally due to a lack of vegetation and limited structures.
4. The site itself is gently undulating, with areas of reasonably flat land interspersed between the hummocks which are a defining element. A significant knoll is located in the north western corner of the site (elevation 450masl). The terrain variation along Fitzpatrick Road and within the site provide varying degrees of enclosure. The site gently decreases in elevation towards its southern boundary.
5. Due to the sparse vegetation and lack of buildings, the site currently provides a degree of open rural character. A centrally located broken deciduous tree belt is located within the site, effectively dividing it into two parts. Some tree planting is located along the northern boundary, partially screening the site in views from Fitzpatrick Road.
6. Broadly, the site can be divided into two landscape character areas, the northern part (Area A) and the southern part (Area B). These are shown on **Figure 1 Site and Local Context** in the Landscape Character Report attached as **Appendix 1**. The area of approximate division between the two is a line taken through the centre of the site, following two subtle hummocks (which is roughly the 430masl contour line). It is at this point where the land characteristics display subtle changes, with Area A being more associated with the Fitzpatrick Road area and Area B being more associated with the river corridor. This is noted more visually, but also topographically as the land gradually descends in elevation towards the Shotover River.

7. The land to which the submission relates includes a single title, legally described as Lot 1 DP476877, being 19.9574 hectares and contained within Computer Freehold Register 660779. The title was created through resource consent RM120695 granted on the 4th of April 2013 to create two allotments and identification of two residential building platforms, undertake associated earthworks, and to breach sight distance and intersection distance rules. The other title created by the resource consent (Lot 2 DP475877) is not subject to this submission.
8. The approved building platform is located in the centre of the site close to the western boundary, and comprises an area of 1000m². Development on the platform is subject to a number of consent notice conditions including retention and maintenance of existing vegetation and landscape planting, design controls for new buildings, and controls on the use and structures within the remainder of the site.
9. Below is an extract of PDP Planning Map 31 (Lower Shotover) showing the area of the site and surrounding zoning.

Planning Map 31 (Lower Shotover)



Proposed Relief

10. The primary relief sought in the submission is to rezone the northern part of the site as Rural Lifestyle. That would occur through changes to Planning Map 31, as shown in **Appendix 2**.
11. This submission also seeks changes to the higher order provisions of the PDP and district wide chapters, including Chapter 3 Strategic Directions, Chapter 6 Landscapes, and Chapter 27 Subdivision. It also seeks minor changes to the objectives, policies and rules of Chapter 22 Rural Residential and Rural Lifestyle. These changes are proposed in order to improve the effectiveness and efficiency of the methods in achieving the relevant objectives of the plan and to also remove any unnecessary restrictions.
12. With regard to subdivision, this submission seeks to specially address the elevation in the default status of all subdivision from controlled activities to discretionary activities (unrestricted).
13. This submission challenges the veracity of the Council s.32 assessment of the proposed changes sought to the subdivision chapter and considers that this assessment has not adequately considered:
 - (a) The commercial impacts of the lack of certainty to landowners and investors;

- (b) The flow on effects that this uncertainty will create in terms of being able to deliver affordable housing and provide security over the mechanisms to create separate land tenure;
 - (c) The transaction and administrative costs and inefficiencies of administering a discretionary regime. The Council has sought to reduce uncertainty through the introduction of rules relating to non-notification of consent, but this fails to adequately address the lack of certainty relating to the merits of any particular proposal, including proposals that meet all of the other standards including minimum lot size for subdivision; and
 - (d) Minor applications for boundary adjustment have been also removed from the subdivision chapter and this creates further uncertainty over proposals with typically very little to no adverse effects on the environment.
14. For these reasons, this submission seeks to have the provisions of the subdivision chapter withdrawn and replaced with the operative plan provisions from Chapter 15. Controlled activity status for subdivision together with appropriate standards relating to lot sizes and servicing infrastructure is considered the most appropriate method to implement the objectives of the PDP having regard to their effectiveness and efficiency.
15. The specific changes sought to the PDP provisions are detailed within **Section C** of this submission.
16. The submission also 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.

Section 32AA Evaluation of Rezoning to Rural Lifestyle

17. The following summary evaluation has been prepared under section 32AA of the Act to support the proposed change sought to rezone the northern part of the site as Rural Lifestyle. S.32AA requires that a further evaluation under sections 32(1) to (4) is necessary for any changes that have been made to the proposal since the evaluation report for the proposal was completed.
18. In accordance with section 32AA(1)(c) this evaluation has been undertaken at a level of detail which corresponds to the scale and significance of the changes.
19. The Landscape Character Report in **Appendix 1**, provides the landscape and visual amenity rationale for the proposed rezoning, and forms part of the section 32AA evaluation.

Proposed District Plan Policy Framework

20. The relevant objectives from the PDP are outlined and evaluated below.

Chapter 3 Strategic Directions

Objective 3.2.5.2 Minimise the adverse landscape effects of subdivision, use or development in specified Rural Landscapes.

21. The site falls within an area of Rural Landscape Classification in terms of the mapping included within the PDP. Rezoning to Rural Lifestyle will provide additional residential development opportunity in the northern part of the site adjacent to Fitzpatrick Road, enabling resultant landscape change.
22. The current location of the Rural Zone/Rural Lifestyle Zone boundary across the site is arbitrary and illogical from a landscape character perspective. The Landscape Character Report in **Appendix 1** considers the area sought to be rezoned (Area A) is more closely associated with

Fitzpatrick Road and Dalefield where a residential character dominates. Any new development in this area would continue the current rural lifestyle development, in character with existing development in the area. The hummocks on the northern half of the site also have a higher ability to absorb change, as this part of the site does not provide the same openness as the flat, expansive river terrace. This is also in contrast to the southern part of the site (Area B) which is visually associated with the Shotover River. Enabling further residential development by rezoning the northern part of the site to Rural Lifestyle would therefore appropriately minimise the adverse landscape effects in this rural landscape to achieve Objective 3.2.5.2.

Objective 3.2.5.3 Direct new subdivision, use or development to occur in those areas which have potential to absorb change without detracting from landscape and visual amenity values.

23. As identified above, the northern half of the site (Area A) is associated with the dominant residential character of Fitzpatrick Road and Dalefield, and has ability to absorb visual change. Enabling further residential development by rezoning the northern part of the site to Rural Lifestyle would therefore appropriately direct new residential subdivision and development to areas which have potential to absorb change without detracting from landscape and amenity values to achieve Objective 3.2.5.3.

Objective 3.2.5.4 Recognise there is a finite capacity for residential activity in rural areas if the qualities of our landscape are to be maintained.

24. Rezoning of the site to Rural Lifestyle positively implements Objective 3.2.5.4 by enabling lifestyle living opportunities within an area where there is capacity to absorb change without detracting from landscape and visual amenity values.

Objective 3.2.6.2 Ensure a mix of housing opportunities

25. Rural living is a form of housing at the low end of the density spectrum and will therefore help to ensure a mix of housing opportunities are provided across the District to achieve Objective 3.2.6.2.

Chapter 6 Landscapes

6.3.1 Objective - The District contains and values Outstanding Natural Features, Outstanding Natural Landscapes, and Rural Landscapes that require protection from inappropriate subdivision and development.

26. As identified above, the northern half of the site (Area A) is associated with the dominant residential character of Fitzpatrick Road and Dalefield, and has a higher ability to absorb change. Consequently those parts of the Rural Landscape Classification which are more open and do not have ability to absorb change will be protected from inappropriate subdivision and development to achieve Objective 6.3.1.

6.3.2 Objective - Avoid adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development.

27. As identified above, the northern half of the site (Area A) has the ability to absorb visual change, including the incremental cumulative effects on landscape character and visual amenity values from subdivision and development to achieve Objective 6.3.2.

6.3.5 Objective - Ensure subdivision and development does not degrade landscape character and diminish visual amenity values of the Rural Landscapes (RLC).

28. Enabling further development in the northern half of the site (Area A) which is associated with the dominant residential character of Fitzpatrick Road and Dalefield, and has the ability absorb

visual change will ensure landscape character will not be degraded, nor visual amenity values diminished to achieve Objective 6.3.5.

Identification of other reasonably practicable options for achieving the objectives s.32(1)(b)(i)

29. The reasonably practicable options available to provide for the use and development of the site under the PDP includes:
- (a) The approach taken by the notified PDP to include the majority of the site within the Rural General Zone.
 - (b) Rezone the northern part of the site as Rural Residential
 - (c) Identify the northern part of the site within a special zone within Part 6 of the PDP.
30. Retaining the Rural General Zone would ensure those objectives of the PDP aimed at managing the effects of subdivision, use, and development within rural landscapes are achieved. However unlike the Rural Lifestyle zone, it would not assist in directing additional rural lifestyle development to appropriate locations to maintain qualities of the wider rural landscape, or assist to ensure mix of housing opportunities are provided.
31. Compared with Rural Lifestyle zoning, Rural Residential may not achieve the objectives of the PDP. In particular it would allow a density of residential development that may detract from landscape and visual amenity values, including through cumulative adverse effects. It would also be inconsistent with the density of rural residential development enabled in the surrounding Fitzpatrick Road and Dalefield area.
32. The option of preparing a special zone is possible, although that would require the insertion of a new chapter into the plan and formulation of a new set of bespoke plan provisions. This could include a structure plan. Applying a special zone over an area where there is a limited capacity for further development in order to retain the essential character of the landscape and visual amenity values would be a disproportionate response in light of the suitability of applying the existing Rural Lifestyle zone to the site. It would also potentially result in higher administrative and transaction costs associated with the introduction of a new set of plan provisions.

Assessment of efficiency and effectiveness of provisions s.32(1)(b)(ii) and s.32(2)(a)

(a) Effectiveness:

As outlined in the evaluation of the PDP objectives above, rezoning the site to Rural Lifestyle will be effective in that it will achieve the objectives of the PDP.

(b) Efficiency

The efficiency of rezoning in terms of costs and benefits are set out in the table below:

Benefits	Costs
<p><i>Environmental</i></p> <p>Rural Lifestyle zoning over the northern part of the site would allow additional residential development opportunities in an area where visual change can be absorbed, thereby reducing pressure for development on other rural locations where there is a finite capacity for residential activity.</p>	<p><i>Environmental</i></p> <p>Rural Lifestyle zoning would facilitate some additional loss of rural agricultural land, albeit recognising that the site has limited value for productive farming, and agricultural use will remain possible given the low density of development enabled.</p> <p><i>Economic</i></p>

<p>Economic:</p> <p>No significant economic benefits from rezoning to Rural Lifestyle have been identified.</p> <p>Social and cultural</p> <p>Rural Lifestyle zoning over the northern part of the site would provide additional low density housing opportunities in an area where residential activity is the predominant use.</p>	<p>As above, Rural Lifestyle zoning would facilitate some additional loss of rural agricultural land resulting in some economic cost, albeit recognising that the site has limited value for productive farming, and agricultural use will remain possible given the low density of development enabled.</p> <p>Social & Cultural</p> <p>No significant social or cultural costs from rezoning to Rural Lifestyle have been identified.</p>
--	--

33. Compared with retaining the Rural General zone, rezoning to Rural Lifestyle will be efficient as the benefits will outweigh any costs. While rezoning would facilitate some loss of rural agricultural land, and its inherent economic benefit, that cost will be low due to the site having limited value for productive farming, and agricultural use remaining possible. Furthermore that loss will be compensated by reducing pressure for residential development in other rural locations which could result in loss of more versatile rural agricultural land.

