

Appendix B - A copy of the Appellant's submission and further submissions

Submission on Queenstown Lakes Proposed District Plan 2015 - Stage 1

Clause 6 of the First Schedule, Resource Management Act 1991

To: Queenstown Lakes District Council
By email: services@qldc.govt.nz

Name of Submitter: Slopehill Joint Venture (c/o Vanessa Robb/ Rosie Hodson)

Phone: 03 450 0745

Email: vanessa.robb@andersonlloyd.co.nz/ rosie.hodson@andersonlloyd.co.nz

Postal address: PO Box 201, Queenstown 9348

1. This is a submission on the Queenstown Lakes Proposed District Plan 2015 - Stage 1 ("**the Proposed Plan**")
2. I am not a person who could gain an advantage in trade competition through this submission (clause 6(4) of Part 1 of Schedule 1 of the RMA 1991)
3. The specific provisions of the proposal that my submission relates to are: Chapter 3 (Strategic Direction), Chapter 6 (Landscapes), Chapter 21 (Rural Zone), Chapter 22 (Rural Lifestyle Zone), Chapter 27 (Subdivision) and Map 30.
4. I oppose the Proposed Plan Chapters 3, 6, 21, 22 and 27.
5. This submission relates to the following matters and seeks to achieve the following outcomes;
 - a. That the following land be rezoned as Rural Lifestyle in light of its particular characteristics:
 - Slopehill Road (legal description PT LOT 2 DP 26174) (identified as hatched on the attached Map at **Appendix 1**) (referred to as "the Blackler Family Block"). The Blackler Family Block has similar topography to the immediately neighbouring land zoned as Rural Lifestyle in the Proposed Plan. There is no justifiable reason for the exclusion of the Blackler Family Block from the extension of the Rural Lifestyle Zone up Slopehill Road.
 - The Blackler Family Block is surrounded by residential development on steeper terrain and appears inconsistent with the wider area when viewed in terms of development. There are no special ecosystems or vegetation to be protected on the Blackler Family Block.
 - The proposed Rural zoning of the Blackler Family Block is not an efficient use of resources in terms of sustainable management therefore Rural Zoning is no longer the most effective or efficient zoning.

- The Blackler Family Block cannot give effect to the proposed objectives and policies of the Rural Zone which are focussed on supporting productive farming and other agricultural activities. The block is not capable of productive farming and the owners have been unable to lease the block for rural use. Developing the block for rural living purposes will enhance the land and control weeds and fire risk.
 - The Blackler Family Block has attributes that make it highly desirable for rural living. It can accommodate rural living development without detracting from the landscape values of the Wakatipu.
- b. That the Rural Lifestyle Zone establishes a framework for the efficient and effective use of the natural resources of the district by providing for a comprehensive set of objectives and provisions to enable rural living and subdivision.
- c. That the District Plan provides a complete and comprehensive set of provisions to enable subdivision and other land uses in rural areas in addition to agricultural and farming uses.

I seek the following decision from the local authority: that the Proposed Plan be approved, subject to the changes identified in the table below and any consequential amendments required to give effect to the changes. In the alternative I seek any other changes/ relief as necessary or appropriate in order to address the matters and outcomes identified above, and the matters and issues identified in the reasons below.

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <u>underlined italics</u> and deleted text shown as italics strike through]
Chapter 3 – Strategic Direction			
Objective 3.2.1.4	Support in part	Objective 3.2.1.4 and Objective 3.2.5.5 and its allied policies overly emphasise the importance of farming activities and do not recognise that other important natural factors and processes, and human activities, have shaped the landscape character of the District.	1. Amend Objective 3.2.1.4 as follows: <i>Recognise the potential for rural areas to diversify their land use beyond the strong productive value of traditional rural activities including farming, provided a sensitive approach is taken to rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests.</i>
Objective 3.2.5.2 Minimise the adverse landscape effects of subdivision, use or	Oppose	The wording in this objective should be amended to better reflect RMA purpose and terminology.	1. Amend Objective 3.2.5.2 as follows: Minimise the adverse landscape effects of

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <u>underlined italics</u> and deleted text shown as italics-strike-through]
development in specified Rural Landscapes.		The wording in particular is unclear and does not allow for appropriate development, and does not use defined terminology such as the Rural Landscape Classification. (It is unclear what a specified Rural Landscape is and whether it should be read as any RLC). This objective should set out the requirement to identify the RLC areas and the policy below should then set up the regime to manage effects on these areas.	subdivision, use or development in specified Rural Landscapes. <u>Recognise the landscape character and visual amenity values of Rural Landscape Classification and manage the adverse effects of subdivision, use and development on these values.</u>
Policy 3.2.5.2.1 Identify the district's Rural Landscape Classification on the district plan maps, and minimise the effects of subdivision, use and development on these landscapes.	Oppose	The wording in this policy should be amended to better reflect RMA purpose and terminology, and does not complement the above objective.	1, Amend Policy 3.2.5.2.1 as follows. Identify the district's Rural Landscape Classification on the district plan maps, and minimise avoid, remedy or mitigate the adverse effects of inappropriate subdivision, use and development on these landscapes.
Policy 3.2.5.2.2	Support	The following has been split out as a separate policy from 3.2.5.2.1 above to set out the intent of the District Plan for those landscapes.	1. Insert following policy 3.2.5.2.2 <u>Avoid, remedy or mitigate the adverse effects of subdivision, use and development within these landscapes.</u>
Objective 3.2.5.3 Direct new subdivision, use or development to occur in those areas which have potential to absorb change without detracting from landscape and visual amenity values.	Support in part	The wording in this objective should be amended to better reflect RMA purpose and terminology. Any unnecessary or ambiguous wording should be deleted.	1. Amend Objective 3.2.5.3 as follows. Direct new <u>Encourage</u> subdivision, use or development to occur in those areas which have potential to absorb change without while recognising the importance of detracting from landscape and visual amenity values.

