

Submission on Queenstown Lakes Proposed District Plan 2015 - Stage 1

Clause 6 of the First Schedule, Resource Management Act 1991

To: Queenstown Lakes District Council
By email: services@qldc.govt.nz

Name of Submitter: **Larchmont Developments Limited**

c/o Warwick Goldsmith/ Maree Baker-Galloway/ Rosie Hodson
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Postal address: PO Box 201, Queenstown 9348

1. This is a submission on the Queenstown Lakes Proposed District Plan 2015 - Stage 1 ("**the Proposed Plan**")
2. I am not a person who could gain an advantage in trade competition through this submission (clause 6(4) of Part 1 of Schedule 1 of the RMA 1991)
3. The specific provisions of the proposal that my submission relates to are: Map 39, Chapter 27 (Subdivision)
4. This submission relates to the following matters and seeks to achieve the following outcomes;
 - (a) That the area of land at 111 Atley Road ARTHURS POINT 9371 (identified as hatched on the attached Map at **Appendix 1** referred to as ("**the Site**")) be rezoned as Low Density Residential.
 - (b) That the Urban Growth Boundary for Arthurs Point be amended to include the Site to reflect the characteristics of the urban development of this area, and to give effect to the relevant objectives and policies for the Urban Development Chapter.
 - (c) That Map 39 of the Proposed Plan be amended to reflect the rezoning of the Site as Low Density Residential Zone, and the amendment of the Urban Growth Boundary as identified above.
5. I seek the following decision from the local authority: that the Proposed Plan be amended as requested in the Table below, together with any alternative, additional, or consequential relief necessary or appropriate to give effect to the matters raised in this submission and/or the relief requested below.

Table:

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as <i>italics strike through</i>]
Map 39- Arthurs Point, Kingston	Oppose	<p>The current boundary of the Low Density Residential Zone is opposed. In particular the Site is not appropriately zoned as Rural for the following reasons:</p> <ol style="list-style-type: none"> 1. The Site is categorised as a 'Rural Landscape Classification' by virtue of it being located in the Rural Zone. This classification is opposed as this land does not have the requisite characteristics of that classification. The adjoining residential developments of Arthurs Point immediately adjacent to this land detract from the naturalness of this site. 2. This Site cannot give effect to the objectives and policies of the Rural Zone which are focussed on the rural character and in particular supporting farming and other agricultural activities. This Site is 	<p>1. Amend Map 39 as follows;</p> <p>Rezone the area of land hatched on the attached Map at Appendix 1 as Low Density Residential</p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as <i>italics strike-through</i>]
		<p>not capable of productive farming and as such is not appropriately categorised as rural.</p> <p>3. This Site is already serviced by the infrastructure of the adjoining residential zone which has the capacity to service this Site.</p> <p>4. Rezoning this Site as LDR would be the most efficient and effective use of a natural resource and would give effect to the purpose of sustainable management.</p>	
<p>Map 39 Arthurs Point, Kingston</p>	Oppose	<p>The current location of the Urban Growth Boundary on this map is opposed.</p> <p>The current boundary encompasses the LDR zones and the Arthurs Point Rural Visitor zones entirely. This boundary does not enable the most efficient and effective use of resources in this area and does not give effect to the relevant objectives and policies of the Proposed Plan.</p> <p>In particular; Policy 4.2.2.3 Within Urban Growth Boundaries, land is allocated into various zones which are reflective of the appropriate land use; Policy 4.2.2.2 Urban Growth Boundaries are of a scale and form which is consistent with the anticipated demand for urban development over the planning period, and the appropriateness of the land to accommodate growth; Policy 4.2.1.5 Urban development is contained within or immediately adjacent to existing settlements.