Summary of reasons for proposed provisions s32(1)(b)(iii)

34. Rezoning the northern part of the site as Rural Lifestyle Zone provides the most appropriate way of achieving the relevant objectives of the PDP because:
- (a) The currently proposed Rural/Rural Lifestyle Zone boundary across the site is arbitrary and illogical from a landscape character perspective, and the site has limited value for productive farming use;
 - (b) It provides additional low density rural lifestyle opportunities in an area where such development would be consistent with the dominant character, and there is capacity to absorb visual change without degrading landscape character or visual amenity values; and
 - (c) In so doing, it will reduce pressure for such development in other areas of the rural environment where there is finite capacity for residential activity.

SECTION C: SPECIFIC SUBMISSIONS TO THE PROPOSED QUEENSTOWN LAKES DISTRICT PLAN

Specific Provision	Submission	Decisions Sought [New text shown <u><i></i></u> and deleted text shown as <i>strike-through</i>]
Chapter 3 – Strategic Directions		
Objective 3.2.1.3	<p>Support in Part</p> <p>The objective is worded in the form of a policy and should instead be amended as an aspirational outcome to be achieved.</p>	<p>Amend Objective 3.2.1.4 as follows:</p> <p>Recognise the potential for rural areas to diversify their <u>Diversification of land use in rural areas occurs</u> beyond the strong productive value of farming, provided a sensitive approach is taken to rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests.</p>
Objective 3.2.5.2	<p>Support in Part</p> <p>The objective is appropriate to achieve section 7(c) of the RMA, however it is worded in the form of a policy and should instead be amended as an aspirational outcome to be achieved.</p>	<p>Amend Objective 3.2.5.2 as follows:</p> <p>Minimise t<u>The adverse landscape effects of subdivision, use or development are minimised</u> in specified Rural Landscapes.</p>
Objective 3.2.5.3	<p>Support in Part</p> <p>The objective is appropriate to achieve sections 6(b) and 7(c) of the RMA, however is worded in the form of a policy and should instead be amended as an aspirational outcome to be achieved.</p>	<p>Amend Objective 3.2.5.3 as follows:</p> <p>Direct new s<u>Subdivision, use or development to occurs</u> in those areas which have potential to absorb change without detracting from landscape and visual amenity values.</p>
Objective 3.2.5.4	<p>Support in part</p>	<p>Amend Objective 3.2.5.4 as follows:</p>

Specific Provision	Submission	Decisions Sought [New text shown <u><i></i></u> and deleted text shown as <i></i>]
	The objective is appropriate to achieve sections 6(b) and 7(c) of the RMA, however is worded in the form of a policy and should instead be amended as an aspirational outcome to be achieved.	Recognise there is a <u>The</u> finite capacity for residential activity in rural areas if <u>to maintain</u> the qualities of our landscape are to be maintained <u>are recognised</u> .
Chapter 6 – Landscapes		
Objective 6.3.1	<p>Oppose</p> <p>The objective is worded in the form of an issue statement rather than an aspirational objective to be achieved. Furthermore it requires protection of Rural Landscapes from inappropriate subdivision, and development which is an inappropriately high test for amenity landscapes for which maintenance of amenity values is only required to achieve section 7(c) of the RMA. It does not support the strategic direction objectives and policies.</p> <p>The policies under the objective are general policies guiding the identification of the three categories of landscapes, and the assessment of specific activities (e.g. forestry, urban subdivision etc). The objective should be reworded to set an aspirational outcome to which these policies are intended to achieve.</p>	<p>Amend Objective 6.3.1 as follows:</p> <p>The District contains and values Outstanding Natural Features, Outstanding Natural Landscapes, and Rural Landscapes that require protection from inappropriate subdivision and development.</p> <p><u>Outstanding Natural Features, Outstanding Natural Landscapes, and Rural Landscapes are identified and considered in determining the location of rural lifestyle living and urban growth, and assessing subdivision, use, and development.</u></p>
Policy 6.3.1.1	<p>Support in Part</p> <p>The policy does not recognise that Rural Landscapes are also identified the planning maps in addition to Outstanding Natural Landscapes, and Outstanding Natural Features.</p>	<p>Amend Policy 6.3.1.1 as follows:</p> <p>Identify the District's Outstanding Natural Landscapes, and Outstanding Natural Features, <u>and Rural Landscapes</u> on the Planning Maps.</p>
Policy 6.3.1.4	<p>Support in Part</p>	<p>Amend Policy 6.3.1.4 as follows:</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>The explanatory text in the policy that subdivision and development is inappropriate in many locations in Rural Landscapes predetermines the proper assessment of subdivision and development proposals, and is inappropriate in a policy.</p> <p>The appropriateness of subdivision and development in Rural Landscapes should be considered solely against other specific objectives and policies, and the plan assessment matters.</p>	<p><i>That subdivision and development proposals located within the Rural Landscape be assessed against the assessment matters in provisions 21.7.2 and 21.7.3 because subdivision and development is inappropriate in many locations in these landscapes, meaning successful applications will be, on balance, consistent with the assessment matters.</i></p>
Policy 6.3.1.8	<p>Oppose</p> <p>Whilst the policy is appropriate to manage the effects of glare, the policy is not intended to manage effects on landscape values, and therefore would more appropriately sit elsewhere in the plan.</p>	Delete Policy 6.3.1.8
Policy 6.3.1.11	<p>Oppose</p> <p>The policy duplicates and contradicts with other objective and policy directions in Chapter 6, in particular policies 6.3.4.3 and 6.3.5.2.</p>	Delete Policy 6.3.1.11.
Objective 6.3.2	<p>Support in Part</p> <p>The objective is worded in the form of a policy and should instead be amended as an aspirational outcome to be achieved.</p>	<p>Amend Objective 6.3.2 as follows:</p> <p>Avoid a<i>Adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development are avoided.</i></p>
Policy 6.3.2.2	<p>Oppose</p>	Delete Policy 6.3.2.2.

Specific Provision	Submission	Decisions Sought [New text shown <u><i></i></u> and deleted text shown as <i>strike-through</i>]
	The policy duplicates and contradicts other objective and policy directions in Chapter 6.	
Policies 6.3.2.3, 6.3.2.4, 6.3.2.5	<p>Oppose</p> <p>These policies all address cumulative effects of subdivision and development and should be consolidated into one policy to avoid duplication, and improve clarity and provide certainty.</p>	<p>Delete Policies 6.3.2.3 and 6.3.2.4 and add a new policy as follows:</p> <p><u>Ensure incremental subdivision and development in the rural zones and sprawl along roads does not degrade landscape character or visual amenity values, including as a result of activities associated with mitigation of the visual effects of proposed development such as screening planting, mounding and earthworks.</u></p>
Objective 6.3.5	<p>Oppose</p> <p>The objective is worded in the form of a policy rather than an aspirational outcome, and does not provide appropriate direction to support strategic direction objective 3.2.5.2 or strategic policy 3.2.5.2.1.</p>	<p>Amend Objective 6.3.5 as follows:</p> <p>Ensure <u>Subdivision and development does not degrade avoids or mitigates adverse effects on</u> landscape character and diminish visual amenity values of the Rural Landscapes (RLC).</p>
Policy 6.3.5.1	<p>Oppose</p> <p>The policy does not provide appropriate direction to support strategic direction objective 3.2.5.2 or strategic policy 3.2.5.2.1.</p>	<p>Amend Policy 6.3.5.1 as follows:</p> <p>Allow subdivision and development only where it <u>avoids or mitigates adverse effects on</u> will not degrade landscape quality or character, or diminish the visual amenity values identified for any Rural Landscape.</p>
Policy 6.3.5.2	<p>Support in Part</p>	<p>Amend Policy 6.3.5.2 as follows:</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>]
	The policy is unclear on whether it is adverse effects on Rural Landscapes that are visible from public places and roads which are to be avoided.	<p><i>Avoid adverse effects from subdivision and development <u><i>on Rural Landscapes</i></u> that are:</i></p> <ul style="list-style-type: none"> • <i>Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and</i> • <i>Visible from public roads.</i>
Objective 6.3.7	<p>Support in Part</p> <p>The objective is worded in the form of a policy and should instead be amended as an aspirational outcome to be achieved.</p>	<p>Amend Objective 6.3.7 as follows:</p> <p><i>Recognise and protect</i> <i>Indigenous biodiversity where it contributes to the visual quality and distinctiveness of the District's landscapes, <u><i>shall be recognised and protected.</i></u></i></p>
Chapter 22 – Rural Residential and Rural Lifestyle Zones		
Objective 22.2.1	<p>Support in Part</p> <p>The objective is worded in the form of a policy and should instead be amended as an aspirational outcome to be achieved.</p>	<p>Amend Objective 22.2.1 as follows:</p> <p><i>Maintain and enhance</i> <i>The district's landscape quality, character and visual amenity values <u><i>are maintained and enhanced</i></u> while <i>enabling</i> rural living opportunities in areas that can avoid detracting from those landscapes <u><i>are enabled.</i></u></i></p>
Policy 22.2.1.7	<p>Support in Part</p> <p>Whilst the policy is appropriate to manage fire risk, the policy is not intended to manage effects on landscapes and visual amenity, and therefore would more appropriately sit under</p>	Move Policy 22.2.1.7 to sit under Objective 22.2.3.

