



S293 RESOURCE MANAGEMENT ACT 1991

FEEDBACK FORM



TO // QUEENSTOWN LAKES DISTRICT COUNCIL ATTENTION // PLANNING POLICY TEAM



SUBMITTER DETAILS – ADDRESS FOR SERVICE

Full name of submitter(s):

Organisation (if relevant):

Email:

Postal address:

Phone (inc. area code):

Mobile:

**FEEDBACK ON THE CLUTHA s293 MUST BE RECEIVED NO LATER THAN 5.00PM ON
TUESDAY 12 OCTOBER 2021**



PRIVACY ACT 1993

Please note that submissions are public information. Information on this form including your name and submission will be accessible to the media and public as part of the decision-making process. Council is required to make this information available under the Resource Management Act 1991. Your contact details will only be used for the purpose of this S293 process. The information will be held by the Queenstown Lakes District Council. You have the right to access the information and request its correction.



MY SUBMISSION

The specific provisions of the proposal that my submission relates to are:



MY SUBMISSION

My submission is:

Clearly state whether you SUPPORT or OPPOSE specific parts of the proposal.

Decision sought:

Reasons for my submission:

SIGNATURE OF SUBMITTER

Signature of submitter:

Date:

Person making the submission, or authorised to sign on behalf of an organisation making the submission.



12 October 2021

Queenstown Lakes District Council
pdpsubmission@qldc.govt.nz

Level 2
13 Camp Street
Queenstown 9300

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New Zealand

Dear Queenstown Lakes District Council

al.nz

Feedback on the Clutha River / Mata Au Outstanding Natural Feature Section 293 Proposal

Submission

- 1 This submission is made on behalf of Kathryn Maree Woodfield and Vaughn Howard Woodfield (**Submitters**). The Submitters own land at 216 Stevenson Road RD 2 Wanaka 9382 legally described as LOT 6 DP 325795 held in Certificate of Title 104103 (**Submitter Land**).
- 2 This submission relates to the s293 proposal to alter the mapping and landscape classification of the Clutha River / Mata Au Outstanding Natural Feature (**ONF**) Corridor (**Proposal**) in its entirety.
- 3 Without derogating from the generality of the above, the specific parts of the Proposal this submission relates to are:
 - (a) The proposed amendment to the landscape classification of the Clutha River Corridor;
 - (b) The (lack of) values identification associated with the proposed classification of an ONF; and
 - (c) The corresponding regulatory changes as they affect the Submitter Land.

Reasons for the submission

- 4 The interim decision of the Environment Court in *Hawthenden Ltd v Queenstown Lakes District Council* found the Clutha River Corridor ONF map should include a schedule identifying key informing values and compatible land uses and natural hazard mitigation works.¹ This scheduling and identification of values and compatible land uses and natural hazard mitigation works has not been done. The Proposal should be placed on hold pending the completion of the values identification and inclusion of the schedule.
- 5 Even if the proposal is not placed on hold, the Submitter considers that this detailed exercise of values identification should occur through the process as part of any landscape identification. The values identification process will be informed by land use already occurring along the River Corridor and inform appropriate land use / regulatory regimes to apply into the future.
- 6 Queenstown Lakes District Council (**Council**) has not undertaken a full landscape report in respect of the Proposal. Insufficient evidence has been provided in support of the proposed ONF boundary,

¹*Hawthenden Ltd v Queenstown Lakes District Council* [2019] NZEnvC 160 at [246].

and potentially affected parties have not had the opportunity to review and comment on any landscape support for the revised location of the ONF proposed. The Proposal should be placed on hold pending the completion of a full landscape report, which details the particular attributes that are part of this area and support the Council's interpretation that it is an ONF.

- 7 The Submitters are anecdotally aware of other affected landowners not having been notified of the Proposal. It should be placed on hold until all affected landowners have been notified and given the opportunity to provide feedback.
- 8 The Submitter Land is geographically and topographically dissimilar to the Clutha River corridor and should be excluded from the Clutha River / Mata Au ONF in its entirety. It has historically been used for farming activities and represents an area of land that is highly modified and no longer can be considered as sufficiently natural to be outstanding. Greater representation should be given to the existing land uses that are occurring at the Submitter Land and the nearby properties.

Supporting evidence

- 9 Kathryn Maree Woodfield has provided an affidavit dated 11 October 2021 in support of this submission.
- 10 Due to a lack of availability, the Submitters' landscape expert has been unable to provide supporting evidence by today's date. Landscape evidence in support of this submission is anticipated and will be provided to the Council as soon as possible.

Decision sought

- 11 The Submitters seek the following relief:
 - (a) That the Proposal be placed on hold pending the inclusion of a schedule identifying values and compatible land uses and natural hazard mitigation work and the completion of a full landscape report; or
 - (b) That the Council provide further detail in respect of the above information as part of the ongoing consideration of this Proposal;
 - (c) That the Proposal be amended as follows:
 - (i) The Submitter Land should be excluded (wholly or partly) from the Clutha River / Mata Au ONF in its entirety; or
 - (ii) That proposed ONF boundary be amended to exclude modified farmland even where this may be considered to be within the river escarpment, on the basis such land is not natural or outstanding; or
 - (iii) If the Submitter Land is included (wholly or partly) in the Clutha River / Mata Au ONF, corresponding rules (including those relating to earthworks and farm buildings) should be amended to reflect the existing land uses, and allow for reasonable and appropriate land use into the future, recognising that this land is a working farm; and
 - (d) Any additional, further or consequential relief to give effect to the matters raised in this submission.

Yours faithfully
Anderson Lloyd

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Before Queenstown Lakes District Council
Planning Policy Team

In the matter of the Resource Management Act 1991

And Queenstown Lakes District Council section 293 proposal:
Proposed alterations to the mapping and landscape
classification of the Clutha River / Mata Au Outstanding Natural
Feature (ONF) Corridor

Affidavit of Kathryn Maree Woodfield

Dated 11 October 2021

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