

Our Reference: A850530



RMA Form 5  
Submission on a publicly notified proposed plan  
*Clause 6 of First Schedule Resource Management Act 1991*

**Otago Regional Council's Submission**

**to the**

**Queenstown Lakes District Council**

**on the**

**Queenstown Lakes District Council's Proposed District Plan Review (Stage 1)**

This is a submission on the Queenstown Lakes District Council's notified Proposed District Plan Review (Stage 1).

The Otago Regional Council wishes to be heard in support of this submission.

If others make a similar submission, the ORC will not consider presenting a joint case with them at a hearing.

Signature of submitter (or person authorised to sign on behalf of submitter):

A handwritten signature in blue ink, appearing to read "Fraser McRae".

Fraser McRae  
**Director Policy, Planning and Resource Management**  
**Otago Regional Council**

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Address for service: Otago Regional Council  
Private Bag 1954  
DUNEDIN 9054

Telephone: 03 474 0827  
Fax: 03 479 0015  
Email: warren.hanley@orc.govt.nz  
Contact person: Warren Hanley, Resource Planner - Liaison



## **1.0 Overview**

1.1 This submission covers the following matters and proposed District Plan provisions:

- Landscape provisions
- Indigenous Vegetation and Biodiversity
- Rural Zone
- Historic Heritage
- Natural Hazards
- Strategic Directions and Urban Development
- Providing for Public Transport
- Effects of development on Public Transport
- Urban form and connectivity
- Subdivision and Development

1.2 Otago Regional Council (ORC) has worked closely with Queenstown Lakes District Council staff (QLDC) in recent years, in the development of the Proposed Regional Policy Statement (Proposed RPS).

1.3 The Regional Policy Statement sets the direction for future management of Otago's natural and physical resources. It provides the foundation for development of regional plans and district plans, which must give effect to the Regional Policy Statement.

1.4 Therefore, in reviewing the QLDC's proposed District Plan, the ORC has identified areas where it supports provisions which give effect to the Proposed RPS, and opposes provisions where they will not.

## **2.0 Landscape provisions**

2.1 ORC supports the identification and protection of:

- Outstanding Natural Features and Outstanding Natural Landscapes
- The Rural Landscape Classification is consistent with the Proposed Regional Policy Statement (Proposed RPS).

2.1 Assessment matters for the Rural Landscape Classification areas should provide cultural and historic values as well as for Tangata Whenua values.

2.2 ORC supports the recognition of the rural landscape as a working environment by providing for the occurrence of rural and tourist-related activities (e.g. tourist experiences) in these areas.

## **3.0 Indigenous Vegetation and Biodiversity**

3.1 ORC supports proposed provisions for the identification and protection of areas of significant indigenous vegetation and significant habitat of indigenous fauna, threatened species and biodiversity values, which is consistent with the Proposed RPS.

#### 4.0 Rural Zone

- 4.1 The ORC is generally supportive of the approach taken in the rural area which provides for rural activities and recognises the potential for diversification of rural activities while managing their adverse effects on the environment.
- 4.2 The ORC supports the inclusion of controls, consistent with the triennial agreement under the Local Government Act 2002, ensuring or supporting compliance with regional objectives and rules, and in particular land use controls for:
- reducing the risk of contaminants entering water, including building setbacks from waterways;
  - encouraging efficient water use;
  - landscape management;
  - enhancement of indigenous biodiversity;
  - waste management facilities;
  - use and storage of hazardous materials over sensitive aquifers; and
  - avoiding the creation of contaminated land.
- 4.3 However, provisions are proposed which may result in overlap with regional rules. This may be confusing and increase the cost to applicants if consents are needed under both regional and district plans. For example:
- Structures or disturbance of any lake or river bed, (see Chapter 13 of the Regional Plan: Water)
  - Certain activities on the land outside of those beds, (see Chapter 14 of the Regional Plan: Water)
  - Activities that result in the discharge of contaminants to air (other than dust or odour where a district plan response is relevant, see Regional Plan: Air Policies 10.1 and 11.1).
  - Rule 21.4.30 which permits suction dredging.
  - Rule 21.5.7 Dairy Farming. This rule prohibits dairy stock from standing in the bed of, or on the margin of a waterbody.
- 4.4 ORC requests discussion occurs to define respective roles in these areas of duplication.
- 4.5 ORC also requests that an advice note is added to any remaining rules in areas of statutory overlap to inform plan users of the need to consult the relevant Regional Plan.
- For example:
- “Note - The Regional Plan: <Water> for Otago must be met in full for the activity to be permitted in terms of that Plan. In addition, national regulation controls some activities.*