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>]
	another objective, such as objective 22.2.3 addressing natural hazards.	
Objective 22.2.2	<p>Support in Part</p> <p>The objective is worded in the form of a policy and should instead be amended as an aspirational outcome to be achieved.</p>	<p>Amend Objective 22.2.2 as follows:</p> <p>Ensure the <u><i>Within the rural residential and rural lifestyle zones,</i></u> predominant land uses are rural, residential and where appropriate, visitor and community activities.</p>
Objective 22.2.3	<p>Support in Part</p> <p>The objective is worded in the form of a policy rather than an aspirational outcome to be achieved, and does not clearly specify the outcome expected from new development with regard to natural hazard risks.</p>	<p>Amend Objective 22.2.3</p> <p>Manage n<u><i>New development and adequately manages</i></u> natural hazards <u><i>risks.</i></u></p>
Rule 22.4.3.1	<p>Support</p> <p>The permitted status for the construction and external alteration of buildings on an approved building platform in the rural lifestyle zone is appropriate.</p>	<p>Retain Rule 22.4.3.1 unchanged.</p>
Rule 22.4.3.2	<p>Support</p> <p>The permitted status for the external alteration of buildings located outside of a building platform not exceeding 30% of the ground floor area of the existing building is appropriate.</p>	<p>Retain rule 22.4.3.2 unchanged.</p>
Rule 22.4.3.3	<p>Support</p>	<p>Retain rule 22.4.3.3 unchanged.</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>]
	The ability to create a residential building platform as a discretionary activity in the rural lifestyle zone is appropriate.	
Rule 22.4.6 Residential Flats	<p>Support</p> <p>The permitted status for residential flats in the rural lifestyle zone is appropriate.</p>	Retain rule 22.4.6 unchanged.
Rule 22.5.1 Building Materials and Colours	<p>Support in Part</p> <p>The rule is supported in part as part of the package of standards relating to building supporting permitted activity status. It is unclear however whether the rule will capture materials that have no applied finishes such as locally sourced stacked stone, untreated wood, unpainted concrete. This concern applies equally to the proposed standards relating to roof and walls colours.</p> <p>In terms of external finishes, this standard should be amended to relate to any material with or without any applied finish so as to capture the spectrum of possible material and colour combinations. Locally sourced stacked stone, such as schist, constructed in any number of ways (dry stacked, bagged, rendered, etc) may depending on light conditions fail to meet the very low reflectance standard of 30% for exterior finishes. The natural variation in this natural materials colour and types of construction techniques make it very hard to determine such a value. However it is a material with a long associated tradition of use for building in central Otago and regarded as being a material that would contribute to a high quality finish.</p>	<p>Amend Rule 22.5.1 Building Materials and Colours, as follows:</p> <p><i>All buildings, including any structure larger than 5m², new, relocated, altered, reclad or repainted, are subject to the following in order to ensure they are visually recessive within the surrounding landscape:</i></p> <p><i>Exterior colours of buildings <u>materials shall be:</u></i></p> <p><i>22.5.1.1 All exterior surfaces shall be coloured in the range of black, browns, greens or greys;</i></p> <p><i>22.5.1.2 Pre-painted steel, and all roofs shall <u>For roofs</u> have a reflectance value not greater than 20%;</i></p> <p><i>22.5.1.3 Surface finishes shall <u>For all other external surfaces</u> have a reflectance value of not greater than 30%. <u>Except that this rule shall not apply to any locally sourced stone (e.g. schist)</u></i></p> <p><u>These rules do not apply to any material or surface colours used inside any building.</u></p> <p><i>Discretion is restricted to all of the following:</i></p> <ul style="list-style-type: none"> <i>Whether the building would be visually prominent, especially in the context of the wider landscape, rural environment and as viewed from neighbouring properties.</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>]
	On that basis, rule 22.5.1 should be amended to ensure both the roof and external surfaces standards capture natural or manufactured materials that are treated or untreated together with an exemption relating to locally sourced stone (e.g. Schist).	<ul style="list-style-type: none"> • <i>Whether the proposed colour is appropriate given the existence of established screening or in the case of alterations, if the proposed colour is already present on a long established building.</i> • <i>The size and height of the building where the subject colours would be applied.</i>
Chapter 27 Subdivision		
Rule 27.4.1 All subdivision activities are discretionary activities, except other stated	<p>Oppose</p> <p>Rule 27.4.1 is opposed for the general reasons expressed above. Changes are sought to this rule to ensure subdivision that complies with the relevant standards remains as a controlled activity.</p>	<p>Amend Rule 27.4.1, as follows:</p> <p><i>All subdivision activities are discretionary <u>controlled</u> activities, except <u>as</u> otherwise stated:</i></p> <p><u>Council's control is limited to:</u></p> <ul style="list-style-type: none"> • <u>Lot sizes, averages and dimensions</u> • <u>Subdivision design</u> • <u>Property access</u> • <u>Esplanade provision</u> • <u>Natural hazards</u> • <u>Fire fighting water supply</u> • <u>Water supply</u> • <u>Stormwater disposal</u> • <u>Sewage treatment and disposal</u> • <u>Energy supply and telecommunications</u> • <u>Open space and recreation</u>

Specific Provision	Submission	Decisions Sought [New text shown <u>underlined bold italics</u> and deleted text shown as <i>italic strike-through</i>]
		<ul style="list-style-type: none"> • <u><i>Easements</i></u> • <u><i>The nature, scale and adequacy of environmental protection measures associated with earthworks</i></u>
New Rule 27.5.5 Boundary Adjustments	<p>Oppose</p> <p>A new rule is sought to be inserted to enable boundary adjustments to be undertaken as a controlled activity. It is effective and efficient to retain a separate rule to enable this form of subdivision.</p>	<p>Insert new Rule 27.5.5 Boundary adjustments, as follows:</p> <p><u><i>Where there are two or more existing lots which have separate Certificates of Title, new lots may be created by subdivision for the purpose of an adjustment of the boundaries between the existing lots, provided:</i></u></p> <p><u><i>(i) the building platform is retained.</i></u></p> <p><u><i>(ii) no additional separately saleable lots are created.</i></u></p> <p><u><i>(iii) the areas of the resultant lots comply with the minimum lot size requirement for the zone.</i></u></p>
Planning Maps		
Planning Map 31, Lower Shotover	<p>Oppose</p> <p>Rezoning of the northern part of the site as Rural Lifestyle would be appropriate to achieve the objectives of the PDP. Detailed reasons for this relief are detailed in the general reasons expressed in Section B to this submission.</p>	<p>Amend Planning Map 31 (Lower Shotover), by rezoning the northern part of the submitter's site on Fitzpatrick Road, Queenstown (Lot 1 DP476877) from Rural General to Rural Lifestyle Zone as shown in Appendix 2 to the submission.</p>

Appendix 1
Landscape Character Report

Fitzpatrick Road, Queenstown

Landscape Character Report for DPR submission
Prepared for Rod Cameron

14 October 2015



Boffa Miskell

Document Quality Assurance

<p>Bibliographic reference for citation: Boffa Miskell Limited 2015. <i>Fitzpatrick Road, Queenstown: Landscape Character Report for DPR submission</i>. Report prepared by Boffa Miskell Limited for Rod Cameron.</p>		
Prepared by:	James Bentley Principal Landscape Planner Boffa Miskell Limited	
Reviewed by:	Yvonne Pfluger Principal Landscape Planner Boffa Miskell Limited	
Status: [FINAL]	Revision / version: [0]	Issue date: 14 October 2015
<p>Use and Reliance This report has been prepared by Boffa Miskell Limited on the specific instructions of our Client. It is solely for our Client's use for the purpose for which it is intended in accordance with the agreed scope of work. Boffa Miskell does not accept any liability or responsibility in relation to the use of this report contrary to the above, or to any person other than the Client. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate, without independent verification, unless otherwise indicated. No liability or responsibility is accepted by Boffa Miskell Limited for any errors or omissions to the extent that they arise from inaccurate information provided by the Client or any external source.</p>		

Template revision: 20150330 0000

File ref:

U:\2015\C15087_YPf_Fitzpatrick_Rd_Subdivision\Documents\C15087_03_Landscape_Report_20150930.docx

Cover photograph: [Fitzpatrick Site looking towards Ferry Hill, © Yvonne Pfluger, 2015]

1.0 Introduction

Rod Cameron has commissioned Boffa Miskell to assist in providing a landscape character assessment regarding their land (the Site), located on Fitzpatrick Road, Queenstown. The Site is located within the western part of the Wakatipu Basin and contained to the north by Fitzpatrick Road and to the south by the Shotover River. There are rural lifestyle-styled properties to the east and west of the Site, as well as to the north of Fitzpatrick Road. The Site is currently in rural arable production, but contains a consented building platform (RM 120695) that has not been built on yet.

Within the operative Queenstown Lakes District Council's (QLDC) District Plan, the Site is within the Rural General Zone.

Within the proposed QLDC District Plan, the majority of the Site is zoned Rural, with a very small part of its north-western corner being zoned Rural Lifestyle. The proposed Rural Lifestyle Zone extends further to the north and north-west of the Site. This area is essentially characterised as the Fitzpatrick Basin and is contained within a Rural Landscape Category (RLC) classification.

The Site is not considered an Outstanding Natural Landscape or Feature under Section 6b of the Resource Management Act 1991.

2.0 Landscape Character Appraisal

2.1 Wakatipu Basin

The Site is located within the western part of the Wakatipu Basin. Glacial activity has been a formative process in shaping this basin landscape. The landscape surrounding the current site can be broadly classified into the contrasting landscape types of the low relief Wakatipu Basin and its surrounding mountain ranges.

The wider Wakatipu Basin is defined by a series of surrounding mountain ranges reaching heights of up to 2000 metres above sea level (masl). To the north, numerous peaks and ridges around Coronet Peak and the Crown Range enclose the northern extent of the Basin in an east-west arc. They rise immediately above Arrowtown in a sequence of steep terraces to heights of between 1000 and 1700masl. Coronet and Crown Peaks are key landmarks within these ranges, with Mount Cardrona and the Harris Mountains extending beyond. To the south, the Remarkables rise steeply from the Kawarau River to more than 2000masl. The steep gorges of the Arrow and Shotover Rivers which drain the Arrow Basin into the Kawarau River are important features carved through these ranges. Glacially formed roche moutonnée hills are also prominent within the basin, including Ferry Hill, Slope Hill and Queenstown Hill.

From the Basin floor, the horizon is defined by the profiles of the Remarkables to the south, the Crown Range to the east and the mountains of Ben Lomond, Bowen Peak and Mt Dewar to the west and northwest.

Upon this glacial landscape is a layer of human intervention and settlement, which is rural and rural-residential in nature and of high visual diversity. A varied mix of land uses are present, including small settlements (Arrowtown), golf courses, agriculture and a mix of rural living densities. The topography is gently undulating and provides for a variety of experiences when travelling through on the numerous roads that criss-cross the Basin. Many of the roads are lined with trees, some shelterbelts, with views across much of this area being of high rural amenity and aesthetic quality.

Key characteristics of the Wakatipu Basin

- Containment provided by mountainous backdrop
- Extensively modified area, with a mix of rural land uses, predominantly residential
- Shotover River and roche moutonnée hills are defining landscape features
- A mosaic of new exotic and native planting, mostly associated with areas of domestication together with liner shelter planting associated with pastoral farming.

2.2 Fitzpatrick Road Area and the Site

The Site is located within the western part of the Wakatipu Basin, directly north of the roche moutonnée of Ferry Hill, separated by the incised Shotover River. This landscape is gently undulating and characterised by numerous areas where residential development is present. To the north of the Site, the eastern end of Little Road, which connects with Dalefield Road and Domain Road retains a notable concentration of residential development adjacent to it. Individual trees and clustered tree groups along with garden boundary vegetation and topographical variation assist in creating an enclosed, domestic setting to these roads, compared to more open views experienced further east.

Closer to the Shotover River, including the southern part of the Site, the landscape appears more open, principally due to a lack of vegetation and limited structures. Residential development closer to the river is located to the east and west of the Site, and appears of low density.

The Site itself is gently undulating, with areas of reasonably flat land interspersed between the hummocks. A significant knoll is located in the north western corner of the Site (elevation 450masl). The terrain variation within the Site along Fitzpatrick Road, means that it is not open to views from the road and that several low points between hummocks provide areas of low visibility from outside the Site. Several other more gently undulating hummocks are located within the site, providing varying degrees of enclosure. The Site gently decreases in elevation towards its southern boundary, ranging from 430masl close to Fitzpatrick Road and 410masl at its southern boundary with the Shotover River.

Beyond the southern boundary, the land drops quickly in elevation to the Shotover River. A mix of exotic and indigenous vegetation is located on the slopes above the river south of the Site with narrow grassed flats adjacent to the river.

More extensive vegetation occurs around the Site's boundaries, while vegetation within the site is sparse. One centrally located broken deciduous tree belt is located within the Site, effectively dividing it into two parts. Some tree planting is located along the northern boundary of the Site, partially screening the Site in views from Fitzpatrick Road. Due to the lack of vegetation on the Site, the Site currently provides a degree of openness, while the hummocks are defining elements. Since the consented building platform has not been built upon, the Site currently retains

a rural character. Adjacent properties are effectively screened by boundary vegetation and topographical variation.

