

BEFORE QUEENSTOWN LAKES DISTRICT COUNCIL

**IN THE MATTER** of the Resource Management Act  
1991

**AND**

**IN THE MATTER OF** The Queenstown Lakes Proposed  
District Plan - Strategic Direction  
and Landscape Chapters

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**WRITTEN STATEMENT OF JOHANNES MAY ON BEHALF OF JUST ONE  
LIFE LIMITED AND LONGVIEW ENVIRONMENTAL TRUST**

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## Introduction

- 1 My name is Johannes May and I am a director of Just One Life Limited and founder of the Longview Environmental Trust.
- 2 Through Just One Life I own Lot 1 DP 300476 and Lots 2 and 3 DP 27554 on Roys Peninsula (about 80ha). I have been involved in a number of Council hearings and Environment Court proceedings relating to development in the West Wanaka area including those for my own residence (C163/2001) and the Matukituki Trust's consented dwelling and farm building at the eastern end of Roys Peninsula (NZ EnvC 138).
- 3 I am passionate about the landscape values of the Queenstown Lakes District and the West Wanaka area specifically and have made significant commitments to the enhancement of the landscape and ecological values of this area. As part of that, in 2009, I founded the Longview Environmental Trust which is dedicated to native revegetation, restoration, weed and pest control and education and acts as a watch dog in relation to environmental, landscape and development matters, particularly in the West Wanaka area.
- 4 I consider that the landscapes of the Queenstown Lakes District are its greatest and most sensitive resource. The District's landscapes are admired nationally and internationally. I consider that the District's landscapes, and particularly its Outstanding Natural Features and Landscapes, merit stringent protection and that a high bar should be set for development. I have been involved in a number of developments in the West Wanaka area (in ONL and ONF) and a key focus has been to ensure that those developments are exceptional and I believe set a positive benchmark in terms of their design, location and contribution that they make to the enhancement of the environment not only through extensive revegetation and rehabilitation of the land but through sensitive design and providing certainty.
- 5 I believe that subdivision and development can be undertaken within the District's Outstanding Natural Features and Landscapes while protecting and enhancing the values of those landscapes. In order to achieve such an outcome however subdivision or development must be designed to an exceptionally high standard and landscape and ecological enhancement must be an integral part of the development rather than an afterthought to mitigate or offset adverse effects.
- 6 In my position of Director and Trustee I will speak to the further submissions of Just One Life Ltd and Longview Environmental Trust.

***Further Submission of Just One Life Limited***

- 7 The further submission of Just One Life Ltd relates to and opposes the submission of Matukituki Trust (submitter 355) which seeks the amendment or deletion of Objectives and Policies relating to Outstanding Natural Features and Outstanding Natural Landscapes.
- 8 It appears that the submission of Matukituki Trust is intended to protect the Trust's rights to develop the dwelling and farm building consented by the Environment Court (*NZEnvC 138*), particularly in the event that the Trust needs to seek an extension of the consent's lapse period or a variation to the consent. I do not believe that the objectives and policies of the Proposed District Plan should be written to take account of, and provide for, previously consented yet unimplemented development in case such consents require an extension of the lapse period or variation at some point in the future. Such a suggestion is, in my opinion, self-serving and is contrary to the intention of the RMA when it is specifying lapse periods for consents and requiring that Council consider the effect of any extension of a lapse period on the objectives and policies of any plan or proposed plan at that time.
- 9 With regard to the specific relief sought by Matukituki Trust I consider that, in the context of our District, Objective 3.2.5.1 and Policy 3.2.5.1.1 are appropriately worded and that the inclusion of the word "inappropriate" would weaken the objective and policy and the protection they provide to the District's Outstanding Natural Features and Landscapes.
- 10 I do not believe that wording of the Act needs to be restated in each and every objective and policy. The objectives and policies of the Proposed District Plan should set out how the purpose of the Act is to be achieved taking into account the local context. The landscapes of the Queenstown Lakes District are its greatest resource and are highly valued by residents and visitors while the rural areas of the District are under significant development pressure (in large part due to the magnificent setting afforded by the District's landscapes). I consider that Objective 3.2.5.1 and Policy 3.2.5.1.1 reflect the sensitivity and value of the District's Outstanding Natural Features and Landscapes and that it should be the responsibility of the developer or applicant (myself included) to demonstrate how they will be protected. The burden should be on the developer to demonstrate that subdivision or development is appropriate rather than simply stating that it is not inappropriate.
- 11 In addition I consider that Policies 6.3.1.3 and 6.3.1.4 are strongly worded and set a suitably high bar for the consideration of development in the District's Outstanding Natural Landscapes and Features and Rural Landscapes. I do not agree that the statements that subdivision and development is inappropriate in

almost all locations (ONL/ONF) and in many locations (Rural Landscapes) inappropriately prejudice consent applications. I consider them realistic and reflective of the sensitivity and value of the District's landscapes. I therefore consider that Policies 6.3.1.3 and 6.3.1.4 should be retained as notified and I am proud to refer to my Just One Life residence<sup>1</sup> as an example of how exceptional development can be achieved.

