

**IN THE MATTER** of the Resource Management Act ('Act')

**AND**

**IN THE MATTER** of the submission by Lake Wakatipu Station Limited on the QLDC Proposed District Plan 2015 (Stream 13) to rezone a piece of land from Rural General to Rural Visitor

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**STATEMENT OF SUPPLEMENTARY EVIDENCE OF BEN FARRELL FOR  
Lake Wakatipu Station (Submitter #478)**

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**7<sup>th</sup> September 2017**

## INTRODUCTION

1. My name is Ben Farrell. This statement of supplementary evidence is written in response to matters raised by Mr Buxton and Dr Read in their summaries of evidence dated 21 July 2017.

## OUTSTANDING CONCERNS RAISED BY MR BUXTON

2. Mr Buxton<sup>1</sup> remains unclear how the Operative District Plan (ODP) Rural Visitor Zone (RVZ) provides for new proposals, as:
  - a. The current wording of the RVZ objective refers to existing recreation and visitor facilities and their extension.
  - b. The provisions of the RVZ are uncertain in terms of the development capacity that can be provided. Although it appears that development is to be controlled through a structure plan, the activities and standards of the zone do not refer to the structure plan. The submitter has not provided sufficient detail such as a structure plan to assess the proposal's effects against the strategic direction.
  - c. Concerns around traffic effects and loss of productive flat land.
3. None of these concerns are sufficient to justify why the proposed rezoning is not the appropriate outcome in this case. In my view:
  - a. While the RVZ objective is focused on existing rural visitor land uses, it provides scope for the extension of activities within the RVZ and it does not prevent or constrain the ability to rezone rural general land into rural visitor. I note there is at least one case where the RVZ exists with no rural visitor activities (Cecil Peak). Moreover, if considered necessary, the objective could be tweaked so that it provides for the "ongoing operation of rural visitor areas", not just "existing rural visitor areas".
  - b. It does not matter that the RV zone provisions are uncertain in terms of the development capacity that can be provided. Nor does it matter that we do not know the details of any proposed development or that a structure plan is not provided. What is more important is that the opportunities for and benefits of diversifying into tourism related activity is provided for where the adverse effects can be managed within a framework that achieves the outcomes set out in the relevant strategic direction parts of the plan<sup>2</sup>.
  - c. I addressed Mr Mander and Mr Buxton's concerns relating to traffic effects in my evidence dated 9<sup>th</sup> June<sup>3</sup>.
  - d. I addressed Mr Buxton's concerns relating to loss of flat productive farm land in my evidence dated 9<sup>th</sup> June<sup>4</sup>.

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<sup>1</sup> Paragraphs 24-25

<sup>2</sup> Assuming those provisions are the most appropriate for achieving the purpose of the RMA

<sup>3</sup> Paragraphs 21-25: (i) Access to the site is, and will continue to be, provided via boat and air (helicopters). There is no road access (legal or formed) to the farm. There is an existing marina facility at the farm; (ii) I do not envisage the need for any discernible upgrading of any existing infrastructure; (iii) I expect visitors and any staff travelling via boat would primarily do so via existing passenger transport services operated from Queenstown (namely water taxis or private cruises); (iv) The existing farm operation has access rights to a landing for its barge (which transports animals and equipment) near Wye Creek. No infrastructure upgrades at this location are expected to be required as a result of the rezoning.

<sup>4</sup> Paragraph 27: In my opinion the loss of this land for productive farming purposes is insignificant and not inappropriate: (a) The loss of productive farming land is small. The station is 14,305ha in area, with a minimum of around 130ha-180ha<sup>2</sup> of flat paddocks remaining for primary production; and (b) Any loss of productive capacity of the soil can be offset by the economic benefits associated with diversification into rural visitor activities and development.

## OUTSTANDING CONCERNS RAISED BY DR READ

4. Dr Read supports rezoning of approximately half the area sought to be rezoned and considers the proposed bespoke rules have merit in terms of the management of potential adverse effects. However, she remains opposed to the full extent of the proposed zone.
5. In my view the size of the land area, including in comparison to other rural visitor zones, is not particularly relevant to the assessment of the rezoning request.
6. As addressed in the evidence of Mr Skelton the landscape can absorb potential development within the area of land requested to be rezoned. Mr Skelton effectively concludes that the rezoning can occur whilst protecting ONL values<sup>5</sup>.

## FIT WITHIN THE PROPOSED DISTRICT PLAN (PDP) FRAMEWORK

7. As set out in my evidence dated 9<sup>th</sup> June and 9<sup>th</sup> August, I have reviewed the Strategic Direction provisions in Chapter 3 (as notified) and I cannot see how inclusion of a RVZ into the PDP framework would in anyway be inconsistent with the direction given.
8. As set out in my evidence dated 9<sup>th</sup> August and briefly discussed with you on 22<sup>nd</sup> August, it should be relatively easy to fit RVZ provisions into the structure of the PDP. For example:

### New RVZ Chapter

- a. A new RVZ Chapter could be inserted into the PDP. The contents of the chapter could mirror the RVZ provisions in respect of the Zone Purpose, Objective, Policies and Rules.

### New Rural Visitor Sub Zone Provisions in Chapter 21

- b. Alternatively, Chapter 21 could be amended to include bespoke RV provisions (in a similar way to the Rural Industry Sub Zone). The amendments could include:
  - i. A **new paragraph in 21.1** explaining the sub-zone purpose (this could be the same or similar as the RVZ purpose);
  - ii. A **new objective and associated policies in 21.2** relating to the sub-zone (these could be the same or similar as those set out in the RVZ);
  - iii. A **new Rules Table in 21.5** setting out sub-zone activities and standards (these could be the same or similar as those set out in the RVZ). Additionally, new bespoke provisions could be inserted into the above framework. For example those recommended by Mr Skelton.

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<sup>5</sup> Paragraph 33: *The proposed RVZ boundary is closely aligned with the site's natural terraces and vegetation patterns. Existing development in and near the site is reasonably difficult to see. It is considered that the site has capacity to absorb appropriately controlled development without adversely affecting the landscape character and quality or the visual amenity.*

## PROVISION FOR TOURISM IN THE PDP

9. In addition to the above matters, I draw your attention to evidence I have submitted and presented in relation to the PDP in regard to tourism in the district<sup>6</sup> and in the rural zone<sup>7</sup>. To summarise, I consider the District Plan should be amended to more appropriately recognise and provide for the significant benefits of tourism throughout the district, including within the rural zone.
10. In my view, the continuation of a RVZ in the district plan framework is one mechanism for appropriately recognising and providing for tourism related activities in rural locations. I observe the QLDC s42A Report and right of reply for Chapter 3 recommend a new strategic objective and policy:

**Objective 3.2.1.4 The significant socioeconomic benefits of tourism activities across the District are provided for and enabled.**

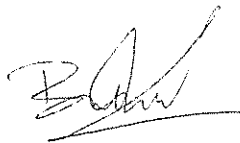
**Policy 3.2.1.4.1 Enable the use and development of natural and physical resource for tourism activity where adverse effects are avoided, remedied or mitigated.**

11. Rezoning the land RVZ would be entirely consistent with and give effect to these provisions.

## CONCLUSION

12. I maintain my earlier conclusion that the RVZ is more appropriate than the proposed Rural Zone provisions for that part of Halfway Bay which my client seeks rezoning.

## SIGNED



7 SEPTEMBER 2017

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<sup>6</sup> Pages 17-31 of my evidence on the Strategic Hearing Chapters dated 29 February 2016

<sup>7</sup> Pages 8-32 of my evidence on the Rural General Zone (Chapter 21) dated 21 April 2016