Broadly, the Site can be divided into two landscape character areas, the northern part (Area A) and the southern part (Area B). The area of approximate division between the two is a line taken through the centre of the Site, following two subtle hummocks (which is roughly the 430masl contour line). It is at this point where the land characteristics display subtle changes, with Area A being more associated with the Fitzpatrick Road area and Area B being more associated with the river corridor. This is noted more visually, but also topographically as the land gradually descends in elevation towards the Shotover River.

Key Characteristics of the Fitzpatrick Road Area and Site:

- Enclosed and domestic residential character to areas north of the Site, along Fitzpatrick Road
- More open character on terraces above to the river
- Vegetation concentrated along property boundaries and where property boundaries are more widely spaced, this increases openness
- Extensive views from the Site of its mountainous setting obtained
- Undulating topography assists in absorbing development
- Character change around the centre of the Site (approximately 430masl contour) between the northern and southern part of the Site, where the undulating hummocks give way to the flat terraces sloping towards the Shotover River.

3.0 QLDC Landscape Character

3.1 Wakatipu Basin

Landscape Architect Read Landscapes has undertaken a Landscape Character Assessment of the Wakatipu Basin¹ as part of QLDC's District Plan Review process. In the Read Landscapes report the following it is noted as part of the review process:

'It has been identified that the review of the existing rural zones and the landscape provisions within the District Plan is to be a significant part of this larger review process. Particularly, it is considered that the cumulative effects of development in the Wakatipu Basin have not been well managed. This report aims to examine the landscape of the Basin, determine areas in which further development could occur, areas in which further development would threaten the landscape character and quality of the Basin as a whole, and examine the means by which its future management could be more effectively undertaken'.

The report confirms that the Wakatipu Basin is a landscape character in its own right. It states:

'It is contained by significant mountains on all sides, and by significant rivers on three. Its original glacial origins are readily legible, and include moraine features and Roche'

¹ Wakatipu Basin Residential Subdivision and Development: Landscape Character Assessment, Read Landscapes, June 2014

moutonnee. Its overall geomorphological pattern is one of a network of reasonably confined valleys interspersed with hummocky ridges and punctured by roche moutonnee. The majority of it retains a rural character typified by pastoral uses with open pasture of varying quality over most of the land area. Hawthorn hedges, Lombardy poplars, conifer shelterbelts and willows along waterways form the characteristic tree palette, with scattered remnant indigenous scrub present, mainly on steep and elevated landforms. This character is becoming less coherent as residential development spreads and intensifies in pockets'.

The report highlights that the key characteristics of the Wakatipu Basin rural landscape comprise the following:

- *predominance of natural features over human made features*
- *high ratio of open space relative to the built environment and to the presence of trees*
- *significant areas in pasture, crops*
- *scattered indigenous vegetation*
- *presence of large numbers of farmed animals (sheep, cattle, deer, goats)*
- *low population densities relative to urban centres*
- *narrow, unsealed roads*
- *absence of urban infrastructure*
- *narrow range of tree species utilised for shelter*
- *amenity tree species restricted to the immediate vicinity of dwellings.*

Through a more refined analysis, the report states that future residential development within the Basin should be concentrated in the areas where it would have the least impact on the existing landscape character and visual amenity of the overall Basin. Of these areas, four areas or those 'currently zoned Rural General' could be considered to be the focus of future development in the Basin. The Fitzpatrick Basin (area 6) is identified as one of those areas. The Site is located on the edge of Area 6, within Area 6a. A map illustrating those areas is contained within the report and illustrated below:

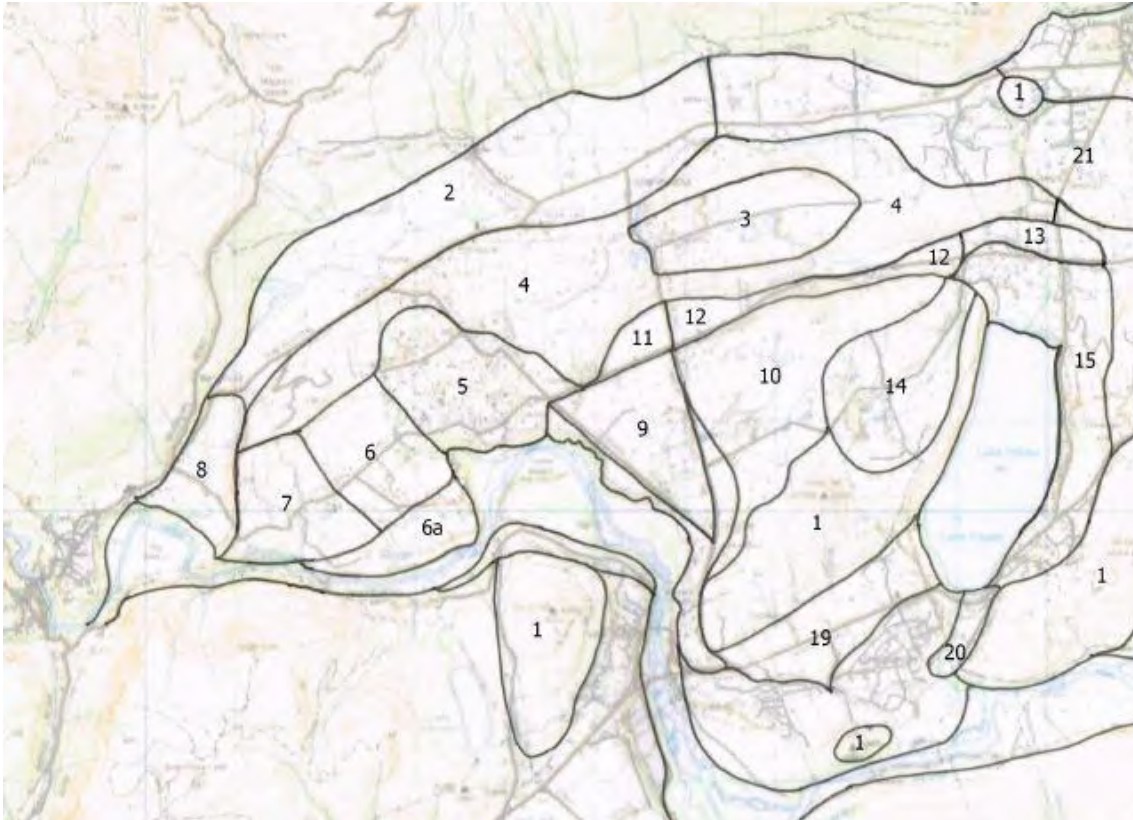


Image 1: Excerpt from the Read Landscapes Landscape Character Areas, page 26

3.2 Fitzpatrick Basin (Area 6)

The Read Landscape Report describes the Fitzpatrick Basin (Area 6) as:

'The Fitzpatrick Basin (area 6) incorporates an area of Rural Lifestyle zoning currently but is, in the main, Rural General. The boundary of the rural lifestyle area is entirely incoherent from a landscape perspective, protruding into an area of the basin floor. The basin is contained, with views into it obscured by the surrounding ridgelines. It is my opinion that the Rural Lifestyle zoning should be extended to incorporate the majority of this Basin, extending towards the top of the ridgeline which runs approximately along the southern side of Fitzpatrick Road and to the vicinity of the 440m contour along the north of the Basin. This zoning is illustrated on the map attached as Appendix 3. I consider that the portion of land between the Shotover River and this southern ridgeline should remain zoned Rural General (area 6a). This area has had its rural character compromised to a degree by the consenting of residential development within it, and has had its visual amenity compromised to a greater degree by this development also. I consider that it is close to the limit of its ability to absorb development.'

'Recommendation: *Rezone the Fitzpatrick Basin Rural Lifestyle'*.

It summarises the landscape character analysis for the Fitzpatrick Basin as:

Landscape Area	Extent of Rural Character	Key characteristics	Vulnerability to Character Change	Contribution to visual amenity	Vulnerability of Visual Amenity
Fitzpatrick Basin (6)	Moderate to low	Rural lifestyle development Pastoral southern areas Hummocky topography Flat basin floor Steep northern wall.	Low Character already incoherent	Moderate to low	Moderate to low Low in the basin proper Moderate in the southern, hummocky rim area

The Site is located on the edge of Landscape Area 6 (within area 6a). The Read Landscape Report suggests that the Rural Lifestyle Zone's southern boundary should extend from '*the top of the ridgeline which runs approximately along the southern side of Fitzpatrick Road and to the vicinity of the 440m contour*'.

Based on a review of the Read Landscapes report, we have undertaken an assessment of the boundary definition for the landscape character areas, in particular the boundaries between areas 6 and 6a, as they relate to the subject Site. We consider a contour approach to be a pragmatic solution, however, we consider that a more purposeful boundary should be chosen along 430masl contour line which divides the Site above the sloping river terraces (as illustrated on **Figures 1 and 2**). We consider that the northern area (Area A) is more closely associated with the rural lifestyle development already evident off Fitzpatrick Road and Dalefield. Area A retains subtlety different characteristics due to its undulating terrain to Area B, which is visually more closely associated with the river. Based on this, we consider that the northern part of the Site (Area A) be rezoned Rural Lifestyle and the southern part of the Site (Area B), retained within the Rural General zoning, for the following reasons:

- Area A is more closely associated with Fitzpatrick Road where a residential character dominates.
- Any new development in Area A would continue the current rural lifestyle development, in character with existing development in the area;
- The hummocks on the northern half of the Site (Area A) have a higher ability to absorb change, as this part of the Site does not provide the same openness as the flat, expansive river terrace;
- That the southern part of the Site (Area B) is more visually associated with the Shotover River.

4.0 Considerations

The Site is located within the western part of the Wakatipu Basin, where residential development is widespread and visually reasonably prominent within the Dalefield area. The Shotover River and roche moutonnée hills are defining landscape features within this area. Within the wider western basin the settlement patterns are focussed on to two broad areas, the Dalefield area to the north of Fitzpatrick Road (including Littles Road) and the Hawthorn triangle area.

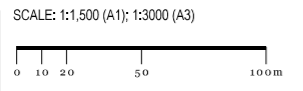
The Site is effectively divided into two landscape character areas, the northern undulating part (Area A) which is closely related to Fitzpatrick Road and the southern part (Area B) which contains a sloping terrace that is visually associated with the Shotover River.

Based on the above we agree with the findings in the Read Landscapes report in a sense that there are landscape character differences between the open, rural appearance of the river terrace and the more enclosed rural residential areas to the north. We also agreed that the use of a contour line would be useful to define the boundaries between these areas. However, we consider that within the subject Site following the 430masl contour line would be more defensible based on the change of landscape characteristics along this line. The northern part of the site contains a number of hummocks that provide undulating terrain with a high ability to absorb change due to its low visibility from outside the Site. In contrast to this, the southern part (below the 430masl contour) is made up of a gently sloping river terrace that is visually more exposed to long distance views from across the Shotover River.

It is considered that the line illustrated on **Figure 1** provides a defensible character line, based on topographical undulations and visibility. We, therefore, propose that Area A be considered to be zoned Rural Lifestyle, due to its association with existing residential development on Fitzpatrick Road and Area B be retained as Rural General.