- 4.6 ORC recognises the desire to provide for mineral extraction where the environmental effects can be appropriately managed, but is concerned the proposed approach will not achieve good environmental outcomes. In particular, ORC requests the following changes:
- Provisions for extractive activities to ensure earthworks and mining avoid the interception or contamination of sensitive aquifers.
  - Provisions addressing subsequent rehabilitation of land to avoid causing adverse environmental effects such as ongoing discharges to air and water.
  - The requirements of policy 21.2.5.3, that sites are rehabilitated, should be reflected in the rules, particularly permitted rule 21.4.30.

## **5.0 Historic Heritage**

- 5.1 The identification and protection of historic heritage is a matter of national importance under s6(f) of the RMA and the functions of Territorial Authorities in this regard are recognised in the Proposed RPS.
- 5.2 ORC supports the identification of heritage features and the inclusion of heritage landscapes of local, regional and national significance in the Proposed District Plan.
- 5.3 However, ORC opposes Section 26.2 where it is proposed that the role of the general public is to prove the relevance of any features for inclusion in the plan. This is inconsistent with both the requirements of the Act and QLDC's approach to the management of other resources.

## **6.0 Natural Hazards**

- 6.1 ORC supports the purpose of Natural Hazards as set out in Section 28.1, in particular, ensuring that when development is proposed on land potentially subject to natural hazards, the risk is managed or mitigated to tolerable levels. In instances where the risk is intolerable, natural hazards will be avoided.
- 6.2 ORC notes that objectives and policies are missing relating to avoiding and reducing natural hazard risks and applying a precautionary approach.
- 6.3 ORC requests that Objectives 3.1 and 3.2 and Policies 3.2.6, 3.2.7 and 3.2.8 of the Proposed RPS are reflected in the Natural Hazards section to provide for:
- avoiding natural hazard risk; and
  - reducing natural hazard risk; and
  - applying a precautionary approach to natural hazard risk.

## **7.0 Natural Hazard management**

- 7.1 ORC supports the QLDC's approach of providing hazard mapping in its hazards database, and rules in the District Plan to manage natural hazards. All known natural hazards should be identified in that database and made publicly available. This will enable the use of best information for decision making about those hazards.

- 7.2 ORC requests that Rule 27.9.2 provide for notifying any application where there is a need to assess whether the risk extends beyond the site and is tolerable to the community.
- 7.3 ORC supports giving clear policy guidance in Policy 28.3.2.2 to help identify where risk is intolerable and therefore when a proposal should be declined. This gives better effect to the natural hazard provisions in the Proposed RPS.
- 7.4 However, ORC considers it is not appropriate to have new development occurring where natural hazard risks, and residual risks, are intolerable for the community, now or in the future, even if managed or mitigated (as proposed in Policy 28.3.2.1).
- 7.5 ORC request Policy 28.3.2.3 is amended to recognise that areas subject to natural hazard risk have ongoing maintenance needs which should not incur additional cost to the wider community.

## **8.0 Strategic Directions and Urban Development**

- 8.1 ORC generally supports the strategic directions identified in the Proposed District Plan. However, ORC requests that the desired effects of subdivision, use and development are more clearly specified in the objectives and policies of this section.
- 8.2 ORC supports the concept of compact urban form, but suggests that the District Plan provide for some degree of flexibility where strategic infrastructure supports areas of expansion and relates well to QLDC's unique environment e.g. Objective 4.2.3 and Policy 4.2.3.1. For example, some expansion is appropriate if it occurs around nodes that are connected to a main corridor serviced by public transport.
- 8.3 Therefore, ORC requests Objective 3.2.2.1 is amended accordingly.
- 8.4 Further, responding positively to climate change does not require concentrating all future development within existing urban areas (Policy 3.2.4.8.1). Public transport can efficiently support nodes of development connected (e.g. within walking and cycling distance) to a main corridor.
- 8.5 ORC requests that recognition is provided for access and connection to, and between, the tourism/recreational activities which are a large part of the Queenstown-Lakes district experience and employment market, but that lie outside urban growth boundaries and urban based visitor attractions (Policy 3.2.2.1).