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <u>underlined italics</u> and deleted text shown as italics-strike-through]
<p>Objective 3.2.5.4 Recognise there is a finite capacity for residential activity in rural areas if the qualities of our landscape are to be maintained.</p>	Oppose	<p>The wording in this objective should be amended to better reflect RMA purpose and terminology. Any unnecessary or ambiguous wording should be deleted. This objective sets a higher threshold of protection than provided for in section 6 without justification in the section 32 report, and it is unworkable to provide an objective to <i>maintain</i> the qualities of landscapes</p>	<p>Decision sought [New text shown as <u>underlined italics</u> and deleted text shown as italics-strike-through]</p> <p>1. Delete Objective 3.2.5.4;</p> <p>Or</p> <p>2. Amend Objective 3.2.5.4 as follows.</p> <p>Recognise there is a finite <u>Provide for an appropriate future capacity</u> for residential activity in rural areas if the qualities of our <u>while recognising the importance of natural landscapes</u> are to be maintained.</p>
<p>Objective 3.2.5.5</p>	Oppose	<p>Objective 3.2.5.5 and its allied policies overly emphasise the importance of farming activities and do not recognise that other important natural factors and processes, and human activities, have shaped the landscape character of the District.</p>	<p>1. Amend Objective 3.2.5.5 as follows:</p> <p><u>Recognise that agricultural land use and other activities that rely on rural resources</u> is are <u>fundamental to the character of our landscapes.</u></p>
<p>Policy 3.2.5.5.1</p>	Support in part	<p>These policies overly emphasise the importance of farming activities and do not recognise that other important natural factors and processes, and human activities, have shaped the landscape character of the District.</p>	<p>1. Amend Policy 3.2.5.5.1 as follows:</p> <p><u>Give preference to farming activity and other activities that rely on rural resources in rural areas except where it conflicts with significant nature conservation values.</u></p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <u>underlined italics</u> and deleted text shown as italics strike through]
<p>Objective 3.2.6.1 Provide access to housing that is more affordable.</p>	Support in part	This objective needs to be broadened to reflect the current issue of land and housing supply in the district. One of the core issues related to housing affordability is the ability of land supply for that housing (as well as the housing itself).	<p>1. Amend Objective 3.2.6.1 as follows.</p> <p><u>Maintain and provide access to housing and land supply for housing that is more affordable.</u></p>
<p>Chapter 6 Landscapes</p> <p>Policy 6.3.1.4 That subdivision and development proposals located within the Rural Landscape be assessed against the assessment matters in provisions 21.7.2 and 21.7.3 because subdivision and development is inappropriate in many locations in these landscapes, meaning successful applications will be, on balance, consistent with the assessment matters.</p>	Oppose	This policy is opposed as it is inherently contradictory and does not currently reflect RMA purpose and terminology. The policy should not refer to specific assessment matters as the policy should be achievable in its own right. The current wording is also contradictory as it appears to presuppose decision outcomes.	<p>1. Amend Policy 6.3.1.4 as follows.</p> <p>That subdivision and development proposals located within the Rural Landscape <i>Classification</i> <u>be located and designed in such a manner that adverse effects on landscape character and visual amenity values are avoided, remedied, or mitigated, be assessed against the assessment matters in provisions 21.7.2 and 21.7.3 because subdivision and development is inappropriate in many locations in these landscapes, meaning successful applications will be, on balance, consistent with the assessment matters.</u></p>
<p>Policy 6.3.1.6 Enable rural lifestyle living through applying Rural Lifestyle Zone and Rural Residential Zone plan changes in areas where the landscape can accommodate change.</p>	Support in part	<p>This Policy is supported with suggested amendments in order to broaden the applicability of the policy to all types of rural living including a residential activity. It is not appropriate for this policy to refer to plan changes.</p> <p>The language should be consistent with higher order objectives and policies in the Proposed Plan such as the use of 'absorb' as compared</p>	<p>1. Amend Policy 6.3.1.6 as follows.</p> <p><u>Enable rural living through rural living zones in areas where the landscape can absorb change and through carefully considered development proposals, lifestyle and residential living through applying Rural Lifestyle Zones and Rural</u></p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <u>underlined italics</u> and deleted text shown as italics-strike-through]
<p>Policy 6.3.1.11 Recognise the importance of protecting the landscape character and visual amenity values, particularly as viewed from public places.</p>	Oppose	<p>The wording in this Policy should be amended to better reflect RMA purpose and terminology. This policy sets a higher threshold of protection than provided for in section 6 without justification in the section 32 report.</p>	<p>1. Amend Policy 6.3.1.11 as follows. Recognise the importance of protecting <u>avoiding, remedying, or mitigating adverse effects on</u> landscape character and visual amenity values, particularly as viewed from public places.</p>
<p>Objective 6.3.2 Avoid adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development.</p>	Oppose	<p>The wording in this objective should be amended to better reflect RMA purpose and terminology.</p>	<p>1. Amend Objective 6.3.2 as follows. Avoid <u>remedy or mitigate</u> adverse cumulative effects on landscape character and <u>visual</u> amenity values caused by <u>incremental inappropriate</u> subdivision and development.</p>
<p>Policy 6.3.2.1 Acknowledge that subdivision and development in the rural zones, specifically residential development, has a finite capacity if the District's landscape quality, character and amenity values are to be sustained.</p>	Oppose	<p>This wording should be amended to better reflect RMA purpose and terminology. Sustaining landscape quality, character and amenity values is not an appropriate district plan policy. This policy does not add value and is internally inconsistent as it could be argued that no development could be achievable if amenity values are to be <u>sustained</u>.</p>	<p>1. Delete Policy 6.3.2.1.</p>
<p>Policy 6.3.2.2 Allow residential subdivision</p>	Oppose	<p>Policy 6.3.2.2 should be amended to recognise that there are rural areas that can absorb development, whether in new areas or infill within existing areas, provided that landscape character and visual</p>	<p>1. Amend Policy 6.3.2.2 as follows Allow Provide for residential subdivision and</p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as underlined italics and deleted text shown as italics-strike-through]
<p>and development only in locations where the District's landscape character and visual amenity would not be degraded.</p>		<p>amenity values are not significantly adversely affected. This wording recognises that the landscape values are one component – albeit a very important component – in the overall determination of applications, and seeks that any potential adverse effects are properly considered in this determination.</p>	<p>development only in locations where the which <u>has regard to the District's landscape character and visual amenity values would not be degraded.</u></p>
<p>6.3.5 Objective - Ensure subdivision and development does not degrade landscape character and diminish visual amenity values of the Rural Landscapes (RLC).</p>	Oppose	<p>Objective 6.3.5 is modified by replacing "degrade" with "avoids, remedies or mitigates adverse effects on" which aligns with section 5(2)(c) of the Act. It also better provides for the different (and in many cases unique) circumstances of any particular development proposal where the adverse effects on landscape character and visual amenity values may, in the broad determination under section 5, not necessarily need to be completely avoided but could be adequately remedied or mitigated. The opportunities for this should be expressed in the policy.</p>	<p>1. Amend 6.3.5 Objective as follows. <i>Enable subdivision and development that degrade avoids, remedies or mitigates adverse effects on landscape character and diminish visual amenity values of the Rural Landscapes (RLC).</i></p>
<p>Policy 6.3.5.1 Allow subdivision and development only where it will not degrade landscape quality or character, or diminish the visual amenity values identified for any Rural Landscape.</p>	Oppose	<p>The wording in this policy should be amended to better reflect RMA purpose and terminology. This policy sets a higher threshold of protection than provided for in section 6 without justification in the section 32 report.</p>	<p>1. Amend Policy 6.3.5.1 as follows. <i>Avoid, remedy, or mitigate any adverse effects from inappropriate subdivision and development only where it will not degrade on landscape quality of character, or diminish the or visual amenity values identified for any Rural Landscape.</i></p>
<p>Policy 6.3.5.2 Avoid adverse effects from subdivision and development that are: <ul style="list-style-type: none"> Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this </p>	Oppose	<p>The wording in this policy should be amended to better reflect RMA purpose and terminology. This policy sets a higher threshold of protection than provided for in section 6 without justification in the section 32 report. Delete unnecessary language</p>	<p>1. Amend Policy 6.3.5.2 as follows. <i>Avoid remedy, or mitigate any adverse effects from subdivision and development that are:</i> <ul style="list-style-type: none"> Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and </p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <u>underlined italics</u> and deleted text shown as italics-strike-through]
<p>Plan); and</p> <ul style="list-style-type: none"> • Visible from public roads. 			<p>• Visible from public roads-</p>
<p>Policy 6.3.5.3 Avoid planting and screening, particularly along roads and boundaries, which would degrade openness where such openness is an important part of the landscape quality or character.</p>		<p>The wording in this policy should be amended to better reflect RMA purpose and terminology. The terminology of 'openness' is confusing as it is not expressed in terms of effects, and is not defined.</p> <p>Planting and screening is unlikely to have an effect on 'openness' whereas it does have effects on views and view shafts.</p>	<p>1. Delete Policy 6.3.5.3</p> <p>Or:</p> <p>2. Amend Policy 6.3.5.3 as follows.</p> <p>Avoid planting and screening, particularly along roads and boundaries, which would degrade openness—views where such openness—views are an important part of the— <u>for the appreciation of</u> landscape quality or character.</p>
<p>Policy 6.3.5.6 Have regard to the adverse effects from subdivision and development on the open landscape character where it is open at present.</p>		<p>The wording in this policy should be amended to better reflect RMA purpose and terminology. The reference to 'open' is confusing as it is not expressed in terms of effects, and is not defined.</p>	<p>1. Amend Policy 6.3.5.6 as follows.</p> <p>Have regard to the adverse effects from subdivision, use and development on the—open views of the landscape character <u>where those views are uninterrupted at present</u> it is—open at present.</p>
<p>21 Rural zone</p> <p>Objective 21.2.1 - Enable farming, permitted and established activities while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.</p>	<p>Support in part</p>	<p>This objective should be broad enough to encompass all of the policies which sit under it and give effect to it. Currently a number of policies giving effect to this objective are relevant to recreational values, which are not present in this objective. It is also submitted that not all of the activities identified will be capable of protection or enhanced through enabling farming.</p>	<p>1. Amend Objective 21.2.1 as follows.</p> <p>Enable farming, <u>and other activities that exist in rural areas</u>, permitted and established activities while protecting—maintaining—and enhancing <u>avoiding, remedying, or mitigating adverse effects on the values of</u> landscape, ecosystem services, nature conservation, rural amenity <u>and recreation</u>.</p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as italics-strike-through]
<p>Policy 21.2.1.1 Enable farming activities while protecting, maintaining and enhancing the values of indigenous biodiversity, ecosystem services, recreational values, the landscape and surface of lakes and rivers and their margins.</p>	Support	Not all of the activities identified will be capable of protection or enhanced through enabling farming. The language of this policy should be amended to better reflect the sustainable management purpose of the RMA.	<p>1. Amend policy 21.2.1.1 as follows.</p> <p>Enable farming <i>and other activities that exist in rural areas, activities while protecting, maintaining and enhancing the values of indigenous biodiversity, ecosystem services, recreational values, the landscape and surface of lakes and rivers and their margins.</i></p>
<p>Policy 21.2.8.1 Assess subdivision and development proposals against the applicable District Wide chapters, in particular, the objectives and policies of the Natural Hazards and Landscape chapters.</p>	Oppose	The wording in this policy should be amended to better reflect RMA purpose and terminology. This policy is ambiguous as it potentially elevates some chapters for consideration of subdivision and development over others. All relevant chapters should be considered as is relevant on a case by case basis for any particular subdivision or development.	<p>1. Amend Policy 21.2.8.1 as follows.</p> <p>Assess subdivision and development proposals against the applicable District Wide chapters, in particular, the objectives and policies of the Natural Hazards and Landscape chapters.</p>
<p>21.7.2 RLC assessment matters</p> <p>Policy 21.7.2.4 b. the proposed development is likely to be visually prominent such that it detracts from private views;</p> <p>Policy 21.7.2.5 development, including access, is located within the parts of the site where they</p>	Support in part	<p>The wording of these assessment matters should be amended to better reflect RMA purpose and terminology.</p> <p>Any criteria which has been repeated multiple times throughout these assessment matters has been deleted as it may create ambiguities and skew the weighting of these particular matters for consideration.</p> <p>Policy 21.7.2.7 in particular is unclear and may create inconsistencies with case law and the approach for decision makers to have regard to the future environment, the permitted baseline, and cumulative effects of development. This is not an appropriate policy for a district plan and it should be removed from this section.</p>	<p>1. Amend the assessment matters in 21.7.2 as follows:</p> <p>Delete the following from Policy 21.7.2.4;</p> <p>AND;</p> <p>b. the proposed development is likely to be visually prominent such that it detracts from private views;</p> <p>AND;</p> <p>Delete the following from Policy 21.7.2.5;</p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as <i>italics strike through</i>]
<p>will be least visible from public and private locations;</p> <p>Policy 21.7.2.7 Cumulative effects of development on the landscape:</p> <p>Taking into account whether and to what extent any existing, consented or permitted development (including unimplemented but existing resource consent or zoning) has degraded landscape quality, character, and visual amenity values. The Council shall be satisfied;</p> <p>a. the proposed development will not further degrade landscape quality, character and visual amenity values, with particular regard to situations that would result in a loss of valued quality, character and openness due to the prevalence of residential or non-farming activity within the Rural Landscape.</p> <p>b. where in the case resource consent may be granted to the proposed development but it represents a threshold to which the landscape could absorb any further</p>			<p>development, including access, is located within the parts of the site where they will be least visible from public and private locations;</p> <p>Delete Policy 21.7.2.7;</p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as underlined italics and deleted text shown as italics-strike-through]
development, whether any further cumulative adverse effects would be avoided by way of imposing a covenant, consent notice or other legal instrument that maintains open space.			
22 Rural Lifestyle Zone/ Rural Residential Zone			
Objective 22.2.1 - Maintain and enhance the district's landscape quality, character and visual amenity values while enabling rural living opportunities in areas that can avoid detracting from those landscapes.	Support in part	The objective is worded in the form of a policy and should instead be amended as aspirational outcome to be achieved. Use of the word "avoid" creates too stringent a test and does not enable implementation of policies intended to enable rural living.	Amend Objective 22.2.1 as follows: Maintain and enhance <u>The district's landscape quality, character and visual amenity values are maintained and enhanced while enabling rural living opportunities in areas that can avoid detracting from those landscapes are enabled</u>
Policy 22.2.1.1 Ensure the visual prominence of buildings is avoided, particularly development and associated earthworks on prominent slopes, ridges and skylines.	Support in part	The wording of this policy should be amended to better reflect RMA purpose and terminology.	Amend Policy 22.2.1.1 as follows: Ensure the visual prominence of buildings is avoided, <u>remedied, or mitigated</u> , particularly development and associated earthworks on prominent slopes, ridges and skylines
Policy 22.2.1.2 Set minimum density and building coverage standards so the open space, natural and rural qualities of the District's distinctive landscapes are not reduced.	Support in part	The wording of this policy should be amended to better reflect RMA purpose and terminology.	Amend Policy 22.2.1.2 as follows: Set minimum density and building coverage standards so <u>that adverse effects on the open space, natural and rural qualities of the District's distinctive landscapes are not reduced-mitigated</u>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <u>underlined italics</u> and deleted text shown as italics-strike-through]
<p>Objective 22.2.2 - Ensure the predominant land uses are rural, residential and where appropriate, visitor and community activities.</p>	Support in part	This objective is amended to recognise the primary use of this zone is to provide for rural living opportunities and is distinct from the Rural Zone.	Amend Objective 22.2.2 as follows Ensure the <u>Within the rural residential and rural lifestyle zones, predominant land uses are rural, residential and where appropriate, visitor and community activities.</u>
<p>Policy 22.2.2.2 Any development, including subdivision located on the periphery of residential and township areas, shall avoid undermining the integrity of the urban rural edge and where applicable, the urban growth boundaries.</p>	Oppose	This policy is unclear as the integrity of the urban rural edge is not defined or explained. The edge of the rural / rural residential zones is arbitrarily placed and does not provide for recognition of particular property boundaries and landscape values.	Delete Policy 22.2.2.2
<p>Rule 22.5.1 All buildings, including any structure larger than 5m², new, relocated, altered, reclad or repainted, are subject to the following in order to ensure they are visually recessive within the surrounding landscape: Exterior colours of buildings: 22.5.1.1 All exterior surfaces shall be coloured in the range of black, browns, greens or greys; 22.5.1.2 Pre-painted steel, and all roofs shall have a</p>	Support in part	<p>The permitted building materials and colours are supported in part. Rules 22.5.1.2 and 22.5.1.3 restricting the maximum reflectance values of surfaces and roofs are opposed. These rules are unduly restrictive to allow for the building of innovative materials such as solar panels and other green technologies.</p> <p>It is unclear whether the rule will capture materials that have no applied finishes such as locally sourced stacked stone, untreated wood, and unpainted concrete. This concern applies equally to the proposed standards relating to roof and walls colours. In terms of external finishes, this standard should be amended to relate to any material with or without any applied finish so as to capture the spectrum of possible material and colour combinations. Locally sourced stacked stone, such as schist, constructed in any number of ways (dry stacked, bagged, rendered, etc) may depending on light conditions fail to meet the very low reflectance standard of 30% for exterior finishes. The natural variation in this natural materials colour</p>	<p>1. Amend Rule 22.5.1 Building Materials and Colours as follows: All buildings, including any structure larger than 5m², new, relocated, altered, reclad or repainted, are subject to the following in order to ensure they are visually recessive within the surrounding landscape: <u>The Exterior colours of all buildings materials (treated, untreated, natural or manufactured, with or with any applied finish) shall be:</u> <u>22.5.1.1 All exterior surfaces shall be coloured in the range of black, browns, greens or greys.</u> <u>22.5.1.2 Pre-painted steel, and all roofs shall have a reflectance value not greater than 20% for roofs.</u> <u>22.5.1.3 Surface finishes shall have a reflectance</u></p>