DARBY PARTNERS
 Level 1, Steamer Wharf, Lower Beach Street
 PO Box 1164, Queenstown 9348
 Tel +64 3 450 2200 Fax +64 3 441 1451
 info@darbypartners.co.nz
 www.darbypartners.co.nz

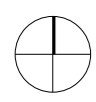


PLAN STATUS:
DP REVIEW

**CAMERON - FITZPATRICK RD
 FIG.1 SITE & LOCAL CHARACTERISTICS**

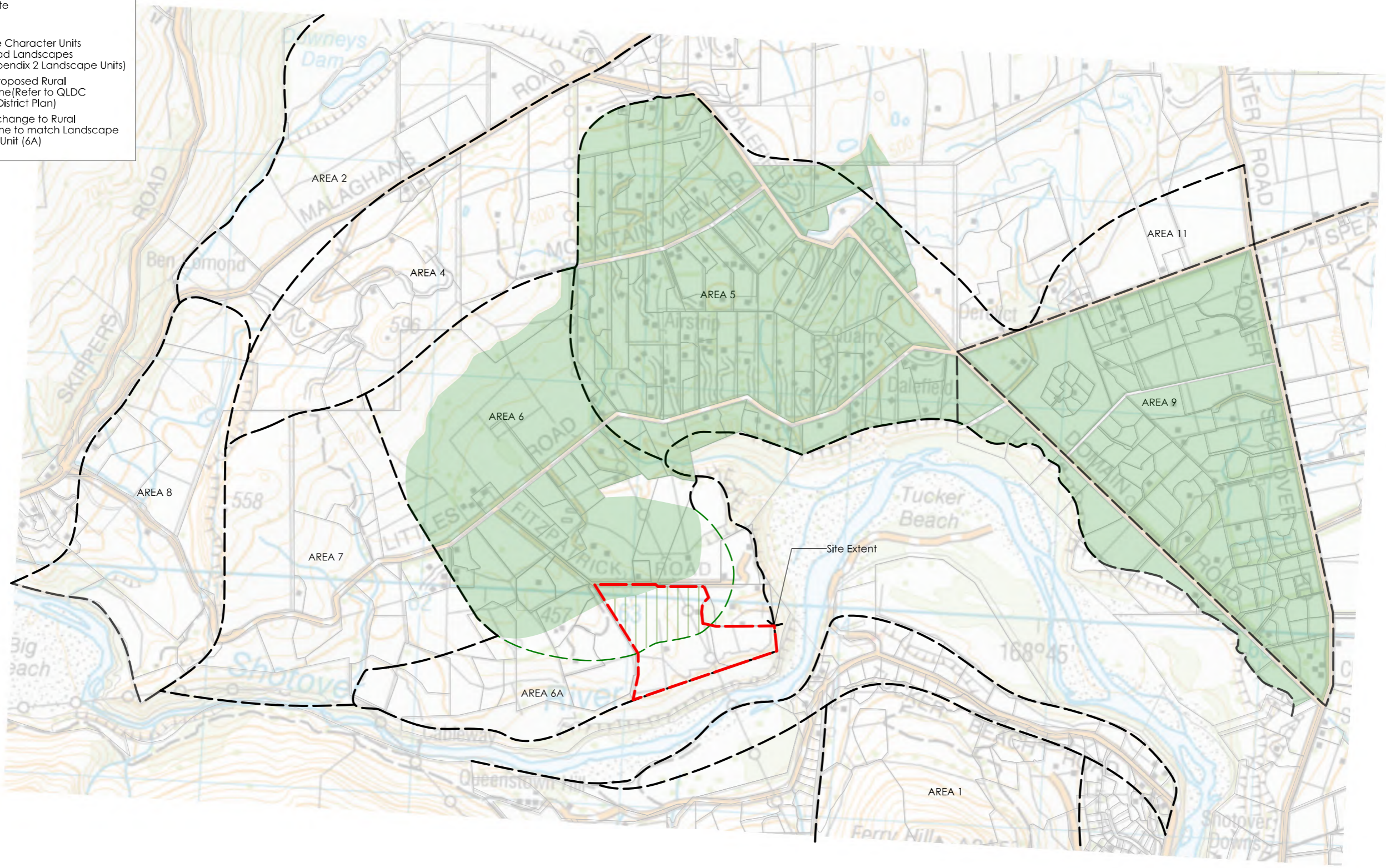
DRAWN / REVIEWED: TG/RT
 APPROVED: DT
 12,10,15

DRAWING NO:
XC_14_1_SK-003



KEY:

- Extent of Site
- Landscape Character Units (As per Read Landscapes Report Appendix 2 Landscape Units)
- Extent of Proposed Rural Lifestyle Zone (Refer to QLDC proposed District Plan)
- Proposed change to Rural Lifestyle Zone to match Landscape Character Unit (6A)



DARBY PARTNERS
 Level 1, Steamer Wharf, Lower Beach Street
 PO Box 1164, Queenstown 9348
 Tel +64 3 450 2200 Fax +64 3 441 1451
 info@darbypartners.co.nz
 www.darbypartners.co.nz

SCALE: 1:10,000 (A1); 1:20,000 (A3)

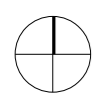
 PLAN STATUS:
DP REVIEW

**CAMERON - FITZPATRICK RD
 FIG.2 BROADER SITE CONTEXT**





DRAWN / REVIEWED: TG/RT
 APPROVED: DT
 14,10,15

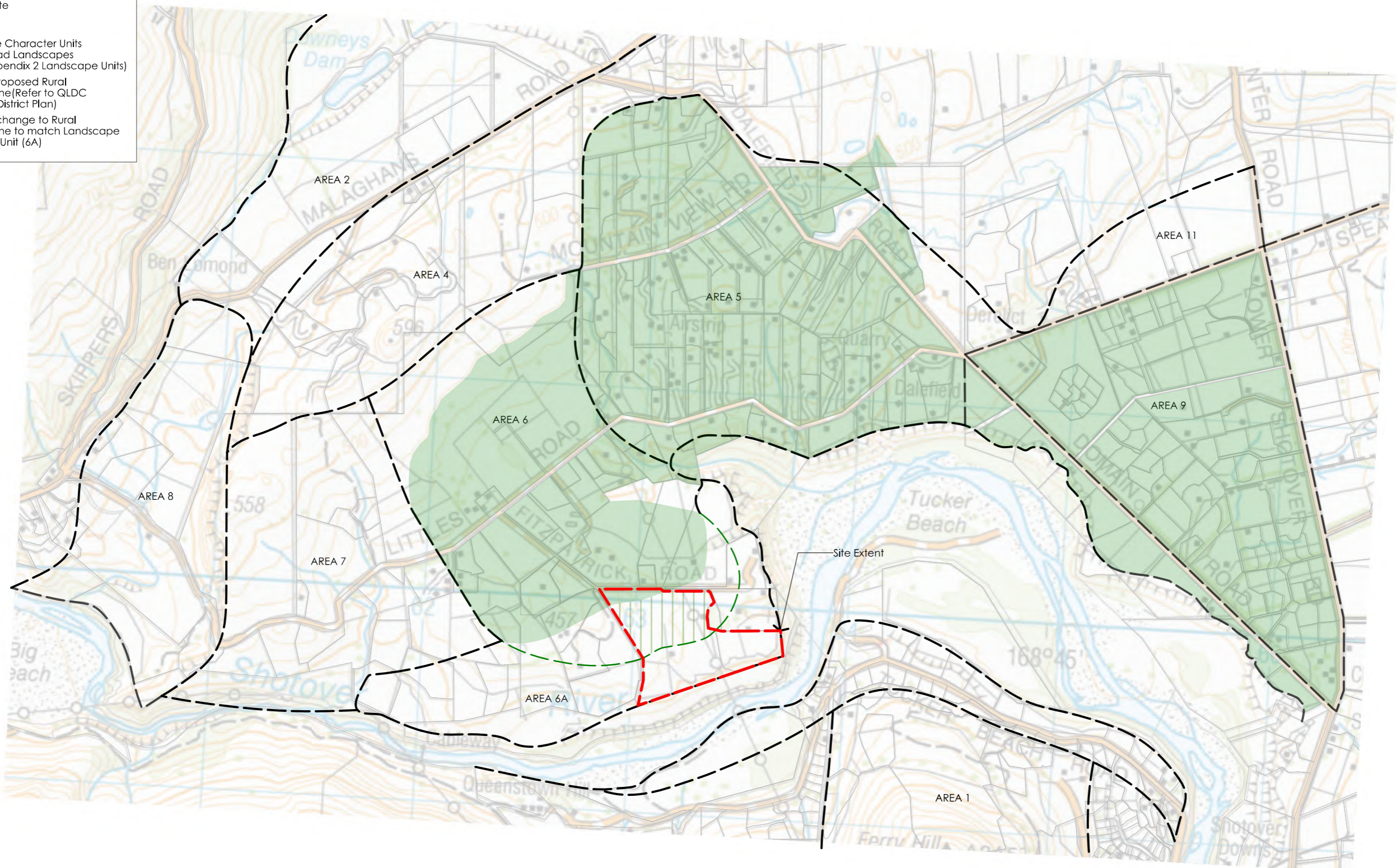
DRAWING NO:
XC_14_1_SK-004

Appendix 2
Map of Proposed Rezoning to Rural Lifestyle Zone



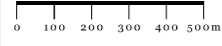
KEY:

-  Extent of Site
-  Landscape Character Units
(As per Read Landscapes Report Appendix 2 Landscape Units)
-  Extent of Proposed Rural Lifestyle Zone (Refer to QLDC proposed District Plan)
-  Proposed change to Rural Lifestyle Zone to match Landscape Character Unit (6A)



Level 1, Steamer Wharf, Lower Beach Street
 PO Box 1164, Queenstown 9348
 Tel +64 3 450 2200 Fax +64 3 441 1451
 info@darbypartners.co.nz
 www.darbypartners.co.nz

SCALE: 1:10,000 (A1); 1:20,000 (A3)



PLAN STATUS:
DP REVIEW

**CAMERON - FITZPATRICK RD
 FIG.2 BROADER SITE CONTEXT**

DRAWN / REVIEWED: TG/RT
 APPROVED: DT
 14,10,15

DRAWING NO:
XC_14_1_SK-004

**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
Private Bag 50072
QUEENSTOWN 9348

Submitter: ORFEL Limited
C/- Boffa Miskell Ltd
PO Box 110
CHRISTCHURCH

Attention: Chris Ferguson, Planner
Phone: (03) 353 7568
Mobile: 021 907 773
Email: Chris.Ferguson@boffamiskell.co.nz

ORFEL Limited ("ORFEL") makes further submissions on the Proposed Queenstown Lakes District Plan as set out in the **attached** document.

ORFEL 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).

ORFEL would like to be heard in support of its further submission.