</p> <p>The zoning of the Site immediately adjoining the LDR, and separated by the UGB, does not give effect to policies and objectives in the rural chapter such as minimising the effects of residential activities in rural areas.</p> <p>There appears to be no justification for alternative alignments of the UGB in accordance with section 32(b) of the RMA.</p>	<p>1. Amend Map 39 as follows;</p> <p>Relocate the UGB to include the area of land hatched on the attached map at Appendix 1.</p>
<p>27 Subdivision and development chapter</p>			
Chapter 27	Oppose	<p>Chapter 27 is opposed.</p> <p>The difference in approach to subdivision between the Operative District Plan and the Proposed Plan is so significant that it is difficult to propose appropriate relief because a comprehensive re-write of the subdivision provisions is necessary to address the concerns raised in this submission. As a consequence of that difficulty, the primary relief requested in this submission is for the new Chapter 27 to be discarded and replaced by the existing Chapter 15 of the Operative District Plan. However</p>	<p>1. Delete Chapter 27 and replace with the Queenstown Lakes District Council Operative District Plan - Chapter 15.</p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <u>underlined italics</u> and deleted text shown as italics strike through]
		it is recognised that the concerns raised in this submission could be addressed in a number of different ways provided that the primary status of subdivision in all zones (other than the Rural zone) reverts to controlled activity status. Therefore this submission seeks, by way of alternative relief, any outcome in the spectrum between the Operative District Plan Chapter 15 and the notified Proposed Plan Chapter 27 which achieves that primary controlled activity status outcome in an appropriate manner. This approach is deliberately being taken in this submission to provide scope and jurisdiction for a range of possible outcomes which would achieve the primary controlled activity status outcome being requested.	
Chapter 27 alternative submission			
Rule 27.4.1 All subdivision activities are discretionary activities, except otherwise stated	Oppose	Rule 27.4.1 is opposed for the reasons identified above.	<p>1. In the alternative to this submission above, amend Rule 27.4.1, as follows:</p> <p><i>All subdivision activities are discretionary controlled activities, except <u>as otherwise stated</u>:</i></p> <p><i>Council's control is limited to:</i></p> <ul style="list-style-type: none"> • <i><u>Lot sizes, averages and dimensions</u></i> • <i><u>Subdivision design</u></i> • <i><u>Property access</u></i> • <i><u>Esplanade provision</u></i> • <i><u>Natural hazards</u></i> • <i><u>Fire fighting water supply</u></i> • <i><u>Water supply</u></i> • <i><u>Stormwater disposal</u></i> • <i><u>Sewage treatment and disposal</u></i> • <i><u>Energy supply and telecommunications</u></i> • <i><u>Open space and recreation</u></i> • <i><u>Easements</u></i> • <i><u>The nature, scale and adequacy of environmental protection measures associated with earthworks</u></i> <p><i><u>All subdivision activities in the Rural Zone are Discretionary activities.</u></i></p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <u>underlined italics</u> and deleted text shown as italics strike through]
			Amend the relevant subdivision objectives and policies as appropriate so that they inform and achieve the controlled activity status subdivision described above.
27 Subdivision - alternative relief			
Chapter 27	Oppose	Chapter 27 is opposed for the reasons described above.	Amend Chapter 27 in such a manner, incorporating any combination of the objectives, policies and rules of the Operative District Plan Chapter 15 and the Proposed Plan Chapter 27, as is considered appropriate provided that the default subdivision consent status (if minimum standards are met) is controlled activity status.