Provision	Support/ Oppose	Reason	Decision sought (New text shown as underlined <i>italics</i> and deleted text shown as italics-strike-through)
<p>reflectance value not greater than 20%;</p> <p>22.5.1.3 Surface finishes shall have a reflectance value of not greater than 30%.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Whether the building would be visually prominent, especially in the context of the wider landscape, rural environment and as viewed from neighbouring properties. • Whether the proposed colour is appropriate given the existence of established screening or in the case of alterations, if the proposed colour is already present on a long established building. • The size and height of the building where the subject colours would be applied. 		<p>and types of construction techniques makes it very hard to determine such a value. However it is a material with a long associated tradition of use for building in central Otago and regarded as being a material that would contribute to a high quality finish. On that basis, this submission seeks to amend Rule 22.5.1 to ensure both the roof and external surfaces standards capture natural or manufactured materials that are treated or untreated together with an exemption relating to locally sourced stone (e.g. Schist).</p> <p>These rules do not allow specifically for the provision of green build technology such as solar panels which is incentivised elsewhere in the Proposed Plan.</p> <p>The rules are also contradictory to the higher level objectives and policies of this chapter and the strategic direction chapter which relate to the provision of a diverse supply of housing types, and other incentives for 'renewable energy' home building.</p>	<p>value of not greater than 30% for all other external surfaces. <u>Except that this rule shall not apply to any locally sourced stone (e.g. schist)</u></p> <p><u>These rules do not apply to any material or surface colours used inside any building.</u></p> <p><u>These rules do not apply to solar panels or other renewable energy building materials of this nature.</u></p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • <u>Whether the building would be visually prominent, especially in the context of the wider landscape, rural environment and as viewed from neighbouring properties.</u> • <u>Whether the proposed colour is appropriate given the existence of established screening or in the case of alterations, if the proposed colour is already present on a long established building.</u> <p>• <u>The size and height of the building where the subject colours would be applied.</u></p>
<p>Rule 22.5.3</p> <p>The maximum size of any building shall be 500m².</p> <p>Discretion is restricted to all of the following:</p>	Oppose	<p>The Building size limitation of 500m² should be removed. There is no justification for limiting the size of buildings in this zone to half of what is provided for in a building platform, being 1000m²</p> <p>The effects of the visual dominance of building sin terms of location, external appearance etc. This does not provide a sound justification</p>	<p>1. Delete Rule 22.5.3;</p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as italics-strike-through]
<ul style="list-style-type: none"> • Visual dominance. • The effect on open space, rural character and amenity. • Effects on views and outlook from neighbouring properties. • Building design and reasons for the size. 		<p>as the effects of building a 500m² home as opposed to a 1000m² are similar. The visual dominance will not be adequately controlled through this rule as it will encourage higher home builds in many places.</p> <p>This rule is also contradictory to Objective 3.2.6.2 to Ensure a mix of housing opportunities.</p> <p>There is no justification in terms of sustainable management for this limitation. And there has been no alternative considered to this rule- the alternative suggested only related to providing for less development controls in the form of permitting a higher range of colours.</p>	<p>1. Delete Rule 22.5.12.3; or</p> <p>2. Amend Rule 22.5.12.3 as follows:</p> <p>On sites equal to or greater than 2 hectares there shall be no more than one residential unit per two hectares on average. For the purpose of calculating any average, any allotment greater than 2 hectares, including the balance, is deemed to be 2 hectares.</p>
<p>Rule 22.5.12.3. On sites equal to or greater than 2 hectares there shall be no more than one residential unit per two hectares on average. For the purpose of calculating any average, any allotment greater than 4 hectares, including the balance, is deemed to be 4 hectares.</p>	Oppose	<p>There is no justification for the requirement for a 2 hectare average in this zone. This restriction does not meet the purpose of the RMA as it is not an efficient and effective use of land within the rural lifestyle zone which is established for rural living purposes and is a scarce land resource.</p> <p>This rule is contradictory to Objective 3.2.6.1 to Ensure a mix of housing opportunities. It is also contradictory to higher level objectives and policies relating to the provision of housing and land supply for housing, including policy 22.2.1.3 (Rural Lifestyle).</p> <p>The section 32 analysis does not adequately consider alternatives to the 2ha average rule- the only alternative considered was to emulate the 'general rural lifestyle zone'. The 2ha average is not considered in terms of the economic costs and benefits of utilising this residential land, as is required.</p> <p>The 2ha average rule should be reduced to a 1ha average. Reduction of the average would provide for a greater density and the most</p>	

