

RESOURCE MANAGEMENT ACT 1991: FORM 5
SUBMISSIONS ON THE PROPOSED QUEENSTOWN LAKES DISTRICT COUNCIL PLAN

Clause 6 of the First Schedule, Resource Management Act 1991 – amended 30th August 2010.

TO: Mr Mathew Paetz
Planning Policy Manager
Queenstown Lakes District Council
Private Bag 50077
QUEENSTOWN

SUBMITTER:

Wakatipu Holdings Ltd

We cannot gain an advantage in trade competition through this submission. We are, or could be, directly affected by the subject matter of the submission that:

- (a) adversely affect the environment; and
- (b) do not relate to trade competition or the effects of trade competition.

1.0 Introduction to the submitter

The submitter is the owner of Lot 1 DP 300025.

The location of the submitter's property is highlighted on the Proposed and Operative Planning Maps contained in Attachment [A] of this submission.

2.0 OVERALL ISSUES THAT HAVE DETERMINED THE APPROACH IN PREPARING THIS SUBMISSION IN RESPECT TO THE PROPOSED DISTRICT PLAN

2.1 The submitter opposes the Proposed District Plan for the following reasons;

It does not accord with, or assist the territorial authority to carry out its functions to achieve, the purpose of the Resource Management Act 1991 (the Act);

- i. It does not promote the sustainable management of resources;
- ii. It does not meet section 32 of the Act;
- iii. It does not consistent with Part II of Act;
- iv. It does not represent integrated management or sound resource management practice;
- v. It does not meet the reasonably foreseeable needs of future generations;
- vi. It does not implement the most appropriate standards, rules or methods for achieving the objectives set out in the Proposed District Plan.

3.0 SPECIFIC SUBMISSIONS

Without derogating from the generality of the above, the specific parts of the Proposed District Plan that this submission relates to are:

Submission 1: Designation

We OPPOSE the imposition of the designation 429.

- 3.1 Designation 429, Luggate Closed Landfill where Queenstown Lakes District Council is responsible for the imposition of this designation.
- 3.2 The submitter's property contains a historic landfill.
- 3.3 An Notice of Requirement RM100568 was lodged with Queenstown Lakes District Council and has been on-hold since 04/09/2010 while the applicant sought the written approval of affected parties.
- 3.4 The submitter seeks that the designation be removed from subject property.

Submission 2: Rural General Zone

We OPPOSE the Rural General zoning of a land described in section 1.

- 3.5 In reviewing the Rural General Zone the Council has failed to take into account the potential housing yield and amenity values on the subject site. The site is not currently farmed.
- 3.6 The Council has failed to consult with landowners as to appropriate zoning for their land.
- 3.6 The Council's exercise in terms of land to be rezoned as part of the District Plan Review is not considered to be comprehensive and has failed to undertake a detailed analysis of zoning requirements and needs.

- 3.6 The Church Road Rural Residential area has been zoned for a number of years without any transition into the rural zone. By not considering the rezoning of land as part of the District Plan review the Council have missed an opportunity to provide additional rural lifestyle zoned land.
- 3.7 The Council have also failed to assess whether the subject site and current zoning can meet the objectives of the Rural Zone.
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- 3.8 Given the above, the submitter requests that the Rural General Zoning over the site as depicted on the Plan contained in Attachment [B] is re-zoned to Rural Lifestyle.

Submission 3: Hydro Generation Zone

We OPPOSE the Hydro Generation Zone zoning of a land described in section 1.

- 3.10 The Hydro Generation Zone has been extended over the subject site as defined on the Plan contained in Attachment [B]. This zone is considered to be obsolete and it makes no logical Resource Management sense to have this zone applied over the subject site.
- 3.11 With the Hydro Generation Zone in place it results in a split zoning over the site making the underlying Rural General Zone defunct.

Submission 4: Rural Lifestyle Zone

We OPPOSE (in part) the Rural Lifestyle Zone.

- 3.12 The subject site is considered to be able to absorb a level of development which exceeds that specified in Parts 22.5.12.3 and 27.5.1 of the Proposed District Plan.
- 3.13 The 2ha average specified in Parts 22.5.12.3 and 27.5.1 of the Proposed District Plan was conceived in 1998 in the decision making towards the creation of the 'Dalefield Zone'. The average was to enable the subdivision of large existing allotments. The rule becomes problematic and an inefficient device to determine appropriate densities when applied to smaller lots.
- 3.14 In order to focus development Parts 22.5.12.3 and 27.5.1 of the Proposed District Plan are considered to promote a density of residential development which does not align with the properties ability to absorb development. It does not represent integrated management, sound resource management nor does it meet the reasonably foreseeable needs of future generations.

Submission 5: Subdivision

We OPPOSE the Rural Lifestyle Zone minimum lot size standard 27.5.1.

- 3.15 Rule 27.5.1 of the Proposed District Plan serves no logical Resource Management purpose. For the reasons outlined in paragraphs 3.12 to 3.14 above the minimum lot size applicable for the Rural Lifestyle Zone shall be a 1 hectare average.

Submission 6: Rural General

We OPPOSE the Rural General Zone Part 21.5.32.

- 3.16 Part 21.5.32 of the Proposed Operative District Plan specifies that the construction of a building which does not comply with the matters listed in the standard shall be a restricted discretionary activity.
- 3.17 The matters in which discretion is restricted to are listed in Part 21.5.32.2. This does not include rural amenity.
- 3.18 Part 21.5.32 and the relevant section 32 Evaluation Report does not appropriately address the retention of rural amenity for those living on adjacent or in close proximity to the activities anticipated in the Rural Industrial Sub-Zone. It is considered that this standard could approve activities within the Sub-Zone which could compromise the level of rural amenity afforded in the surrounding area.
- 3.19 The submitter considers that the Plan Review should be withdrawn and re-notified for consideration once a complete document has been prepared. The submitter considers the omission of a complete Section 32 Analysis is a fundamental flaw in the plan review documentation, and that the Council cannot continue to process the Plan Review in the absence of this information.
- 3.20 Due to the apparent deficiencies of the Section 32 Analysis, the submitter considers that there will need to be scope to call any additional evidence in the course of the hearing required once full analysis has been provided. This might mean having to adjourn the hearing.

Relief Sought

Submission 1: Designation

The submitter seeks that the designation be removed or amended to accurately depict the extent of the landfill.

Submission 2: Rural General Zone

E-mail: ngeddes@cfma.co.nz

ATTACHMENT [A]

Location of Subject Property:

Operative and Proposed Planning Maps

ATTACHMENT [B]

Residential Lot Layout