If other persons make a similar further submission then ORFEL 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 ORFEL Limited

18th day of December 2015

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 of opposition are:	Decision Sought
NZIA and Architechure+Woman Southern (Submitter #238) nortyqt@xtra.co.nz	Map 29 Dalefield, Coronet Peak Road, (Submission Point 238.116)	Oppose	ORFEL opposes the relief sought to rezone the land in the Littles Road / Fitzpatrick Road area from Rural Lifestyle Zone to Rural General. The land in this location is suitable, and has the capacity to absorb the visual change associated with rural lifestyle development.	We seek that the part of the submission relating to the rural lifestyle zone on Fitzpatrick Road (Planning Map 29) be disallowed for the reasons expressed within ORFEL's original submission and within this further submission.
	Policy 22.2.1.3 (Submission Point 238.122)	Oppose	ORFEL opposes the relief requested to amend policy 22.2.1.3 to require mandatory urban design panel review for development in the Rural Lifestyle Zone. Mandatory assessment by the urban design panel is unnecessary given no urban design assessment through a resource consent process is proposed to apply within the Rural Lifestyle zone.	We seek that the submission relating to Policy 22.2.1.3 be disallowed for the reasons expressed within this further submission.
	Rule 22.4.3.2 (Submission Point 138.124)	Oppose	ORFEL opposes the relief requested to change the permitted status of exterior alteration of buildings located outside of building platforms to a discretionary activity. The permitted status provides appropriate flexibility for small scale alterations which would not impact on the important landscape and visual amenity characteristics of the Rural Lifestyle zone.	We seek that the submission relating to Rule 22.4.3.2 be disallowed for the reasons expressed within this further submission.
Julia Briscoe (Submitter #851) 2 Royal Rd SINGAPORE 118304 briscoes@singnet.co.sg	Map 29 Dalefield, Coronet Peak Road, (Submission Point 851.1)	Oppose	ORFEL opposes the relief sought to rezone the land on the southern side of Littles Road, and the northern side of Fitzpatrick Road from Rural Lifestyle Zone to Rural General, and that resource consents be subject to notification. The land in this	We seek that the part of the submission relating to the rural lifestyle zone on Fitzpatrick Road (Planning Map 29) be disallowed for the reasons

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:	Decision Sought
			location is suitable, and has the capacity to absorb the visual change associated with rural lifestyle development.	expressed within ORFEL's original submission and within this further submission.
<p>Marc Scaife (Submitter #811) PO Box 858 QUEENSTOWN marcscaife@xtra.co.nz</p>	Rule 22.4.13 Informal Airports	Oppose	ORFEL opposes the relief sought in this submission to list informal airports as a prohibited activity. The submission provides no justification for this change and is unsupported by fact, evidence of effects or sound resource management principles.	We seek that the part of this submission relating to Rule 22.4.13 be disallowed for the reasons expressed in this further submission
	Rule 22.5.2 Building Coverage (Rural Residential Zone Only)	Oppose	ORFEL opposes a change to the status of any breach of the building coverage rule becoming a non-complying or prohibited activity. The submitter has incorrectly understood the rule as applying to the Rural Lifestyle Zone and a uniform coverage does not apply to the rural lifestyle zone. The requested change does not represent sound resource management advice.	We seek that the part of this submission relating to Rule 22.5.2 be disallowed for the reasons expressed in this further submission
	Rules 22.5.4 (setbacks from internal boundaries), 22.5.4.5 (setback from roads) and 22.5.4.6 (setback of buildings from water bodies)	Oppose	ORFEL opposes changes to the status of any breach of the building setback rules becoming a non-complying or prohibited activity. The requested change does not represent sound resource management advice and would potential constrain the efficient use of land.	We seek that the parts of this submission relating to Rules 22.5.4, 22.5.4.5 and 22.5.4.6 be disallowed for the reasons expressed in this further submission

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:	Decision Sought
Christine Byrch (Submitter #243) PO Box 858 QUEENSTOWN chrisbyrch@hotmail.com	Objective 22.2.1, Policy 22.2.1.1, Policy 22.2.1.3	Oppose	ORFEL opposes the suggested changes to these propositions. The changes to Policy 22.2.1.1 to “avoid visually prominent buildings ...” has a particular legal meaning following the judgement of the supreme court in the King Salmon case, which would result in a level of protection inappropriate for the management of this resource. ORFEL also disagrees that Policy 22.2.1.3 should be changed to make density provisions inflexible. ORFEL considers that this change may prevent achieving high quality design outcomes response to landscape values and topography through rigid adherence to density and it is appropriate to retain some discretion through the policy.	We seek that the parts of this submission relating to Objective 22.2.1, Policy 22.2.1.1, Policy 22.2.1.3 be disallowed for the reasons expressed in this further submission.
Forest and Bird NZ (Submitter #706) PO Box 6230 DUNEDIN s.maturin@forestandbird.org.nz	Chapter 22 Rural Lifestyle and Rural Residential, proposed new policy	Oppose	ORFEL opposes the addition of a new policy to chapter 22 seeking that any development including subdivision avoid SNA's and avoid undermining the integrity of nature conservation values. ORFEL considers this approach establishes an unreasonable level of protection and should be incorporated as part of a balance suite of policies including within Chapter 33 Indigenous vegetation and biodiversity.	We seek that the part of this submission relating to the proposed new policy within Chapter 22 be disallowed for the reasons expressed in this further submission
Dalefield Trustee Ltd (Submitter #350) C/- Brown & Company Planning Group Ltd PO Box 1467 QUEENSTOWN office@brownandcompany.co.nz	Rule 22.5.5 Setback From Roads	Oppose	ORFEL opposes the suggested change to this rule to increase the minimum road boundary setback from 10m to 15m. This change is considered to result in a pattern of development inconsistent with existing building within this zone and an inefficient use of the available land resource.	We seek that the part of this submission relating to Rule 22.5.5 be disallowed for the reasons expressed in this further submission.

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:	Decision Sought
<p>John Borrell (Submitter #367) 35 Mountain View Road RD 1 QUEENSTOWN jborrell@ihug.co.nz</p>	Rule 22.5.5 Setback From Roads	Oppose	ORFEL opposes the suggested change to this rule to increase the minimum road boundary setback from 10m to 30m. This change is considered to result in a pattern of development inconsistent with existing building within this zone and an inefficient use of the available land resource.	We seek that the part of this submission relating to Rule 22.5.5 be disallowed for the reasons expressed in this further submission
	Rule 22.5.8 Building height	Oppose	ORFEL opposes the suggested change to this rule reducing the maximum permitted building height from 8m to 7m. 8m is considered an appropriate height that is consistent with established building character, acknowledging that the visual impact of buildings within this zone are mitigated by larger distances between boundaries, a greater proportion of open space and associated landscape planting.	We seek that the part of this submission relating to Rule 22.5.8 be disallowed for the reasons expressed in this further submission
	Rule 27.5.1.1 Building Platforms	Oppose	ORFEL opposes the suggested change to this rule to limit the size of any building platform created at the time of subdivision to 600m ² . ORFEL supports the proposed 1,000m ² maximum building platform size, leaving the discretion for the subdivider/applicant to create smaller platforms if necessary. ORFEL considers 1,000m ² an appropriate area to accommodate building within this zone and does not believe it should be distinguished or made smaller than within the rural zone.	We seek that the part of this submission relating to Rule 27.5.1.1 be disallowed for the reasons expressed in this further submission
<p>Anna-Marie Chin Architects and Phil Vautier (Submitter #368) PO Box 253 ARROWTOWN 9351 Anna-marie@amchinarchitects.co.nz</p>	Policy 22.2.1.3	Oppose	ORFEL opposes the relief sought by this submitter to modify Policy 22.2.1.3 in a manner that would make Urban Design Panel review a mandatory part of any subdivision or development proposal within the rural lifestyle or rural residential zones. Mandatory assessment by the urban design panel is unnecessary given no urban design assessment through a resource consent process is proposed to apply within the Rural Lifestyle zone.	We seek that the part of this submission relating to Policy 22.2.1.3 be disallowed for the reasons expressed in this further 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
Private Bag 50072
QUEENSTOWN 9348

Submitter: The Crown Investment Trust
C/- Boffa Miskell Ltd
PO Box 110
CHRISTCHURCH

Attention: Chris Ferguson, Planner
Phone: (03) 901 0004
Mobile: 021 907 773
Email: Chris.Ferguson@boffamiskell.co.nz

The Crown Investment Trust ('CIT') makes the submissions on the Proposed Queenstown Lakes District Plan ("PDP") set out in the **attached** document.

This submission does not relate to trade competition or the effects of trade competition.

We would like to be heard in support of this submission.

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



Chris Ferguson

for The Crown Investment Trust 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. CIT owns a site is located on the south side of Fitzpatrick Road, and north of the Shotover River. The majority of its site has been identified as being within the Lifestyle Precinct under the changes notified as part of the Stage 1 Proposed Queenstown Lakes District Plan ("PDP").
2. CIT has purchased this land from ORFEL Ltd, who had made submissions on Stage 1 of the PDP, seeking to extend the rural lifestyle zone across this land.
3. The purpose of this submission to generally support the identification of the Lifestyle Precinct as notified and to make some minor amendments to the rules, policies and objectives of the Stage 2 PDP changes to better integrate with the high order strategic directions and landscape chapters, and to provide an appropriate basis for managing subdivision, use, and development of the land within the Lifestyle Precinct.

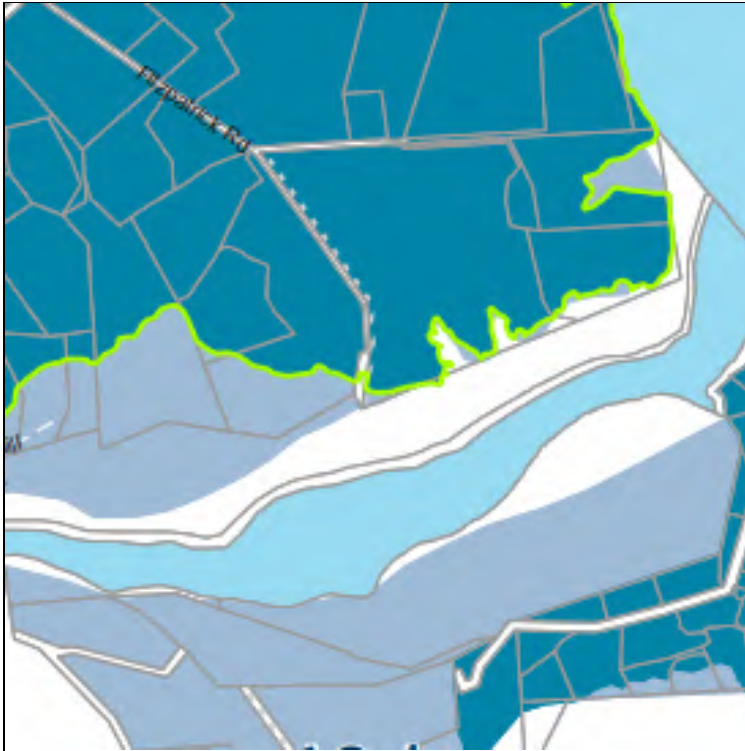
SECTION B: REASONS FOR, AND MATTERS RAISED, IN THE SUBMISSION

Description of the Site

4. The CIT site is located within the western part of the Wakatipu Basin, directly north of the *roche moutonnée* of Ferry Hill, separated by the incised Shotover River. The landscape is gently undulating and characterised by numerous areas where residential development is present. There is a notable concentration of development to the north of the site around Dalefield. Closer to the Shotover River, including the southern part of the site, the landscape appears more open, principally due to a lack of vegetation and limited structures.
5. The site itself is gently undulating, with areas of reasonably flat land interspersed between the hummocks which are a defining element. A significant knoll is located in the north western corner of the site (elevation 450masl). The terrain variation along Fitzpatrick Road and within the site provide varying degrees of enclosure. The site gently decreases in elevation towards its southern boundary.
6. Due to the sparse vegetation and lack of buildings, the site currently provides a degree of open rural character. A centrally located broken deciduous tree belt is located within the site, effectively dividing it into two parts. Some tree planting is located along the northern boundary, partially screening the site in views from Fitzpatrick Road.
7. The land to which the submission relates includes a single title, legally described as Lot 1 DP476877, being 19.9574 hectares and contained within Computer Freehold Register 660779. The title was created through resource consent RM120695 granted on the 4th of April 2013 to create two allotments and identification of two residential building platforms, undertake associated earthworks, and to breach sight distance and intersection distance rules.
8. The approved building platform is located in the centre of the site close to the western boundary, and comprises an area of 1000m². Development on the platform is subject to a number of consent notice conditions including retention and maintenance of existing vegetation and landscape planting, design controls for new buildings, and controls on the use and structures within the remainder of the site.