- 12 I do not consider it necessary for Objectives 6.3.3 and 6.3.4 to specify what components or aspects of Outstanding Natural Features or Landscapes are to be protected, maintained or enhanced as I consider such matters should be assessed on a case by case basis and that the assessment matters for ONF and ONL (21.7.1 and 21.7.3) provide appropriate guidance in determining the components or aspects of a landscape that merit protection, maintenance or enhancement. I therefore consider that Objectives 6.3.3 and 6.3.4 are not ambiguous and should be retained. In addition I consider Matukituki Trust's request that Objective 6.3.3 (which relates to ONFs) is deleted while Objective 6.3.4 (which relates to ONLs) is amended to be more specific is particularly inappropriate.
- 13 If Objective 6.3.4 (which relates to ONLs) can be reworded to be more specific then the same approach should be applied to Objective 6.3.3 (which relates to ONFs and would apply to Roys Peninsula and the Matukituki Trust property). That being said I do not consider that either objective requires rewording.
- 14 Overall I consider that the submission of Matukituki Trust seeks to weaken the Landscape objectives and policies. The specific justification for doing so appears to be to ensure that an extension of the lapse period of its consent or a variation will be more easily obtained. I consider that the Landscape objectives and policies are suitably worded and provide appropriate protection for the District's landscape values. I therefore consider that the submission of Matukituki Trust should be rejected and that the Landscape objectives and policies should be retained as notified.

***Further Submission of Longview Environmental Trust***

- 15 Similar to the further submission of Just One Life Ltd the further submission of Longview Environmental Trust relates to and opposes a number of submissions (see appendix A) which seek the amendment or deletion of Objectives and Policies relating to Outstanding Natural Features and Outstanding Natural Landscapes.
- 16 With regard to Objective 3.2.5.1 each of the submissions that the Trust opposes seeks the same relief, being the insertion of the word "inappropriate" to the

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<sup>1</sup> C163/2001

objective. For the reasons I have explained in my discussion of the Just One Life further submission the Trust considers Objective 3.2.5.1 to be suitably worded, appropriately reflective of the sensitivity and value of the District's Outstanding Natural Features and Landscapes and should be retained as notified.

17 Similarly a number of the submissions opposed<sup>2</sup> seek to amend Policy 6.3.1.3 to delete the statement that within Outstanding Natural Features or Landscapes *“subdivision and development is inappropriate in almost all locations, meaning successful applications will be exceptional cases.”*

18 Again as with the Just One Life further submission the Trust considers that Policy 6.3.1.3 appropriately reflects the sensitivity of the District's Outstanding Natural Features and Landscapes and agrees that successful applications for subdivision and development should be exceptional cases. As such the Trust considers that Policy 6.3.1.3 does not inappropriately prejudge applications for subdivision and development within Outstanding Natural Features and Landscape but provides realistic guidance as to the level of scrutiny that such applications should be given. The Trust therefore considers that Policy 6.3.1.3 should be retained as notified.

### ***Conclusion***

19 In conclusion Just One Life and the Longview Environmental Trust are asking that the high level of protection for the District's Outstanding Natural Features and Landscapes provided by the Objectives and Policies as notified is retained.

20 I do not believe that this high level of protection represents an unreasonable restriction on the subdivision and development of the Outstanding Natural Features and Landscapes but will ensure that successful applications will achieve sensitive, considerate and appropriate outcomes.

**DATED** 10<sup>th</sup> March 2016

**Johannes May**

**On behalf of Just One Life Limited and Longview Environmental Trust**

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<sup>2</sup> 355 – Matukituki Trust, 378 – PBJV, 502 – Allenby Farms Ltd, 519 – NZ Tungsten Mining Ltd, 581 – L & J Burdon, 598 – Straterra and 621 – Real Journeys Ltd

**Appendix A****Longview Environmental Trust Further Submission – Submissions Opposed**

<b>Submission No.</b>	<b>Submitter</b>
355	Matukituki Trust
375	J Carey-Smith
378	Peninsula Village Ltd and Wanaka Bay Ltd
502	Allenby Farms Ltd
519	New Zealand Tungsten Mining Ltd
581	Lesley and Jerry Burdon
598	Straterra
600	Federated Farmers of New Zealand
607	Te Anau Developments Ltd
615	Cardrona Alpine Resort Ltd
621	Real Journeys Ltd
716	Ngai Tahu Tourism Ltd
805	Transpower New Zealand Ltd