

## Upper Clutha Environmental Society (Inc.)

### Submission on the Stage 2-Wakatipu Basin Variation

#### The Society's Position

1. The Society supports the inclusion in the PDP (as Chapter 24) of the provisions proposed in the publicly notified Stage 2 Wakatipu Basin Variation as detailed in the documents contained in the public notification. Key elements are:
  - The introduction of a Wakatipu Basin Rural Amenity Zone with a minimum lot size of 80 ha
  - The introduction of a Wakatipu Basin Lifestyle Precinct that will provide for subdivision of land in the precinct to an average lot size of 1 hectare with a minimum lot size of 0.6ha.
2. The Society notes and supports the conclusion reached in the s.42A report where it says “I recommend that Chapter 24 is largely retained as notified.”<sup>1</sup>
3. The Society also supports the conclusion reached by the Wakatipu Basin Land Use Planning Study (WBLUPS) where it says<sup>2</sup>:

*“...that continuation of the fully discretionary development regime (the identification of building platforms in particular) of the Rural Zone as proposed by the PDP is unlikely to achieve the Strategic Direction of the PDP in the WB...”*
4. These opinions should be read in the context that the Society has carried out no detailed landscape analysis of the locations of the various Wakatipu Basin Precinct areas, simply because this is beyond the resources of the Society. The Society must, therefore, rely on the WBLUPS and the Langman landscape evidence prepared for this hearing.
5. The Society has no knowledge as to the overall quantity of residential units that will be able to be absorbed in the Precinct areas and whether this quantity is needed at this point in time. It is unaware of any data on this issue in the information supplied with the variation.
6. There is an argument that none of the Precinct areas are needed at all as expert evidence to the District Plan hearings has stated that, even on a very conservative basis, the District has enough zoned residential

---

<sup>1</sup> s.42A report paragraph 4.1

<sup>2</sup> WBLUPS paragraph 1.24

capacity until at least 2048. The counter argument, which has some force, is set out in the s.42A report<sup>3</sup>:

*“..the Precinct provides a rural living housing choice that meets the needs of people and communities and future generations with regard to demand for a range of dwelling types and locations”*

7. While the Society accepts this argument, the counter counter argument is that there is already a very large stock of developments that enable residential living in rural areas in the Rural Lifestyle Zones, the Rural Residential Zones and in the more than 1500 RCL small-lot residential developments already consented to in the Rural Zone in the Wakatipu Basin and Upper Clutha Basin. The Precinct areas will considerably add to these existing rural living opportunities. It may make sense to delay the development of some or all of the Precinct areas until the next District Plan in say 15 years time.
8. The key question here is *should the demand for residential living in rural areas be endlessly satiated?* The Society doubts that such an approach represents sustainable management. The demand is always going to be there; the level of development the Rural Zone can accommodate while retaining rural character is finite.
9. The Society suggests that the commissioners should address the issue described above in its decision; it may well be that more demand and supply data is required before a decision can be made.
10. The Society's view is that it makes sense to trade limited and very carefully located Precinct developments in parts of the two basins (Wakatipu and Upper Clutha) for much more planning certainty in the rest of the basins i.e. an 80 ha minimum lot size.
11. It is possible that the commissioners will form a view that some of the Wakatipu Basin Precincts have been located in Wakatipu Basin locations less able to absorb development such that these should be reduced in size or deleted. There are submissions that support such an approach, for example, the Philip and Mary Blakely submission the summary of which says<sup>4</sup>:

*“Additionally they seek that subdivision within the Rural Zone (in the context of the now notified Wakatipu Basin Zone) should be based on solid analysis and evaluation of identified landscape character units and values, and that the extent and subdivision density of the proposed Rural Lifestyle Zone is reconsidered (in the context of the notified 1ha average density of the Precinct).”*

---

<sup>3</sup> S.42A report paragraph 5.36

<sup>4</sup> s.42A report paragraph 10.3

12. The Blakeley's may have a valid point in terms of the location and extent of the Precincts.
13. The reasons for the Society's support for the variation are evident from its submissions and evidence to the District Plan Review hearings for Stage 1 of the PDP where it expressed major concern that the cumulative effects of subdivision and/or development were not being adequately controlled in the rural landscapes of the District. For instance in one of its original submissions to PDP Stage 1 the Society said:
- "...in relation to the issue of cumulative effects the Operative District Plan is not effective. ...At hearings of both Council and in the Court cumulative effects are usually put in the too-hard basket and seldom fully addressed."*
14. The Society believes that the inclusion in the PDP of the provisions contained in Chapter 24 will give Council the planning tools it needs to control the cumulative effects of rural subdivision and/or development, while permitting development in less sensitive landscapes.
15. It is clear that the ODP has failed to control adverse effects, especially cumulative effects, of RCL small-lot (2-6ha) residential development in the District. Whether this is due to a lack will on the part of Council to implement the ODP or whether the ODP is simply not directive enough is largely irrelevant at this stage. The facts on the ground are that there are more than 1000 RCL small-lot residential platforms in the Wakatipu Basin (and around 500 in the Upper Clutha Basin.)
16. Crucially, the gradual piecemeal, almost random, development of the rural landscapes is degrading these landscapes in a manner that is likely to have adverse effects on the future economic base of the Queenstown Lakes District. There are also adverse effects on the social and cultural wellbeing of the District's residents. The cumulative degradation of the rural landscapes that has been permitted by Council under the ODP does not represent a "precautionary approach" to these landscapes as urged by Council's own expert economic evidence<sup>5</sup> to the PDP Stage 1 hearings.
17. By the time all houses that have been consented in the Wakatipu Basin are built, it will be interesting to see if it is possible to look across RCL anywhere in the basin without there being a house in the foreground.
18. The 80 ha minimum lot size is supported for the reasons described above and for the reason stated in the s.42A report<sup>6</sup>:

---

<sup>5</sup> Phillip Osborne 6th April 2016 Paragraphs 3.8 and 8.7

<sup>6</sup> S.42A report paragraph 14.8

*“The proposed 80ha minimum lot size was selected to clearly signal that only a limited level of additional development was considered to be appropriate in the Amenity Zone in order to maintain the open, relatively undeveloped and spacious areas between the rural residential ‘nodes’.”*

19. In my submission this variation comes too late. The adverse cumulative effects of rural subdivision and development were identified by Council in its April 2009 Rural Zone Monitoring Report. Council should have instigated a Plan Change 5-10 years ago similar to the one proposed today.
20. Given the new District Plan is likely to be in force for 15 years the Society hopes Council will not make the same mistake in the Upper Clutha Basin; directive measures similar to those proposed in this variation are needed there now. The Society notes that the District Plan Hearing Panel<sup>7</sup> has recommended an UCBLUPS be carried out by Council; the Society is confident this will result in similar provisions to those proposed in the WBLUPS being seen to be necessary in the Upper Clutha Basin (The discussion on sustainable management below is relevant here).
21. The problem identified by the Society and in Council reports<sup>8</sup>, is that under the ODP cumulative effects are often discussed at hearings but the conclusion always seems to be that consent for a resource consent application can be granted because the threshold for cumulative effects is never quite reached or breached. Council decisions seldom turn on the issue of cumulative effects.
22. The provisions in the ODP have failed to prevent a rash of RCL small-lot residential developments in the District. The Society's experience of many hearings is that Council gives consent to the vast majority of RCL applications, especially over the last few years. In my submission the PDP, which has just become operative (at least in part) is likely to be LESS effective in controlling the adverse cumulative effects of rural subdivision and development within RCL. For instance the cumulative effects assessment matter in the ODP has been gutted in the PDP.
23. It follows that directive measures need to be incorporated into the PDP that apply to any area in the District that is suffering intense growth pressure, that is the two basins that encompass the District's major urban areas of Queenstown, Frankton, Arrowtown, Wanaka/Albert Town, Hawea, Hawea Flat and Luggate. The status quo is not an option.

---

<sup>7</sup> Stage 1 Decision Report 16.13 Paragraph 37

<sup>8</sup> Rural General Monitoring Report April 2009 Pages 45 and 60

24. Council's s.32 report for this variation describes the issue well, quoting from its own officers s.42A reports from the District Plan Review Stage 1 hearings<sup>9</sup> (underline added):

*“Some rural areas, particularly those closer to Queenstown and Wanaka town centres ....have an established pattern of housing on smaller landholdings... a substantial amount of subdivision and development has been approved in these areas and the landscape values of these areas are vulnerable to degradation from further subdivision and development”.*

25. A problem the Society sees in relation to the variation is that if more directive provisions are adopted only in the Wakatipu Basin, it will rapidly be perceived that more development-friendly provisions exist in the Upper Clutha Basin. This will have the likely effect of pushing RCL small-lot residential development (2-6 hectares) into the Upper Clutha Basin from the Wakatipu Basin.

26. It is entirely feasible that Upper Clutha Basin landowners/investors will compare the District Plan provisions in the Wakatipu Basin and the Upper Clutha Basin and make applications to create RCL small-lot residential developments in the hope that people looking for this style of property will, on lifestyle grounds, choose to live on a 2-6ha lot near Wanaka (with its 50-minute access to Frankton/Queenstown) rather than on a 6000m<sup>2</sup> or 1 ha lot near Queenstown. New Zealand's 4ha fetish is far from dead.

27. The variation as publicly notified protects the landscapes of the Wakatipu Basin while throwing the Upper Clutha Basin landscapes to the wolves. In my submission this does not represent sustainable management.

28. The variation cannot achieve the sustainable management of natural and physical resources if it applies only to the Wakatipu Basin because Council itself has recognised that other parts of the District suffer from the same issue or similar issues to those that the variation addresses.

29. This is a DISTRICT Plan; for the variation to achieve sustainable management it must address the rural subdivision and development cumulative effects issue where it occurs throughout the District.

## **Conclusion**

30. The Society supports, with the caveats discussed above, the publicly notified PDP Stage 2 Wakatipu variation, and supports its incorporation into the PDP.

June 12th 2018

uces@xtra.co.nz