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as italics-strike-through]
		<p>efficient and effective use of resources in this zone. This will allow for a range of flexible planning outcomes as an average size for subdivision anticipates that some lots may suitably be less than 1ha and some may be more, for example in light of topography and other natural characteristics of the land.</p> <p>In the alternative, if a 1ha average is not accepted, a minimum lot size of 1ha in the subdivision chapter should replace the need for this rule, and this rule should be deleted.</p>	
<p>27 Subdivision and development chapter Chapter 27</p>	Oppose	<p>Chapter 27 is opposed.</p> <ul style="list-style-type: none"> • The notified provisions relating to subdivision and development in Chapter 27 of the Proposed District Plan provide a significant change in approach to the current regime of subdivision control under the Operative Plan. The default status of subdivision as proposed is "discretionary" (unrestricted), this removes matters of control and related assessment matters and the comprehensive objectives and policies which are well understood and defined in the Operative Plan. These changes are coupled with a non-notification clause relating to most discretionary activities. • The basis for this change appears to be driven by a desire to increase efficiency through a reduction in the length and complexity of the provisions. • This submission considers that the Council has failed to properly assess the options in undertaking this approach in relation to transaction costs, resource consent processing time, uncertainty and relative efficiencies of other approaches including retention of the status quo, as required 	<p>1. Delete Chapter 27 and replace with the Queenstown Lakes District Council Operative District Plan -Chapter 15.</p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as italics-strike through]
<p>Chapter 27- Alternative submission</p> <p>Rule 27.4.1 All subdivision activities are discretionary activities, except other stated</p>	<p>Oppose</p>	<ul style="list-style-type: none"> • under section 32 of the RMA. • Subdivision certainty is key to efficient and effective uses of resources in the district, and this is facilitated by clear understanding of the outcomes which can be achieved in any particular zone or area. If subdivisions are retained in any completely discretionary activity, then subdivision may be appropriate in any give zone, but not on every particular site. A case by case assessment is required and despite the certainty of non-notification there is no certainty as to what might be approved. This could result in undesirable and ad-hoc planning outcomes. • On this basis, this submission seeks changes to Chapter 27 Subdivision to reintroduce the existing operative subdivision regime, or to introduce a controlled activity status for subdivision where possible, and where prescribed standards relating to allotment size and services and other assessment matters are met. 	<p>1. Amend Rule 27.4.1, as follows: <i>All subdivision activities are discretionary controlled activities, except as otherwise stated:</i></p> <p><i>Council's control is limited to:</i></p> <ul style="list-style-type: none"> • <i>Lot sizes, averages and dimensions</i> • <i>Subdivision design</i> • <i>Property access</i> • <i>Esplanade provision</i>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as underlined <i>italics</i> and deleted text shown as <i>italics-strike-through</i>]
			<ul style="list-style-type: none"> • <u>Natural hazards</u> • <u>Fire fighting water supply</u> • <u>Water supply</u> • <u>Stormwater disposal</u> • <u>Sewage treatment and disposal</u> • <u>Energy supply and telecommunications</u> • <u>Open space and recreation</u> • <u>Easements</u> • <u>The nature, scale and adequacy of environmental protection measures associated with earthworks</u> <p><u>All subdivision activities in the Rural Zone are Discretionary activities.</u></p> <p>2. Amend the relevant subdivision objectives and policies as appropriate so that they inform and achieve the controlled activity status subdivision described above.</p>
<p>Rule 27.5.1 – rural lifestyle minimum lot area</p> <p>One hectare providing the average lot size is not less than 2 hectares.</p> <p>For the purpose of calculating any average, any allotment greater than 4 hectares,</p>	Oppose	<p>For the reasons identified above in relation to rule 22.5.12.3, there is no justification for the requirement for a 2 hectare average in this zone. This restriction does not meet the purpose of the RMA in that it is not an efficient and effective use of land within the rural lifestyle zone which is established for rural living purposes.</p> <p>Many of the lot sizes in the rural lifestyle zone are under 4ha meaning that the 2ha average effectively disables those people from further subdividing their land. This will create inconsistencies across the zone</p>	<p>1. Amend Rule 27.5.1 as follows:</p> <p>One hectare providing the average lot size is not less than 2 hectares.</p> <p>For the purpose of calculating any average, any allotment greater than 4 hectares, including the balance, is deemed to be 4 hectares.</p> <p><u>An average lot size of not less than 1 hectare.</u></p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as underlined <i>italics</i> and deleted text shown as <i>italics-strike-through</i>]
including the balance, is deemed to be 4 hectares.		<p>as future subdivision occurs on larger lots, but slightly smaller lots will not be able to achieve the same outcomes. The land in this zone is capable of further intensification and development and is already identified as providing for rural living opportunities. A greater density than the 2ha average will provide for a better planning outcome through the effective use of resources and will give effect to the higher order policies and objectives in the Proposed Plan such as the provision of housing and land supply for housing, including policy 22.2.1.3 (Rural Lifestyle)</p> <p>The section 32 analysis does not adequately consider alternatives to the 2ha average rule- the only alternative considered was to emulate the 'general rural lifestyle zone'. The 2ha average is not considered in terms of the economic costs and benefits of utilising this residential land, as is required.</p> <p>The 2ha average rule should be reduced to a 1ha average. In the alternative, if a 1ha average is not accepted, a minimum lot size of 1ha in the subdivision chapter should replace the need for this rule, and this rule should be deleted.</p>	<p>Decision sought [New text shown as underlined <i>italics</i> and deleted text shown as <i>italics-strike-through</i>]</p> <p><i>For the purpose of calculating any average, any allotment greater than 2 hectares, including the balance, is deemed to be 2 hectares.</i></p> <p>OR:</p> <p>2. Amend Rule 27.5.1 as follows:</p> <p><i>One hectare</i></p>
Map 30- Lake Hayes	Oppose	<p>The zoning boundary of the Rural and Rural lifestyle zones is opposed.</p> <p>The rural lifestyle zone should be amended to extend to cover the following lot:</p> <p>Slopehill Road (legal description PT LOT 2 DP 26174)</p> <p>This land is not suitably classified as Rural Landscape Classification in the Rural zone as it is capable of absorbing development and is adjacent to land zoned as Rural Lifestyle which impact on the natural character values of the subject land. This land is not capable of productive farming or agriculture use and as such does not meet the</p>	<p>1. Amend Map 30 to:</p> <p>Rezone the following lot as exclusively in the Rural Lifestyle zone:</p> <p><i>Slopehill Road (legal description PT LOT 2 DP 26174)</i></p> <p>The proposed rezoning of this land is hatched in the attached Map at Appendix 1.</p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as <i>italics-strike-through</i>]
		<p>higher order policies and objectives of the Rural Zone chapter.</p> <p>The proposed zoning does not allow for efficient and effective use of this land resource.</p> <p>The proposed rezoning of this land is hatched in the attached Map at Appendix 1.</p>	

6. Further grounds for the submission points outlined in the above table are that:
 - The section 32 evaluation does not establish that the provisions of the Proposed Plan addressed in this submission are most appropriate to achieve the purpose of the RMA. And the evaluation does not adequately assess alternative provisions, such as those proposed in this submission.
 - The benefits and costs of the effects of the provisions referred to above in respect of the Rural Lifestyle, Rural and Landscape chapters, have not been appropriately assessed or quantified in accordance with section 32 of the RMA, nor have they been assessed with regards to their suitability for giving effect to the relevant objectives. In particular, the objectives and policies in the Rural chapter which provide a strong preference for agriculture and farming activity have not been adequately justified. The Proposed Plan as notified does not strike an appropriate balance between accepting the inevitability of growth within the District, and how landscape values can be managed in light of this growth. The over importance placed upon farming activities in the Rural Zone renders much of this land incapable of efficient and effective future use and development. Farming is one method of utilising rural resources but the economic opportunities in the future are uncertain. Other activities that require a rural location such as residential uses may also provide economic wellbeing for landowners and the wider community. These activities should be supported and enabled through clear policy objectives and rules.
 - The provisions in the Rural and Strategic Direction chapters create an emphasis on the protection of all landscapes without provision for appropriate use and development. This approach does not achieve the sustainable management purpose of the RMA. This submission seeks that all such objectives and provisions are amended in light of the sustainable management language of the RMA. The District Plan should balance the protection and use and development of all natural and physical resources, taking into account particular section 6 and 7 matters requiring protection and maintenance. Any objectives and policies which provide for a higher level of protection than that specified in Part 2 of the RMA without clear justification in a section 32 analysis should either be deleted or amended accordingly.
7. I wish to be heard in support of my submission.

8. I will consider presenting a joint case with others presenting similar submissions.



Slopehill Joint Venture
By its duly authorised agents
ANDERSON LLOYD
Per: Vanessa Robb

Address for service of Submitter:

Anderson Lloyd
PO Box 201
QUEENSTOWN 9348
Tel 03 450 0700
Fax 03 450 0799

Appendix 1 - Map 30 (identified rezoning hatched)

Further Submission on Queenstown Lakes Proposed District Plan 2015 - Stage 1

Clause 8 of the First Schedule, Resource Management Act 1991

To: Queenstown Lakes District Council
By email: services@qldc.govt.nz

Name of Submitter: Slopehill Joint Venture, Submitter number #510

(c/o) Vanessa Robb/ Rosie Hodson

Phone: 03 450 0745

Email: vanessa.robb@andersonlloyd.co.nz/rosie.hodson@andersonlloyd.co.nz

Postal address: PO Box 201, Queenstown 9348

1. This is a further submission in support of/ in opposition to submissions on the **Proposed District Plan – Stage 1**.
2. In accordance with clause 8(1) of the RMA, we are:
 - a) A person who has an interest in the proposal that is greater than the interest the general public has;
 - i. Slopehill Joint Venture Limited has property interests in the area of Slopehill Road;
 - ii. The submissions identified below all have a proximate connection to the Slopehill Joint Ventures land. Its land may be potentially directly affected by matters raised in the submissions detailed in the Table below.
 - iii. The Submitter prepared a Submission under clause 6 Schedule 1 of the RMA on the Proposed Plan seeking that its Property be rezoned as within the Rural Lifestyle Zone.
 - b) Without limiting the reasons listed in the Table below, the Submitter opposes the identified submissions which seek for land located off Slopehill Road to be retained as within the Proposed "Rural Zone". Retaining the land in this area within the Rural Zone is not
3. Reasons for further submission:
 - b) Without limiting the reasons listed in the Table below, the Submitter opposes the identified submissions which seek for land located off Slopehill Road to be retained as within the Proposed "Rural Zone". Retaining the land in this area within the Rural Zone is not

considered to promote the sustainable management purpose of the RMA, nor provide for the most efficient and effective use of land resources.

- c) The land located off Slopehill Road has historically been capable of productive farming, but this is no longer a viable occupation for the owners of this land. The land is capable of absorbing further effects of rural living, without creating inappropriate adverse effects on the landscape.
- d) The rezoning of land along parts of Lower Shotover Road to "Rural Lifestyle Zone" is supported as this appropriately reflects the productive potential of this land, and its inability to be classified as 'Rural'. This land is capable of absorbing the effects of future residential development and its classification as Rural Lifestyle will achieve the higher order objectives and policies of the Proposed Plan, such as recognising a need for increased housing and land supply, and the desire to locate residential areas within landscapes which are capable of absorbing such development. The extension of this Rural Lifestyle zoning further up Slopehill Road will create a contiguous and cohesive zoning of Rural Lifestyle land across the appropriate parts of the Wakatipu Basin which are no longer reasonably classified as rural.

Submission (number/ name and address)	Support / Oppose	Provision(s)	Reasons	Decision sought
#238 NZIA Women in Architecture + Women Southern PO Box 486 Queenstown, Queenstown 9348 nortyqt@xtra.co.nz	Oppose	Chapter 22 Rural Residential and Rural Lifestyle Proposed Planning Map 30	The submission is opposed, it is based upon a broad assertion of the characteristics of a range of land in the Wakatipu Basin and is not based upon the ability of that land to be rezoned on a case by case basis. Seeking retention of the rural areas as currently identified in the Operative Plan will not contribute to efficient and effective use of resources.	Disallow the submission.

