

FORM 33

Notice of person's wish to be party to proceedings

TO: the Registrar
Environment Court
Christchurch

I, Susan Jane Harwood, wish to be a party to the following proceeding:
ENV-2019-CHC-019

I am a person who made a submission about the subject matter of the proceeding.

I am not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

I am interested in all of the proceeding.

I am interested in the following particular issue:

The decision by the Queenstown Lakes District Council to rezone all land accessed off of Mooney Road to Wakatipu Basin Rural Amenity Zone (Rural Amenity); the Appellants seek relief such that land on Mooney Road should be zoned Lifestyle Precinct (Precinct) as per the Proposed District Plan.

I oppose the relief sought by the Appellants for the following reasons:

1. The Appellants state that:

"The decision to rezone the Appellants' land and other land on Mooney Road as WBRAZ is not justified on the basis of the expert evidence heard by the Hearings Commissioners....

Inadequate reasons were given in the Hearings Commissioners recommendations to rezone the Appellants' land...

The decision to rezone the land was influenced by non-expert witnesses as to landscape, the current state of the Hunter and Mooneys Road intersection and the current legal width of Mooneys Road...."

2. I disagree with the Appellants' statements. The evidence presented to the Hearings Commissioners included:

- a. the "expert evidence" from landscape architects and planners (alluded to by the Appellants);
- b. as well as supplementary evidence concerning infrastructure, transport and safety from other professional sources that had previously not been considered.

It was based upon this supplementary evidence that the Hearings Commissioners recommended that the land accessed off Mooney Road be rezoned Rural Amenity.

3. Specific content of that supplementary evidence follows (excerpts taken from QLDC Hearings of Submissions on Proposed District Plan, Report 18.5- Area C, Central Basin, pp 18-21):

“Mr. Smith’s evidence in chief specifically addressed traffic safety and network efficiency issues in respect of Mooney Road.....He noted that the Mooney Road and Hunter Road intersection was not an optimal design from a safety perspective. He further considered that the likely level of development would require improvements to Mooney Road.”

“At the conclusion of the reconvened hearing, we requested that the Council confirm the legal width of Mooney Road....In a memorandum dated 26 October 2018, we were advised that the legal road width varies between 11.2m to 11.9m and that 15m was the minimum road reserve width required under Council’s Land Development and Subdivision Code of Practice for a road serving between 1 and 200 dwellings. The Code of Practice requirement for roads serving more than 200 dwellings is 20m.”

“However, we think it is safe to conclude that over 200 dwellings could potentially be served by Mooney Road if the Precinct is as proposed in either Mr. Vivian’s or Mr. Langman’s evidence.”

“While Ms. Gilbert may have good landscape reasons for recommending it be available for rural residential development, landscape is not the sole criterion in considering appropriate zoning. The narrow width of the road reserve of Mooney Road is a constraint which it appears the Council has not considered.”

“....the Council would be faced with choosing between taking adequate land the full length of Mooney Road to bring it up to standard, refusing consent to the proposal, or enabling some alternative access to the site with potential landscape effects that have not been considered.”

“The level of subdivision and development that would result would inevitably place pressure on Council to acquire land to widen Mooney Road or to agree to a significant departure from its standards for road formation.”

“We consider it would be remiss of the Council to zone land for development where that development potential may not be achievable due to infrastructure constraints such as this.”

“We note that infrastructure constraints such as this were not considered in the WB (Wakatipu Basin) Landscape Study.”

“Additionally, at least part of the land accessed off Mooney Road is within the catchment of Lake Hayes and should be rezoned Rural Amenity in the absence of any reticulated sewage scheme.”

“ We have also considered whether Precinct or Rural Amenity would be the most appropriate zoning in terms of our recommended objectives in Chapter 24 (of the Proposed District Plan). We find it difficult to conclude that zoning this area Precinct would satisfy Objective 24.2.4 which reads as follows:

“Subdivision and development, and use of land, maintains or enhances water quality, ecological quality, and recreation values while ensuring the efficient provision of infrastructure.”

“ In our view, the contained valley-like nature of the land accessed off Mooney Road means that further subdivision at the densities allowed by the Precinct provisions would inevitably push the newer development closer to the road, reducing the rural character of the area to an extent contrary to Policy 3.3.24.

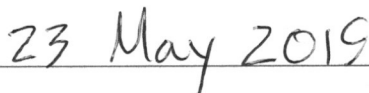
“For those reasons, we recommend the land accessed off Mooney Road be rezoned Rural Amenity.”

4. In conclusion, there has been sufficient expert evidence presented and considered by the Hearings Commissioners to validate and justify their decision to rezone the land accessed off of Mooney Road as Rural Amenity.

I do not agree to participate in mediation or other alternative dispute resolution of the proceedings.

A handwritten signature in cursive script, reading "Susan J. Hawwood", written over a horizontal line.

Signature

A handwritten date "23 May 2019" written over a horizontal line.

Date