## **9.0 Providing for Public Transport**

- 9.1 The Otago Regional Council is responsible for scheduled public transport services in the Queenstown Lakes District. The ORC is currently reviewing public transport services in the Wakatipu Basin with the view to enhance services for the future (2018 and beyond). This enhancement may involve changes to routes as well as timetables. The District Plan needs to have flexibility for bus routes to be

able to adapt in the future for passenger demand as a result of population growth, tourism, and development (within reason).

- 9.2 The Regional Public Transport Plan 2014 outlines services that are integral to the public transport network, and those that are not. It also specifies the policies that relate to the provision of services and the associated infrastructure (Chapter 7) and these should be considered in the District Plan.

## **10.0 Effects of development on Public Transport**

- 10.1 Uncontrolled urban development puts at risk the ability to provide public transport services and connections and compromises the viability of services. ORC requests that development should enable the efficient use of public transport services, including making use of existing services (refer sections 4.2.1.6, 4.2.4.1, 7.2).
- 10.2 ORC requests that provisions for roading, access and parking should recognise the needs of active transport modes, public transport services and infrastructure. Provisions are requested for Residential developments, particularly those large in scale, to provide for public transport services and infrastructure in the future. Main road corridors in these areas should be retained to accommodate public transport services and infrastructure, both now and in the future (Refer sections: 3.2.6.2.2, 8.2.7.2, 9.2.6.1, 9.4.9, 17.2.1, 21.2.1.8, 23.2.1.11)
- 10.3 For example, poorly designed shop front veranda setbacks and heights can interfere with kerbside bus movement (Refer sections 12.2.4.5, 12.4.6.1, 12.5.5.2, 13.4.2, 13.5.5, 14.4.2, 14.4.4, 15.4.2, 15.4.3.2).

## **11.0 Urban form and connectivity**

- 11.1 Public transport users are multi-modal as they generally walk or cycle to access bus services. Developments should look to create active transport connections, but also link these with existing public transport services and infrastructure where possible.
- 11.2 ORC supports the Objective of achieving a compact Town centre that is safe and easily accessible (12.2.4.1 to 12.2.4.5). ORC requests the aspiration of accessibility be added to Policy 12.2.4.2. This may be achieved by limiting the number (supply) of car parks in or on the periphery of the town centre to support a shift to shared and active transport modes.
- 11.3 The District Plan should provide discretion when considering large commercial and event facility developments with extensive car parking. ORC requests provisions are included in the district plan to consider the provision of public transport infrastructure as part of the car parking to ensure a safe and efficient public transport connection for customers and enhance the potential to provide public transport services.

11.4 Medium and high density developments should be provided within reasonable walking distance to public transport routes and ORC requests provisions to enable this as a consideration.

## **12.0 Subdivision and Development**

12.1 ORC requests that in considering subdivisions and development, provisions require the inclusion of links and connections to public transport services and infrastructure, not just walking and cycling linkages (Refer: 27.2.5.1, 27.2.5.5).

12.2 Where discretion is restricted to traffic and access, ORC requests this should also include the ability to provide and support public transport services, infrastructure, and connections (Refer sections 27.7.18.1, 27.8.9.2).

12.3 ORC requests that Policy 4.2.4.1, (fourth bullet point) is amended to reflect that there are not multiple transport *networks* to integrate in the Queenstown Lakes District, rather it is a single network made up of various transport infrastructure corridors and facilities.

12.4 ORC supports the integrated management of the Queenstown Bay land-water interface. (Objective 12.2.5). ORC requests the addition of a policy to the Objective which provides for conveniently-integrated journeys that combine travel on land and water, in order to improve accessibility through better connectivity.

END.