<p>#348 Mrs M K Greenslade Attn: Nick Geddes Clark Fortune & McDonald Associates PO Box 553, Queenstown, New Zealand, 9348 ngeddes@cfma.co.nz</p>	<p>Support</p>	<p>Chapter 22 Rural Residential and Rural Lifestyle Proposed planning Maps 26-30</p>	<p>The Submission is supported in its entirety. The rezoning is considered to achieve the most efficient and effective use of resources as that land is no longer capable of rural productivity and can appropriately absorb further residential development.</p>	<p>The submission be allowed.</p>
<p>#841 Mr M and Mrs J Henry C/o John Edmonds & Associates Limited reception@jea.co.nz</p>	<p>Support</p>	<p>Chapter 22 Rural Lifestyle Proposed Planning Map 30</p>	<p>The Submission is supported in its entirety. The subject site of submission 841 is within close proximity to the Submitters Property and therefore the effects of rezoning are directly relevant to the Submitter. The rezoning is considered to achieve the most efficient and effective use of resources as that land is no longer capable of rural productivity and can</p>	<p>The submission be allowed.</p>

<p>#854 Slopehill Properties Limited C/o John Edmonds and Associates reception@jea.co.nz</p>	Support	<p>Chapter 22 Rural Lifestyle Proposed planning Map 30</p>	<p>appropriately absorb further residential development. The Submission is supported in its entirety The rezoning is considered to achieve the most efficient and effective use of resources as that land is no longer capable of rural productivity and can appropriately absorb further residential development.</p>	The submission be allowed.
<p>#231 Antony Strain and Sarah Strain and Samuel Strain c/o Emma Dixon CFMA 553, Queenstown, New Zealand, 9348 edixon@cfma.co.nz</p>	Support	<p>Chapter 22 Rural Lifestyle Proposed planning Map 30</p>	<p>The Submission is supported insofar as it seeks rezoning to Rural Lifestyle Zone. The subject site of submission 231 is within close proximity to the Submitters Property and therefore the effects of rezoning are directly relevant to the Submitter. The rezoning is considered to achieve the most efficient and effective use of resources as that land is no longer capable of rural productivity.</p>	he submission be allowed.
<p>#232 Don Andrew, Kathleen Andrew and Roger Maccassey</p>	Support	<p>Chapter 22 Rural Lifestyle Proposed planning</p>	<p>The Submission is supported in its entirety The rezoning is considered to achieve the most efficient and effective use of resources as that land is</p>	The submission be allowed.

<p>c/o Emma Dixon CFMA 553, Queenstown, New Zealand, 9348 edixon@cfma.co.nz</p>		<p>Map 30</p>	<p>no longer capable of rural productivity and can appropriately absorb further residential development. The rezoning sought also includes the submitter's property</p>	
<p>#27 John, Jane, Graeme Troon, Todd, Todd PO Box 124, Queenstown, 9348</p>	<p>Oppose</p>	<p>Chapter 22 Rural Lifestyle Proposed planning Map 30</p>	<p>The submission is opposed in its entirety as it seeks to confirm the zoning shown for the area east of Lower Shotover Road on Planning Map 30 and in particular the location of the boundaries between the Rural Lifestyle and Rural General Zones. Seeking retention of the rural areas as currently identified in the Operative Plan will not contribute to efficient and effective use of resources.</p>	<p>Refuse the submission.</p>

- 4. I wish to be heard in support of my submission.
- 5. I will consider presenting a joint case with others presenting similar submissions.



.....
Slopehill Joint Ventures Limited

By its duly authorised agents

ANDERSON LLOYD

Per: Vanessa Robb

Address for service of Submitter:

Anderson Lloyd

PO Box 201

QUEENSTOWN 9348

Tel 03 450 0700

Fax 03 450 0799

Submission on Queenstown Lakes Proposed District Plan Stage 2

Under Clause 6 of the First Schedule, Resource Management Act 1991

To: Queenstown Lakes District Council

Submitter: Slopehill Joint Venture

1. This is a submission on the Queenstown Lakes Proposed District Plan – Stage 2 (**Proposed Plan**)
2. The Slopehill Joint Venture (**Submitter**) could not gain a trade competition advantage through this submission (clause 6(4) of Part 1 of Schedule 1 of the RMA 1991).
3. The specific provisions that this submission relates to are: Chapter 24 Wakatipu Basin Variation (**Variation**), Chapter 27 Subdivision, Chapter 3 (Strategic Direction), Chapter 6 (Landscapes), Map 13d, and Map 30.

Introduction

4. This Submission is made in addition to the Submitter's submission and further submission on Stage 1 of the Proposed District Plan. The relief sought in this submission should be considered in conjunction with and not replacing relief sought in the Stage 1 submission.
5. The Submitter opposes the Proposed Plan Chapters 3, 6, 24, and 27 insofar as they relate to the land located on Slopehill Road, being the land contained in certificate of title OT18D/61 (**Land**).
6. The Land is zoned Wakatipu Basin Rural Amenity Zone (**WBRAZ**) under the Variation and is identified in Schedule 24.8 as part of Landscape Character Unit (**LCU**) 11 "Slope Hill 'Foothills'".
7. Under the Operative District Plan (**ODP**) the Land is identified on Planning Map 30 as Rural General Zone.
8. The Land was identified on Planning Map 30 as Rural under Stage 1 of the Proposed District Plan.

Reasons for the Submission

9. The Variation as notified does not reflect the current and historical development which has occurred in the Wakatipu Basin. It provides for an arbitrary subdivision and development regime which does not recognise or provide for the enabling of any social, economic and cultural benefits of providing for rural living opportunities within the Basin. In particular, the introduction of a minimum 80ha lot size in the

Wakatipu Basin Rural Amenity Zone does not reflect the existing rural residential and rural lifestyle character of the Basin, and will result in an inefficient land use regime which does not necessarily protect landscape values.

10. The Variation is not supported by an adequate section 32 analysis, including any assessment of the costs and benefits of the proposal. This is particularly evident given the lack of recognition proposed to be afforded to landholdings with existing development rights, such as already approved building platforms. Removing those rights for landholders within the Basin will have serious detrimental effects for the wider District as well as those individual landowners.
11. Landowners have made significant capital investment in their properties. The change of zoning to the WBRAZ has the potential to undermine that investment and introduce considerable uncertainty for owners, particularly those who have not exercised the entitlements afforded by the existing zonings and building platforms, including the construction of a dwelling or subdivision.
12. Given the existing character, topography, and landscape of the Land, this Land has the potential to absorb further rural lifestyle type subdivision and development while maintaining amenity and landscape character of the area and without resulting in inappropriate adverse environmental effects. The Land is identified across LCU 11, which is identified as having "low" absorption capability for further development. This classification is not consistent with the existing and potential development of the surrounding area.

Summary of Relief

13. The Submitter seeks the following decision:
 - That the Variation be refused in its entirety, in particular as it pertains to the Land;
 - If the Variation is to be retained, that the Land be rezoned as Wakatipu Basin Lifestyle Precinct (**WBLP**), subject to specific amendments being made to the Variation and other identified chapters of the Proposed Plan which provide for an efficient and integrated planning outcome;
 - Amend LCU 11 so that it reflects the ability of the Land to absorb the effects of further rural living subdivision and development.
 - Support variation in subdivision layout and design through a minimum average density rather than a minimum lot size rule for the WBLP;
 - Support a range of densities across different WBLP areas, noting that the Land is suited to a 1ha average density identified as Precinct 'B' in **Appendix 1**.
 - The Submitter further seeks any alternative or consequential changes/relief as necessary or appropriate and within scope for the Submitter to pursue in order to address the matters and outcomes identified in this Submission.

14. The Table below sets out a summary of reasons for specific amendments sought to provisions in the Proposed Plan. These amendments are also reflected in track changes identified to Chapter 24 and 27 included as **Appendix 1** and **2** to this Submission.

Provision	Support/Oppose	Reasoning	Decision sought (New text shown as <i>underlined italics</i> and deleted text shown as strikethrough)
Chapter 3 –Strategic Direction (right of reply version)			
3.2.5.4.3 New policy	Include new policy	The current policy 3.2.5.4.2 recognises the need to 'provide for rural living opportunities in appropriate locations'. This is the only positive policy which acknowledges the existence and benefits of rural living development. In light of the new objective and policy suite sought in Chapter 24, which further recognises the benefits of rural living development, it is important that this is also recognised at the strategic level.	3.2.5.4.3 New Policy – <u>Recognise and provide for the amenity, social, cultural, and economic benefits of rural living development.</u>
3.2.5.5 Objective - The character of the district's landscapes is maintained by ongoing agricultural land use and land management	Oppose	The Wakatipu Basin Variation acknowledges that the character of the Basin is not predominantly derived from agricultural practices any longer, and is rather a mixed character which has evolved through rural and rural living subdivision and development. Given the Wakatipu Basin Rural Amenity Zone (WBRAZ) and Wakatipu Basin Lifestyle Precinct (Lifestyle Precinct) are a subset of 'rural land' and this Objective is not exclusive to Rural zoned land, it is important that this preference for continued agricultural use is only favoured where that is central to landscape character at present.	3.2.5.5 Objective - The character of the district's landscapes is maintained by ongoing agricultural land use and land management <u>where landscape character is derived from predominantly agricultural use.</u>
Chapter 6 – Landscapes (right of reply version)			
6.2 Values		Chapter 6 was not promulgated with the Wakatipu Basin Variation in mind and therefore requires additional consequential changes to give specific policy support to those zones and subzones within the landscapes higher order chapter. The WBRAZ and Lifestyle Precinct recognises that landscape	6.2 Values ...Some rural areas, particularly those closer to Queenstown and Wanaka town centres and within parts of the Wakatipu Basin, have an established