9. Below is an extract from the Stage 2 PDP Planning Map showing the area of the site and surrounding zoning.

PDP Stage 2 Planning Map 31 (Lower Shotover)



Proposed Relief

10. The primary relief sought in this submission is to support the Council's stage 2 PDP proposals to include this CIT land within the Lifestyle Precinct, as shown in Planning Map 31.
11. This submission also seeks changes to the higher order provisions of the PDP and district wide chapters, including Chapter 3 Strategic Directions, Chapter 6 Landscapes, and Chapter 27 Subdivision. These changes are proposed in order to provide Chapter 24 Wakatipu Basin with an appropriate policy structure that recognises this area as being distinct from the Rural Landscape classification throughout the remainder of the District. Unrelated changes proposed to Chapter 6 Landscape through the Chapter 38 Open Space and Recreation to the rules relating to the application of the landscape categories and assessment matters are opposed as they might be applied to the Lifestyle Precinct.

Integration with Strategic Directions and Landscape Chapters

12. The Wakatipu Basin Rural Amenity Zone is a new zone that has been created because of its distinctive characteristics. It has been designed to manage the land identified within the Rural Landscape Classification, but differs in significant ways on how it proposes to manage this resource from the remainder of the district. Those differences are underpinned by a detailed study that identifies areas of landscape character and formulates a suite of landscape guidelines into the new zone. Despite this, the scope of the Stage 2 PDP changes includes no higher order objective or policy support.
13. CIT considers that the district wide strategic directions and landscape chapters need to be modified to provide appropriate policy support for the Zone and avoid unnecessary tensions within the existing policies, including to recognise that the basin has landscape qualities distinct from the rural landscape classification; that the character and amenity values of the Wakatipu

Basin are mapped and landscape guidelines are formulated; that areas of rural living are provided through the lifestyle precinct; and that subdivision, use or development within the basin responds to the identified characteristics and values.

Application of the Landscape Categories

14. Other changes made to Chapter 6 through Chapter 38 Open Space and Recreation, seek 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. CIT opposes these changes and considers the rules within Chapter 6 should be amended to clarify that with respect to assessing the effects of subdivision or development the objectives and policies relating to the three classifications of landscapes within this chapter should not apply to the Precinct.
15. 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.
16. The provisions of Chapter 22 include a specific objective and policies relating to landscape values and thereby establish the basis for the management of those values independent of the three-way landscape classification established by Policy 6.3.1.2. The suggested change to the wording of Rule 6.4.1.3 to include assessment matters and for those to apply to the rural lifestyle and rural residential zones are misguided because Chapter 6 does not contain any assessment matters and nor does Chapter 22 (relevant to landscape matters). The effect of this change would therefore be to require subdivision and development to be assessed against the assessment matters for the three landscapes under Chapter 21. CIT submit that neither the landscape categories or assessment matters contained within Chapter 21 are designed to relate to the rural residential zone.
17. In the event the Panel are satisfied that either the Precinct or operative rural lifestyle zone across the CIT land is appropriate for this landscape, CIT submits that the outcomes from subdivision or development undertaken in accordance with either rules would create considerable tensions with the objectives and policies for Rural Landscapes. In particular, Policy 6.3.1.4 provides that subdivision or development location within the Rural Landscape is inappropriate in many locations in these landscapes.
18. CIT submits that these policies and the objectives and policies applying to the three landscape classifications fundamentally conflict with the purpose of any rural lifestyle zone or the Precinct to provide residential living opportunities.
19. CIT 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 urban land beyond the proposed Open Space and Recreation Zones.
20. Where the rule (as originally notified as part of Stage 1) includes the term “landscape categories”, CIT 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, CIT submits that the wording of this rule could be improved to

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

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

21. In order to remain consistent with the policies, CIT 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 24 Wakatipu Basin

22. CIT seeks a number of detailed changes to the objectives, policies and rules of chapter 24 Wakatipu Basin. These changes are designed to achieve the following:
- a) A more balanced range of objectives and policies appropriate to a high value (but not outstanding natural) landscape;
 - b) Enabling the construction of any building within with the Precinct as a permitted activity, including within an established residential building, subject to compliance with standards as proposed through the Stage 1 Rural Lifestyle Zone rules;
 - c) Removal of the rules relating to clearance, works or trimming of exotic vegetation above 4m in height;
 - d) Modify the rules relating to maximum building coverage, building height and setbacks from roads; and
 - e) Establish a minimum and average density requirement reflecting the subdivision rules

Visitor Accommodation

23. CIT opposes the addition of any rules within the Wakatipu Basin Lifestyle Precinct having the effect of regulating the effects of short term stays for paying visitors and guests.
24. CIT submits that the effects of short term stays within the Lifestyle Precinct does not justify the proposed restrictions for the following reasons:
- a) This 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;
 - 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 residential or rural living environment; and

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

³ Section 6, *ibid*

- 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.
25. CIT submits that if there are any wider effects of short term visitor stays (beyond the availability of houses for residential activity), the Wakatipu Basin Lifestyle Precinct 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.
26. The relief sought in the submission by CIT is to delete the changes to Chapter 22 Rural Residential and Rural Lifestyle Zone introduced through the stage 2 proposals notified by the Council.

Consequential and Further Changes

27. CIT seeks 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

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

Specific Provision	Submission	Decisions Sought [New text shown <u><i></i></u> and deleted text shown as <i></i>]
Chapter 3 – Strategic Directions		
New Policies 3.2.5.2.2, 3.2.5.2.3 and 3.2.5.2.4 (notified proposal)	The provisions of the new Chapter 24 recognise and provide for subdivision, use and development within the Wakatipu Basin in a way that is distinct from the remainder of the Rural Landscape Classifications of the District. These provisions have been formulated from a detailed study that identifies areas of landscape character and landscape guidelines that are proposed to be incorporated into the plan. CIT considers that the strategic directions policies should to provide an appropriate policy structure to support the provisions which follow within Chapter 24.	<p>Add a new Policy 3.2.5.2.2 (Notified proposal), as follows:</p> <p><u><i>Recognise the Wakatipu Basin as having landscape qualities distinct from the Rural Landscape Classification of the District</i></u></p> <p>Add a new Policy 3.2.5.2.3 (Notified proposal), as follows:</p> <p><u><i>Identify the characteristics and amenity values of the Wakatipu Basin through the mapping of areas of landscape character and the formulation of associated landscape guidelines.</i></u></p> <p>Add a new Policy 3.2.5.2.4 (Notified proposal), as follows</p> <p><u><i>Provide areas for rural living within the Wakatipu Basin through identification of a lifestyle precinct located within those parts of the landscape having higher capacity to absorb change.</i></u></p>
New Policy 3.2.6.2.4 (notified proposal)	Objective 3.2.6.2 appropriately recognises for a mix of housing opportunities and is part of the broad structure of support for rural lifestyle zones. CIT consider that the addition of a further policy associated with this objective would assist in recognising and understanding the role of the lifestyle areas (zones and precincts) in providing opportunities for housing within a rural setting.	<p>Add a new Policy 3.2.6.2.4 (notified proposal), as follows:</p> <p><u><i>Opportunities for low density housing are enabled within a rural setting to provide greater access to open space, recreation, nature conservation and rural amenity values.</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>]
Chapter 6 Landscapes		
6.2 Values	<p>Oppose</p> <p>CIT 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>CIT 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, including the Wakatipu Basin Lifestyle Precinct.</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 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>Amend Rule 6.4.1.2, as follows:</p> <p style="padding-left: 40px;"><i>The <u>classification of landscapes of the District and related objectives policies for each classification within Chapter 6</u> 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.</i></p>

⁴ 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>Where the rule includes the term “landscape categories”, CIT 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, CIT 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>	
Rule 6.4.1.3	<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. 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 Wakatipu Basin Lifestyle Precinct, 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 Lifestyle Precinct. 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”, CIT considers that the plan is not</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>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, CIT 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, CIT 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 24 Wakatipu Basin		
24.1 Purpose	<p>Oppose</p> <p>The description of the Zone purpose includes numerous references to “protection” of landscape character and landscape values. The Zone excludes any outstanding natural landscape and features where the provisions of s6(b) do not apply to protect landscape values. CIT submits that “protection” elevates landscape values above that required under s7of the Act.</p>	<p>a) Amend 24.1 Purpose to remove wording relating to the “protection” of landscapes.</p> <p>b) Amend the second to last paragraph, as follows: “<i>In the Precinct a limited opportunity for subdivision is provided with a minimum lot size of 6,000m² ...</i>”</p>
Objective 24.2.1	<p>Oppose</p> <p>CIT oppose the inclusion of “protection” within the objectives. As the Zone does not include land located within the outstanding natural landscapes or features it is not subject to s6(b) of the Act.</p>	<p>Amend Objective 24.2.4.1, as follows:</p> <p style="text-align: center;"><i>Landscape and visual amenity values are protected, maintained and enhanced.</i></p>
Policy 24.2.1.1	<p>Oppose</p>	<p>Amend Policy 24.2.1.1, as follows:</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>]
	CIT supports the policy support for establishing a minimum and average lot size, but submit this is not necessary to “protect” landscape character as the Zone is not subject to s6(b) of the Act.	<i>Implement minimum and average lot sizes within the Wakatipu Basin Rural Amenity Zone and the Wakatipu Basin Lifestyle Precinct to protect <u>maintain</u> landscape character and visual amenity values.</i>
Policy 24.2.1.8	Oppose CIT oppose the inclusion of “protect” within this policy as the landscape is not subject to s6(b) of the Act and does not need to further establish policy direction for the wider Wakatipu Basin beyond the Zone.	Amend Policy 24.2.1.8, as follows: <i>Ensure land use activities protect, maintain and enhance the range of landscape character and visual amenity values associated with the Zone, <u>and Precinct</u> and wider Wakatipu Basin area.</i>
Policy 24.2.1.9	Oppose CIT opposes the wording of this policy as openness and spaciousness are words capable of wide interpretation and characteristics associated with outstanding natural landscape or features.	Delete Policy 24.2.1.9
New Policy 24.2.1.13	CIT submits that the policies for the Zone need to recognise the established development rights created through residential buildings platforms and enable building. This policy supports further changes sought to the rules to provide for building within established building platforms as a permitted activity and to retain the rights created under the operative District Plan. CIT submits that there is no resource management justification for the removal of these established development rights.	Add a new Policy 24.2.1.13, as follows: <i><u>Recognise established residential building platforms and enable building subject to achieving appropriate standards.</u></i>
Policy 24.2.5.1	Oppose	Amend Policy 24.2.5.1, as follows:

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>CIT oppose the uncertainty created through the wording of this policy, which subjects' subdivision, use and development to achieving the values described within the landscape character units defined in Schedule 24.8. CIT submits that the landscape character units are important for establishing the extent of the Precinct and for managing subdivision, use and development within the more sensitive areas of the Zone, outside of the Precinct. Accordingly, CIT seeks amendments to reflect the expectation of enabling subdivision, use or development within the Precinct.</p>	<p><i>Provide for rural residential subdivision, use and development <u>within the Wakatipu Basin Lifestyle Precinct only where it protects, maintains or enhances the landscape character and visual amenity values as described within the landscape character unit as defined in Schedule 24.8.</u></i></p>									
Policy 24.2.5.6	<p>Oppose</p> <p>CIT oppose the policy (and rules) seeking to retain all vegetation within the Zone and consider the policy is contrary to the higher order policies relating to wilding species clearance and enhancing natural conservation values.</p>	Delete Policy 24.2.5.6									
Rules 24.4.5	<p>Oppose</p> <p>CIT opposes the effect of this rule to require resource consent as a restricted discretionary activity across the whole of the Zone, including the Precinct and for the construction of any building within an existing approved or registered building platform.</p> <p>The Precinct has been identified as an area appropriate to absorb greater change, due in part to the outcome of the detailed mapping of landscape character areas and recognition of the pattern of development which exists within the operative District Plan rural lifestyle and rural residential zones. Within the Precinct, the provisions seek to enable subdivision to a density of 1ha (average)</p>	<p>Amend Rule 24.4.5, as follows:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;"><u>Rule</u> <u>24.5.4.1</u></td> <td style="width: 70%;"><u><i>The construction and exterior alteration of building located within a building platform registered on the computer register</i></u></td> <td style="width: 15%; text-align: right;"><u>P</u></td> </tr> <tr> <td><u>Rule</u> <u>24.5.4.2</u></td> <td><u><i>Building within the Wakatipu Basin Lifestyle Precinct</i></u></td> <td style="text-align: right;"><u>P</u></td> </tr> <tr> <td><u>Rule</u> <u>24.5.4.3</u></td> <td><u><i>Building and the identification of a building platform within the Wakatipu Basin Rural Amenity Zone, outside of the Wakatipu Basin Lifestyle Precinct</i></u></td> <td style="text-align: right;"><u>RD</u></td> </tr> </table> <p><u><i>Discretion is restricted to:</i></u></p>	<u>Rule</u> <u>24.5.4.1</u>	<u><i>The construction and exterior alteration of building located within a building platform registered on the computer register</i></u>	<u>P</u>	<u>Rule</u> <u>24.5.4.2</u>	<u><i>Building within the Wakatipu Basin Lifestyle Precinct</i></u>	<u>P</u>	<u>Rule</u> <u>24.5.4.3</u>	<u><i>Building and the identification of a building platform within the Wakatipu Basin Rural Amenity Zone, outside of the Wakatipu Basin Lifestyle Precinct</i></u>	<u>RD</u>
<u>Rule</u> <u>24.5.4.1</u>	<u><i>The construction and exterior alteration of building located within a building platform registered on the computer register</i></u>	<u>P</u>									
<u>Rule</u> <u>24.5.4.2</u>	<u><i>Building within the Wakatipu Basin Lifestyle Precinct</i></u>	<u>P</u>									
<u>Rule</u> <u>24.5.4.3</u>	<u><i>Building and the identification of a building platform within the Wakatipu Basin Rural Amenity Zone, outside of the Wakatipu Basin Lifestyle Precinct</i></u>	<u>RD</u>									

Specific Provision	Submission	Decisions Sought [New text shown <u>italics</u> and deleted text shown as <i>italic strike-through</i>]
	<p>and CIT submits that restricted discretionary activity status for all building acts against the establishment of such a density limit.</p> <p>CIT submits that building should be a permitted activity within the Precinct and outside of the Precinct where it is located within an established building platform.</p> <p>CIT submits that the rules should also provide for the establishment of building platform with the Zone (outside of the Precinct), both as part of the subdivision and land use provisions, as this has proven to be an effective means of managing the potential impact of buildings in more sensitive parts of the landscape.</p> <p>Once a building platform has been created and associated conditions established through covenant or consent notice, CIT submit there is no further need to require resource consent as any failure to comply with the conditions of the prior approval would resource consent through s221 or s127 as a discretionary activity. CIT submit that the Council has failed to adequately assess the effectiveness and efficiency of the proposed rules in terms of implementing the higher order objectives of the PDP and of the significant social and economic consequences of removing the rights secured through historic resource consents. CIT supports the approach taken under the notified stage 1 rural residential and rural lifestyle zone zones and seeks to have a similar regime established within the Precinct.</p>	<ul style="list-style-type: none"> • <u>Building location scale and form.</u> • <u>External appearance including materials and colours.</u> • <u>Access ways.</u> • <u>Servicing and site works including earthworks.</u> • <u>Retaining structures.</u> • <u>Infrastructure (e.g. water tanks).</u> • <u>Fencing and gates.</u> • <u>External lighting.</u> • <u>Landform modification, landscaping and planting (existing and proposed).</u> • <u>Natural hazards</u> <p>Excludes farm buildings as provided for in Rule 24.4.8</p>
Rule 24.4.29	<p>Oppose</p> <p>CIT oppose the introduction of this new rule for the Zone requiring resource consent as a restricted discretionary activity for clearance, works within the root protection zone or significant trimming of exotic vegetation greater than 4m in height. The rule is considered</p>	Delete Rule 24.4.29

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>]
	inefficient, difficult to administer and would act against the higher order objectives of the plan to avoid the spread of wilding trees and to also enhance natural ecosystems. CIT seeks to have this rule deleted.	
Rule 24.5.1	<p>Support in Part</p> <p>CIT generally support the introduction of a building coverage standard as it is similar to the approach proposed within Chapter 22 (PDP Stage 1). As notified the rule is considered overly restrictive and should be amended to relate to the ground floor area of any individual building and not the cumulative gross floor area.</p>	<p>Amend Rule 24.5.1 Building Coverage, as follows:</p> <p><i>The maximum building coverage for all <u>any individual buildings</u> shall be 15% of lot area, or 500m² gross ground <u>floor area whichever is the lesser</u>....</i></p>
Rule 24.5.3	<p>Oppose</p> <p>CIT oppose the proposed height limitation of 6m within (at least) the Precinct on the basis that 6m is overly restrictive considering the character of the existing environment, comprising generally larger but appropriately recessive buildings and the attributes of the Precinct as having higher capacity to absorb change. CIT seeks to the rule to provide a maximum height of 8m, consistent with the operative District plan and PDP rural lifestyle zone.</p>	<p>Amend Rule 24.5.3 Height of Buildings, as follows:</p> <p><i>The maximum height of any building shall be <u>8m</u></i></p>
Rule 24.5.4	<p>Oppose</p> <p>CIT oppose a 75m setback from road boundaries within the Precinct. The Precinct has been identified as having greater capacity for change, deriving in part from the nature of existing development undertaken in accordance with operative District Plan zone. Imposing a setback 65m greater than under the existing regime will establish a meaningless standard that cannot be defended against the established environment in many instances. Moreover, where having a standard of 20m for the Zone, outside of the Precinct, will exacerbate problems in the context of areas with</p>	<p>Amend Rule 24.5.4 Setback from Roads, as follows:</p> <p><i>The minimum setback of any building from road boundaries shall be <u>210m anywhere within the Zone</u> and 75m in the Precinct.</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>]
	supposedly high landscape qualities. Accordingly, CIT seeks to remove the 75m building setback within the Precinct and rely on a 10m setback across all of the Zone.	
New Rule 24.5.17 Density	CIT support establishment of a minimum and average lot size for subdivision within the Precinct and submits that the Chapter 24 rules should provide for an equivalent mechanism for land use activity, complimenting the proposed permitted activity status for building. CIT seeks the addition of a new standard to enable a density of development having a minimum site area of 6,000m ² and an average of 1ha.	Add a new Standard (Table 24,3), Rule 24.5.17, as follows: a) There shall be no more than one residential unit per site b) For sites equal or greater than 1ha, there shall be no more than 1 residential unit per hectare, on average.
Provision 24.7.2	Oppose CIT oppose the cross-references to the higher order strategic directions, urban development and landscape chapters to this zone without the specific amendments to these provisions as detailed in this submission. CIT submits that the existing chapters would create fundamental conflicts that would undermine the specific direction offered through the Wakatipu Basin Rural Amenity Zone.	Delete provisions 24.7.2
Subdivision		
Rule 27.4.3 b.	Oppose CIT oppose restricted discretionary activity status for subdivision located within the Precinct and having the same status as subdivision within the Wakatipu Basin Rural Amenity Zone. The precinct has been identified following detailed mapping of landscape values and character units across the basin and identified on the basis of having generally greater capacity to absorb change. In the event the boundaries of the precinct are determined to satisfy the objectives of the Plan, CIT considers	Amend Rule 27.4.3 b., as follows: <i>Any subdivision in the Wakatipu Basin Rural Amenity Zone, excluding the Wakatipu Basin Lifestyle Precinct, meeting the minimum and/or average lot sizes specified in Rule 27.5.</i> Add a new Rule 27.5.6, as follows:

Specific Provision	Submission	Decisions Sought [New text shown <u><i></i></u> and deleted text shown as <i></i>]
	controlled activity status would be appropriate for subdivision within this area.	<p><u><i>All subdivision activities within any Rural Lifestyle Zone, Rural Residential Zone or the Wakatipu Basin Lifestyle Precinct</i></u></p> <p><u><i>Council's control is limited to:</i></u></p> <ul style="list-style-type: none"> a. <u><i>The matters of control listed within Rule 27.5.5;</i></u> b. <u><i>The location of building platforms in any rural lifestyle zone;</i></u> c. <u><i>Orientation of lots to optimise solar gain</i></u>
Visitor Accommodation		
Rule 22.4.18 Residential Visitor Accommodation and Homestays	<p>Oppose</p> <p>CIT opposes the addition of any further rules within the rural residential and rural lifestyle zone having the effect of regulating the effects of short term stays for paying visitors and guests. CIT seeks the deletion of changes sought through the stage 2 proposals notified by the Council for the reasons detailed above.</p>	Delete Rule 22.4.18
Rule 22.5.14 Standards for Residential Visitor Accommodation	<p>Oppose</p> <p>CIT oppose the addition of this new standard, within the rural residential and rural lifestyle zones for the reasons detailed in this submission above.</p>	Delete Rule 22.5.14
Rule 22.5.15 Standards for Homestays	<p>Oppose</p> <p>CIT oppose the addition of this new standard, within the rural residential and rural lifestyle zones for the reasons detailed in this submission above.</p>	Delete Rule 22.5.15
Planning Maps		

Specific Provision	Submission	Decisions Sought [New text shown <u>italics</u> and deleted text shown as <i>italic-strike-through</i>]
Stage 2 PDP Planning Maps 13d and 31	<p>Support</p> <p>CIT supports the identification of the Wakatipu Basin Lifestyle Precinct over its land on Fitzpatrick Road as part of the broader rezoning of the land within and around the Fitzpatrick Basin. CIT submits that the Council have based this zone on robust landscape analysis and mapping of the landscape character units and the ability of that landscape to absorb change. The Lifestyle Precinct will positively support the higher order objectives relating to the provision of housing choices, provision for lifestyle land and promoting development within areas of the landscape having greatest capacity to absorb change.</p>	<p>Retain the Wakatipu Basin Lifestyle Precinct over the CIT land at Lot 1 DP476877</p>