6. Further grounds for the submission points outlined in the above table are that:
- (a) The section 32 evaluation does not establish that the provisions of the Proposed Plan addressed in this submission are most appropriate to achieve the purpose of the RMA, and the evaluation does not adequately assess alternative provisions, such as those proposed in this submission.
7. I wish to be heard in support of my submission.
8. I will consider presenting a joint case with others presenting similar submissions.

 23/10/15.

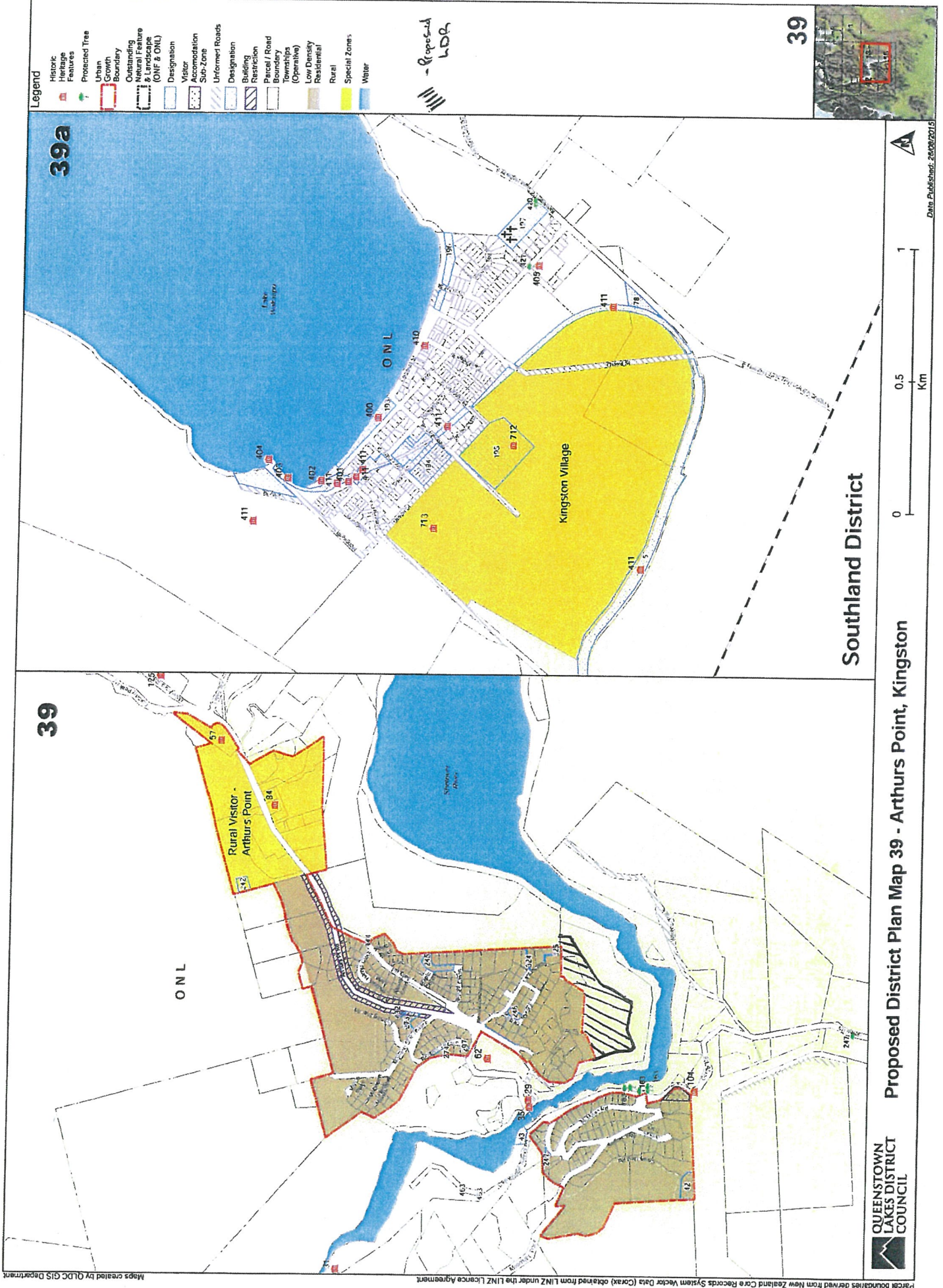
 Larchmont Developments Limited
 By its duly authorised agents
 ANDERSON LLOYD
 Per: W P Goldsmith

Address for service of Submitter:

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Appendix 1- Map 39 Amended

Wairarapa



Parcel boundaries derived from New Zealand Core Records System Vector Data (Corax) obtained from LINZ under the LINZ Licence Agreement. Maps created by QLDC GIS Department.

Proposed LDR

- Historic Heritage Features
- Protected Tree
- Urban Growth Boundary
- Outstanding Natural Feature & Landscape (ONF & ONL)
- Designation
- Visitor Accommodation Sub-Zone
- Uniformed Roads
- Designation
- Building Restriction
- Parcel / Road Boundary
- Townships (Operative)
- Low Density Residential
- Rural
- Special Zones
- Water

23 May 2017

Queenstown Lakes District Council
DP.Hearings@qldc.govt.nz

Level 2
13 Camp Street
Queenstown 9300

PO Box 201
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Dear DP Hearings Administrators

Change of Address for Service – PDP Submitter – Larchmont Developments Limited #527 and #1281

- 1 This letter confirms the change of address for service for the PDP submitter Larchmont Developments Limited #527 and #1281.
- 2 Warwick Goldsmith is now a barrister, and Anderson Lloyd has instructed Mr Goldsmith to act regarding the above submitter. The submitter's address for service is to be amended to include both Anderson Lloyd and Mr Goldsmith's new email and contact number.
- 3 New contact details are as follows:
 - (a) Contact names and email:
 - (i) Maree Baker-Galloway - maree.baker-galloway@al.nz
 - (ii) Rosie Hill - rosie.hill@al.nz
 - (iii) Warwick Goldsmith - warwickgoldsmith@gmail.com
 - (b) Postal address for all contacts:
 - (i) Anderson Lloyd
13 Camp Street, Level 2
Queenstown 9300

PO Box 201
Queenstown 9348

DX Box ZP95010
Queenstown
 - (c) Anderson Lloyd contact numbers:
 - (i) Telephone - 03 450 0700
 - (ii) Fax - 03 450 0799
 - (d) Warwick Goldsmith contact number:

(i) Mobile - 021 220 8824

4 Please do not hesitate to contact me should you have any queries in respect of the enclosed information.

Yours faithfully
Anderson Lloyd



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