<p>established pattern of housing on smaller landholdings. The landscape character of these areas has been modified by vehicle accesses, earthworks and vegetation planting for amenity, screening and shelter, which have reduced the open character exhibited by larger scale farming activities.</p> <p>While acknowledging these rural areas have established rural living and development there is limited capacity for sensitive and sympathetic housing and development in appropriate locations. 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. It is realised that rural living development has a finite capacity if the District's distinctive rural landscape values are to be sustained</p>		<p>character and amenity values are not predominantly derived from agricultural uses, but rather a historic and evolved pattern of rural living and other lifestyle uses. It is also recognised, by way of the Precinct zoning, that there are places which are able to absorb further rural living subdivision and development and this needs to be recognised at the descriptive level of this chapter.</p>	<p>pattern of housing on smaller landholdings. The landscape character of these areas has been modified by vehicle accesses, earthworks and vegetation planting for amenity, screening and shelter, which have reduced the open character exhibited by larger scale farming activities.</p> <p>While Acknowledging these rural areas have established rural living and development, and landscape character and amenity values are derived from that evolved land use, there is limited capacity for further sensitive and sympathetic subdivision housing and development in appropriate locations where this maintains and enhances existing landscape and amenity values. 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. It is realised that rural living development has a finite capacity if the District's distinctive rural landscape values are to be sustained has benefits for the District and can also can maintain and enhance rural landscape values where this is located in areas which have the ability to absorb further subdivision and development</p>
<p>Policy 6.3.2 That subdivision and development proposals located within the Outstanding Natural Landscape, or an Outstanding Natural Feature, be assessed against the assessment matters in provisions 21.7.1 and 21.7.3 because subdivision and development is inappropriate in almost all locations within the Wakatipu Basin, and inappropriate in many locations throughout the District wide Outstanding Natural Landscapes</p>	<p>Oppose</p>	<p>The Wakatipu Basin does not include ONF/ONL zoned land and is therefore not intended to be captured by this policy.</p> <p>The statement that subdivision and development is inappropriate in almost all locations in the Wakatipu Basin is in direct contradiction to the WBRAZ and Lifestyle Precinct provisions which provide for an effects-based approach to further development.</p>	<p>Policy 6.3.2 That subdivision and development proposals located within the Outstanding Natural Landscape, or an Outstanding Natural Feature, be assessed against the assessment matters in provisions 21.7.1 and 21.7.3 because subdivision and development is inappropriate in almost all locations within the Wakatipu Basin, and inappropriate in many locations throughout the District wide Outstanding Natural Landscapes</p>
<p>Policy 6.3.1.5 Encourage Rural Lifestyle and Rural Residential Zone plan changes in preference to ad-hoc subdivision and development and</p>		<p>There is no lower order policy support in the Lifestyle Precinct or rural living zones for a preference to direct plan changes over resource consent applications for further development.</p>	<p>Policy 6.3.1.5 Encourage rural living, Rural Lifestyle Zone and Rural Residential Zone plan changes in preference to ad-hoc subdivision and development and ensure</p>

<p>ensure these occur in areas where the landscape can accommodate change</p>			<p>these where this occurs in areas where the landscape can accommodate change</p>
<p>New Policy 6.3.1.x</p>		<p>Currently this policy suite provides for the protection of rural amenity values from further rural living subdivision and development, however does not recognise specific amenity benefits of this development, as requested to be included in Chapter 24.</p> <p>New policy recognition is required within Chapter 6 which specifically recognises the Wakatipu basin distinct character, its separate development and subdivision regime, and the benefits of the same.</p>	<p>New Policy 6.3.1.x - Recognise the distinctive character of the Wakatipu Basin and the amenity benefits of rural living development in this area.</p>
<p>Variation to Stage 1 Landscapes Chapter 6:</p> <p>Part 6.2 Values - Last paragraph: Delete.</p> <p>Landscapes have been categorised into three classifications within the Rural Zone. These are Outstanding Natural Landscapes (ONL) and Outstanding Natural Features (ONF), where their use, development and protection are a matter of national importance under Section 6 of the RMA. The Rural Landscapes Classification (RLC) makes up the remaining Rural Zoned land and has varying types of landscape character and amenity values. Specific policy and assessment matters are provided to manage the potential effects of subdivision and development in these locations.</p> <p>Part 6.4 Rules - Amend:</p> <p>6.4.1.2 The landscape categories apply only to the Rural Zone. The Landscape Chapter and Strategic Direction Chapter's objectives and policies are relevant and applicable in all zones where landscape values are at issue.</p>		<p>It is not efficient to assess development in all zones not zoned rural against landscape classification objectives, policies and assessment matters. Those zones have been assumed to particularise landscape issues where they are relevant within the lower order chapter.</p> <p>Rural living zones including the Lifestyle Precinct are areas which by their definition are considered to be able to absorb some effects of further subdivision and development. Those chapters already particularise landscape concerns and it is unnecessary to require further assessment against the entirety of Chapter 6.</p>	<p>Variation to Stage 1 Landscapes Chapter 6:</p> <p>Landscapes have been categorised into three classifications within the Rural Zone. These are Outstanding Natural Landscapes (ONL) and Outstanding Natural Features (ONF), where their use, development and protection are a matter of national importance under Section 6 of the RMA. The Rural Landscapes Classification (RLC) makes up the majority of the remaining Rural Zoned land [except for Rural Residential, Rural Lifestyle, and Wakatipu Basin Lifestyle Precinct zones] and has varying types of landscape character and amenity values. Specific policy and assessment matters are provided to manage the potential effects of subdivision and development in these locations.</p> <p>Part 6.4 Rules - Amend:</p> <p>6.4.1.2 The landscape categories apply only to the Rural Zone, with the exception of the following areas in the Rural Zones: The Landscape Chapter and Strategic Direction Chapter's objectives and policies are relevant and applicable in all zones</p>

<p>6.4.1.3 The landscape categories assessment matters do not apply to the following within the Rural Zones:</p> <p>a. Ski Area Activities within the Ski Area Sub Zones. b. The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps. c. The Gibbston Character Zone. d. The Rural Lifestyle Zone. e. The Rural Residential Zone</p>			<p>where landscape values are at issue:</p> <p>6.4.1.3 The landscape categories assessment matters do not apply to the following within the Rural Zones:</p> <p>a. Ski Area Activities within the Ski Area Sub Zones. b. The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps. c. The Gibbston Character Zone. d. The Rural Lifestyle Zone. e. The Rural Residential Zone <u>f. The Wakatipu Basin Lifestyle Precinct</u></p>
<p>Chapter 21 (Rural Zone – Assessment matters Right of Reply)</p> <p>21.7.2 – 21.7.3 RLC Assessment Matters</p>		<p>If the submission above is not accepted and the landscape categories (including assessment matters) are applied to all zones, including the WBRAZ, then further amendments are required as set out.</p> <p>Further additions to RLC assessment matters are required to be included given Chapter 6 was promulgated without the Wakatipu Basin variation in mind. These additions recognise the specific and different character of the Basin, and the intention that further development in this Zone be led by an effects-based planning approach which is primarily guided by detailed landscape classification units.</p>	<p>21.7.2.3 Effects on landscape quality and character</p> <p>c. whether the design and any landscaping would be compatible with or would enhance the quality and character of the Rural Landscape and the characteristics identified in the applicable Landscape Classification Units (for development within the <u>Wakatipu Basin Rural Amenity Zone</u>).</p> <p>21.7.2.4 Effects on visual amenity</p> <p>Whether the development will result in a loss of the visual amenity of the Rural Landscape, having regard to whether and the extent to which:</p> <p>...</p> <p>g. the proposed development complements existing landscape character and development patterns and characteristics as described in the applicable Landscape Classification Units (for development within the <u>Wakatipu Basin Rural Amenity Zone</u>).</p>

			<p>21.7.3.3 other factors and positive effects, applicable in all the landscape categories</p> <p>g. <u>Whether the proposed development provides for rural living opportunities in areas which are capable of absorbing effects of further rural living subdivision and development.</u></p>
<p>Chapter 24 – Wakatipu Basin Chapter 24 and Stage 2 Map 13d – Wakatipu Basin Rural Amenity Zone</p>	<p>Oppose</p>	<p>The proposed zoning under the Wakatipu Basin Variation as set out in Chapter 24 is opposed in full. The proposed zoning does not sufficiently take into consideration the actual character and current utilisation of land in the Basin, and inappropriately zones certain areas as Rural Amenity while in reality they are of a Lifestyle Precinct character. There is a mismatch between the limitations enforced under the proposed zones, and the use and general character of the land in practice. Inaccurately zoning land in this manner will be a barrier to sensible development of the Wakatipu Basin in the future.</p> <p>What is sought is zoning that sufficiently takes into consideration the actual character and practical use of the land, through comprehensive landscape assessment, and zones the land accordingly. Lifestyle Precinct zoning should be extended to areas within the Basin where actual use of the land is beyond what is allowed for under the Rural Amenity restrictions.</p>	<p>1. Amend Chapter 24: As per the amendments set out in Appendix 1.</p> <p>2. Amend Map 13d: Delete Map 13d and replace with the Queenstown Lakes Stage 1 Proposed District Plan maps relevant to the area covered in Map 13d.</p> <p>Or, if such amendments are not adopted; Amend to reflect rezoning resulting from amendments made to Chapter 24.</p>
<p>Stage 2 Map 30</p>	<p>Oppose</p>	<p>The proposed zoning of this area as Rural Amenity ignores the established character of the surrounding area and its current utilisation by land owners. Zoning should more carefully take into consideration the character of the area, and should be consistent with the activities currently carried out on the land and the needs associated with those activities.</p> <p>Zoning the area as Lifestyle Precinct would enable future development that is environmentally responsible and economically sound. It is important to have capacity in the Basin for responsible development of lifestyle blocks, which both respects the rural amenity of the Basin and provides rural lifestyle living options for residents.</p>	<p>Amend Map 30 to: Rezone the Land as Wakatipu Basin Rural Lifestyle Precinct, Precinct B.</p>

<p>Rule 24.4.5</p> <p>The construction of buildings including exterior alteration to existing buildings including buildings located within an existing approved/registered building platform area.</p>	<p>Oppose</p>	<p>It is unreasonable to require restricted discretionary activity resource consent for building construction and alterations on pre-approved building platforms.</p> <p>This activity is a controlled activity under the Queenstown Lakes Operative District Plan. QLDC's Proposed District Plan Fact Sheet 07 – Residential Buildings in Rural Areas, specifically noted that requiring resource consent 'to construct or alter a building located within an approved building platform' is 'considered inefficient' 'because the merits of whether a building is appropriate in that location has already been considered as part of the original resource consent to identify the building platform'.</p> <p>The proposed change to restricted discretionary status is in direct contradiction to QLDC's previous section 32 analysis on Stage 1, and is generally illogical, for the reasons pointed out by QLDC themselves.</p>	<p>Amend Rule 24.4.5 so this is a permitted activity as under the Operative District Plan</p>
<p>New Rules sought</p>		<p>New rules as set out in Appendix 1 are sought to be included which reflect and retain the discretionary regime established under the Operative District Plan, in particular, the identification of building platforms through subdivision.</p>	<p>1. Amend Chapter 24: As per the amendments set out in Appendix 1.</p>
<p>Table 24.3 standards</p> <ul style="list-style-type: none"> • Building coverage; • Setbacks from internal and Roadside boundaries; • Setbacks from landscape features; • Heights of buildings; and • Protection of amenity trees. 	<p>Oppose</p>	<p>Various standards identified in chapter 24 seek to remove or reduce the extent of existing landowner rights in the Wakatipu Basin.</p> <p>These rights include:</p> <ul style="list-style-type: none"> • building coverage; • setbacks from internal and roadside boundaries; • setbacks from landscape features; • heights of buildings; and • protection of amenity trees. <p>There is no justification identified in the Variation and supporting section 32 analysis which supports removing rights pertaining to these standards. The matters of discretion associated with a breach of those standards ensures that design outcomes complement the existing character of an area already.</p> <p>Rules protecting amenity trees have been removed given this is ultra vires the tree protection rules in section 76 of the RMA</p>	<p>1. Amend Chapter 24: As per the amendments set out in Appendix 1.</p>

<p>Chapter 27 – Subdivision</p>	<p>Rule 27.5.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, average, less than the minimum specified. Wakatipu Basin Rural Amenity Zone: 80ha</p>	<p>Oppose</p> <p>80ha is an illogical minimum lot area restriction for the Rural Amenity Zone. 80ha is too large to be reasonably maintained as a private residential lifestyle block. Requiring residential blocks of this size invites the risk of visual degradation of the area, from lots that are not well maintained against weeds, wildings, and general ruin. In the alternative, 80ha lots are too small to accommodate viable economic activities or cost effective farming.</p> <p>An 80ha lot minimum is inconsistent with the high demand for land and the current section shortage in the Wakatipu Basin. Land needs to be available to sufficiently meet the needs of future sustainable growth in the area, and the 80ha minimum is an inefficient and wasteful use of the land available. Protection and maintenance of the character and amenity of the rural landscape is possible without such tight restrictions.</p>	<p>Delete Rule 27.5.1 and replace with a discretionary subdivision regime which will allow for an effects based approach in the Amenity Zone.</p>
--	---	---	---

15. Section 32 Analysis

- The benefits and costs of the effects of the provisions referred to above in respect to Chapter 24 have not been appropriately assessed or quantified in accordance with section 32 of the RMA. QLDC has failed to adequately consider the economic impact for landowners, as a result of the retrospective effects of the provisions in issue.
- The proposed reclassification of building construction and alterations on pre-existing building platforms as a restricted discretionary activity under Rule 24.4.5 results in economic loss for landowners, where they have purchased land, constructed building platforms and obtained resource consents for certain activities, that then become effectively worthless under the Proposed Plan. The loss of value for work already undertaken, along with the costs associated in applying for new resource consents, will result in financial loss. Further, the proposed changes have the retrospective effect of unjustly penalising rate payers who have been paying higher rates to QLDC due to the existence of building platforms and approval for certain activities on their land, that now become inactive under the Proposed Plan.
- The purpose of the Act is better achieved by rezoning the Land as sought in this submission.

16. I wish to be heard in support of my submission.

17. I will consider presenting a joint case with others presenting similar submissions.



Slopehill Joint Venture
Signed by its duly authorised agents
Anderson Lloyd
Per: **Vanessa Jean Robb**
Vanessa.robbs@al.nz

Address for service: vanessa.robbs@al.nz / jaylene.hodgson@al.nz

Appendix 1 – Proposed amendments to Chapter 24 – Wakatipu Basin

24. Wakatipu Basin

24.1 Purpose

This chapter applies to the Wakatipu Basin Rural Amenity Zone (the Zone) and Wakatipu Basin Lifestyle Precinct (the Precinct) ~~which is part of the Zone~~. The purpose of the Zone is to ~~protect, maintain and enhance the particular-established character and amenity values of the rural Wakatipu Basin landscape which distinguishes the Wakatipu Basin from other parts of the District that are zoned Rural.~~

A primary focus of the Zone is on ~~protecting, maintaining and enhancing rural the landscape and amenity values of the Basin, while noting that productive farming is not a dominant activity in the Wakatipu Basin which have been derived from a mix of rural and lifestyle activities, while accepting that productive farming is not a dominant activity in the Wakatipu Basin.~~ ~~To achieve the purpose of the Zone a minimum lot size of 80 hectares is required if subdividing and all buildings except small farm buildings in the Zone require resource consent as a means to.~~ Within the Zone, Landscape Classification Units (LCUs) are identified which further particularise the landscape values of those areas to provide a basis for assessment of the effects of any further subdivision and development and to ensure rural landscape character and visual amenity outcomes are fulfilled ~~for that LCU and the wider Zone.~~

A wide range of supportive activities that rely on and seek to locate within the ~~rural landscape resource Wakatipu Basin~~ are contemplated in the Zone, including rural living ~~at a variety of low densities, recreation, commercial and tourism activities as well as enabling farming and farming related activities.~~ There are also ~~some~~ established industrial type activities that are based on rural resources or support rural type activities.

Land within the District is subject to natural hazards and, where applicable, it is anticipated that development will recognise and manage the risks of natural hazards at the time of subdivision and applications for resource consent for buildings.

Within the Zone, variations in landscape character support higher levels of development in identified ~~Wakatipu Basin Lifestyle Precinct~~ areas. The Precinct provides for ~~rural residential living opportunities within areas where additional development can be absorbed without detracting from the resulting in inappropriate adverse landscape and visual amenity values effects of the on the Precinct character and and the wider landscape character and amenity values of the wider Zone and its surrounding landscape context.~~

There is a diversity of topography and landscape character within the Precinct that has a variety of existing lot sizes and patterns of development. The Precinct ~~incorporates-enables~~ a range of rural ~~lifestyle living type~~ developments, generally characterised as low-density residential development on rural land. ~~These sites include scattered rural residential, farmlet and horticultural sites.~~ Existing vegetation including shelter belts, hedgerows and exotic amenity plantings characterise the Precinct.

While the Zone and Precinct do not contain Outstanding Natural Features or Landscapes, they do contain part of the District's distinctive and high amenity value landscapes and are located adjacent to or nearby Outstanding Natural Features and Landscapes. Some land within the Precinct has been identified as being of particular landscape sensitivity. ~~A rule requiring a setback of buildings and development from these identified landscape features as shown on the planning maps requires that an assessment is undertaken to ensure the values of these landscapes are maintained.~~

Development within the Zone or Precinct that is adjacent to or nearby Outstanding Natural Features or Landscapes is to be managed to ensure that the Outstanding Natural Features or Landscapes are protected from inappropriate subdivision, use and development. ~~While there are~~

Comment [AL1]: It is important to recognise that the special character and amenity of the Basin is derived from rural living and development which has occurred over the lifetime of the ODP. It is this domestication in the landscape which creates a varied and manicured environment which is valued by residents and visitors. Appropriately describing the existing environment is critical for the basis of sound planning decisions moving forward.

Comment [AL2]: This method has been added into the purpose description as the LCU's can act as guidelines for subdivision and development and are central to determinations of whether and to what extent particular areas can accommodate further development effects, and those areas which cannot.

Comment [AL3]: Low density implies LDR Zone or one type of density across the Basin, but in reality the existing rural living patterns are greatly varied.

Comment [AL4]: This rule has been removed given a 50m setback provision as identified, in all instances, is not justified. The ONLF provisions within Chapters 3 and 6 are stringently applied to subdivision such that their outstanding values are protected on a case by case basis. There are many instances where location of buildings within 50m of an ONLF would not otherwise undermine that landscape.

Requiring a setback of 50m for buildings, but not controlling other domestic elements such as planting and fences in the same way is arbitrary and would lead to incremental creep into the ONLF which would be more likely to undermine that landscape.

The first part of this sentence is retained as the policy support for protection of adjacent ONLFs is not opposed.

~~not specific setback rules for development in relation to Outstanding Natural Features or Landscapes, all buildings except small farm buildings and subdivision require resource consent. Discretion is provided to manage the effects of subdivision, use and development on any adjacent or nearby Outstanding Natural Feature or Landscape, as well as managing the effects on landscape character and visual amenity values within the Zone and Precinct.~~

Comment [AL5]: This has been deleted due to unnecessary detail and repetition within the Purpose section

In the Precinct, ~~a limited opportunity for subdivision for rural living activities~~ is provided ~~for with a range of minimum densities which reflect existing use rights, historical zoning, and landscape sensitivities in particular areas, with a minimum lot size of 6000m² in conjunction with an average lot size of one hectare (10,000m²)~~. This approach recognises different characteristics between different Precinct areas and also differentiates the Precinct from the Zone. Controls on the location, nature and visual effects of buildings are used to provide a flexible and ~~design-led effects-based~~ response to the landscape character and visual amenity qualities of the Precinct.

Comment [AL6]: This reflects the intention of the incorporation of LCUs into decision making to ensure that the particular characteristics which are required to be protected are recognised within an LCU, as distinct from those areas which can accommodate further development. Removal of the blanket density regime also allows for variation in development potential between different LCUs and different areas of Precinct zoning according to their landscape sensitivity. Variation in density is further discussed in the amendments to chapter 27.

Building location, access, services, earthworks, landscaping, infrastructure and natural hazards are managed through the identification of suitable building platforms at the time of subdivision. These matters as well as the bulk and location, building design and finish may also be ~~assessed controlled by way of conditions~~ at the time of obtaining resource consent for a building.

Pursuant to Section 86B (3) of the Act the following rules have immediate legal effect:

- Rule 24.4.21 Activities on or over the surface of waterbodies.
- Rule 24.5.7 Setback of buildings from waterbodies.
- Rule 24.5.12 Grazing of animals in or on the margin of waterbodies.

24.2 Objectives and Policies

Objectives 24.2.1 to 24.2.54 and related policies apply to the Zone and Precinct. Objective 24.2.65 and related policies apply to the Precinct only.

24.2.1 Objective - Landscape and visual amenity values are protected, maintained and enhanced.

Policies

~~24.2.1.1 Implement minimum and average lot sizes within the Wakatipu Basin Rural Amenity Zone and the Wakatipu Basin Lifestyle Precinct to protect landscape character and visual amenity values. Assess all applications for subdivision and development against the relevant Landscape Classification Units described in Schedule 24.8.~~

~~24.2.1.2 Recognise that the amenity and landscape characteristics of the Zone are derived from historical rural and rural living subdivision and development.~~

~~24.2.1.2~~

24.2.1.3 Ensure subdivision and developments ~~are is~~ designed (including accessways, services, utilities and building platforms) to minimise ~~inappropriate~~ modification to the landform, and maintain and enhance the landscape character and visual amenity values.

Comment [AL7]: Ensuring the key policy for maintaining landscape values is the assessment of LCU's will provide for an effects based planning approach, which appropriately responds to development potential of each particular area.

Comment [AL8]: It is important to recognise amenity in the Basin is derived not only from pastoral land use, but also a varied form and pattern of rural living development which has evolved over time.

24.2.1.4 Ensure that subdivision and development maintains and enhances the Wakatipu Basin landscape character and visual amenity values identified for the ~~!Landscape eCharacter uUnits as described in Schedule 24.8.~~

Comment [AL9]: The introduction of built form will usually have the effect of modification of the landscape but not all such modification will be inappropriate.

24.2.1.5 Maintain and enhance the landscape character and visual amenity values associated with the Zone ~~and Precinct~~ and surrounding landscape context by controlling the

colour, scale, form, coverage, location (~~including setbacks from boundaries and from Identified Landscape Features~~) and height of buildings and associated infrastructure, vegetation and landscape elements.

24.2.1.6 Require all buildings to be located and designed so that they do not compromise the qualities of adjacent or nearby Outstanding Natural Features and Outstanding Natural Landscapes, or of identified landscape features.

24.2.1.7 Ensure ~~the scale and location of~~ non-residential activities ~~avoid maintains and enhances adverse effects on the~~ landscape character and visual amenity values.

24.2.1.8 Control earthworks and vegetation clearance so as to minimise adverse ~~changes to effects on the~~ landscape character and visual amenity values.

~~24.2.1.9 Ensure land use activities protect, maintain and enhance the range of landscape character and visual amenity values associated with the Zone, Precinct and wider Wakatipu Basin area.~~

~~24.2.1.10~~ 24.2.1.9 Provide for activities that maintain a sense of openness and spaciousness in which ~~buildings built form are subservient to complements~~ natural landscape elements.

~~24.2.1.11~~ 24.2.1.10 Facilitate the provision of walkway, cycleway and bridle path networks.

~~24.2.1.12~~ 24.2.1.11 Manage lighting so that it does not cause ~~adverse inappropriate~~ glare to other properties, roads, public places or the night sky.

~~24.2.1.13~~ 24.2.1.12 Have regard to the spiritual beliefs, cultural traditions and practices of Tangata Whenua ~~as set out in Chapter 5.~~

24.2.2 Objective – Existing development rights and additional rural living opportunities are recognised and provided for

~~24.2.2.1 Recognise and provide for existing and consented rights to carry out land-use activities and to erect and use buildings.~~

~~24.2.2.2 Recognise and provide for the social, cultural, and economic benefits derived from rural living subdivision and development, including:~~

- ~~• The enjoyment of rural living amenities by residents and visitors~~
- ~~• The opportunity for rural living opportunities within close proximity to employment and social opportunities in town centres;~~
- ~~• The diversification of land use where farming is no longer viable or economically productive;~~
- ~~• The onsite and offsite employment opportunities generated by subdivision, construction, landscaping, property maintenance and related activities;~~
- ~~• The efficient and effective use of a finite rural land resource;~~

Comment [AL10]: The avoid wording of this provision would not otherwise allow for the establishment of any non-residential activities. Many such activities rely on the rural land resource and contribute positively to the amenity of the Basin, e.g. cellar door operations.

Comment [AL11]: This is deleted as is a repetition of 24.2.1.3 and 24.2.14 above

Comment [AL12]: The intention of this new objective and policy suite is to specifically recognise the benefits associated with further rural living subdivision and development within the Basin. Post King Salmon, applications for consent are assessed primarily against the provisions of the Plan, and short of any validity of the plan are not assessed directly against Part 2. Therefore, if a Plan does not provide for the positive and enabling elements of Part 2, these are not otherwise considered in the case of resource consents. The Plan may also otherwise be argued to be 'incomplete' for this same reason.

Comment [AL13]: Existing rights within the Basin are critical to many landowners who have invested and developed their land on the basis of controlled activity rights. It is an efficient use of planning resources to reduce uncertainty and consenting requirements.

Comment [AL14]: Each of the benefits listed are tangible and have positive impacts on the Wakatipu and wider District. It is equally legitimate to recognise and provide for these benefits as part of the enabling aspect of section 5 of the RMA as it is to provide for landscape protection as in the above policy suite.

24.2.224.2.3 Objective – Non-residential activities are compatible with infrastructure, and maintain and enhance landscape character and amenity values.

Policies

~~24.2.2.124.2.3.1~~ ~~Support Provide for a range of non-residential activities, including commercial, recreation and tourism related activities which rely on the rural land resource and where these activities protect, maintain or enhance the landscape character and visual amenity values identified in the relevant Landscape Classification Unit.~~

~~24.2.2.224.2.3.2~~ Ensure traffic, noise and the scale and intensity of non-residential activities do not adversely impact on the landscape character and visual amenity values or affect the safe and efficient operation of the roading and trail network or access to public places.

~~24.2.2.3~~ ~~Restrict the type and intensity of non-residential activities to those which are compatible in visual amenity terms and in relation to other generated effects (e.g. traffic, noise, and hours of operation) with surrounding uses and the natural environment.~~

~~24.2.2.424.2.3.3~~ Ensure traffic generated by non-residential development does not individually or cumulatively compromise road safety or efficiency.

~~24.2.2.5~~ ~~Ensure non-farming activities with potential for nuisance effects from dust, visual, noise or odour effects are located a sufficient distance from formed roads, neighbouring properties, waterbodies and any residential activity.~~

~~24.2.2.624.2.3.4~~ Ensure informal airports are located, operated and managed to maintain the surrounding rural amenity, having regard to the differing densities of the Zone and Precinct.

Comment [AL15]: Deleted as there is no justification for compatibility or comparability of non-residential activities. This could often not be achieved in most instances of non-residential activities given the different scale and nature of effects generated from non-residential use. , e.g. in the instance of a commercial cellar door operation, traffic and bulk and location effects are unlikely to be comparable to those of existing uses in the Basin. This is also a repetition of the reverse sensitivity concerns addressed in 24.2.3.2 above.

Comment [AL16]: Deleted as repetition of 224.2.3.2 above

24.2.324.2.4 Objective – Reverse sensitivity effects are avoided or mitigated where rural living opportunities, visitor and tourism activities, community and recreation activities occur.

Policies

~~24.2.3.124.2.4.1~~ Ensure informal airports are not compromised by the establishment of incompatible activities.

~~24.2.3.224.2.4.2~~ Ensure reverse sensitivity effects on residential lifestyle and non-residential activities are avoided or mitigated.

~~24.2.3.324.2.4.3~~ Support productive farming activities such as agriculture, horticulture and viticulture in the Zone by ensuring that reverse sensitivity issues do not constrain productive activities.

24.2.424.2.5 Objective - Subdivision and ~~land use~~ development maintains and enhances water quality, ecological quality, and recreation values while ensuring the efficient provision of infrastructure.

Policies

~~24.2.4.124.2.5.1~~ Avoid adverse cumulative impacts on ecosystem services and nature conservation values.

~~24.2.4.2~~ 24.2.5.2 Provide for improved public access to and the maintenance and enhancement of the margins of waterbodies including Mill Creek and Lake Hayes.

~~24.2.4.3~~ Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.

~~24.2.4.4~~ Ensure development does not generate servicing and infrastructure costs that fall on the wider community.

~~24.2.4.5~~ 24.2.5.3 Ensure development infrastructure is self-sufficient and does not exceed capacities for infrastructure servicing. Ensure development infrastructure and servicing is provided in accordance with the provisions as set out in Chapter 27.

~~24.2.4.6~~ 24.2.5.4 Ensure that other utilities including regionally significant infrastructure are located and operated to maintain landscape character and visual amenity values, having regard to the important function and location constraints of these activities.

Comment [AL17]: The provisions of Chapter 27 are comprehensive for subdivision development infrastructure. Consolidating this assessment here will simplify the planning regime.

24.2.5 24.2.6 Objective - The landscape character and visual amenity values of the Precinct are maintained and enhanced in conjunction with enabling rural residential living opportunities.

Objective 24.2.65 and policies 24.2.65.1 to 24.2.65.6 apply to the Precinct only.

Policies

~~24.2.5.1~~ 24.2.6.1 Provide for rural residential subdivision, use and development ~~only~~ where it protects, maintains or enhances the landscape character and visual amenity values as described within the ~~L~~andscape ~~e~~Character ~~u~~Unit as defined in Schedule 24.8.

~~24.2.5.2~~ 24.2.6.2 Promote design-led and innovative patterns of subdivision and development that maintain and enhance the landscape character and visual amenity values of the Wakatipu Basin overall.

~~24.2.5.3~~ 24.2.6.3 Provide for non-residential activities, including restaurants, visitor accommodation, and commercial recreation activities while ensuring these are appropriately located and of a scale and intensity that ensures that the amenity, quality and character of the Precinct is retained.

~~24.2.5.4~~ 24.2.6.4 Implement minimum ~~and~~ average lot size standards in conjunction with building coverage and height standards ~~so that the landscape character and visual amenity qualities of the Precinct are not compromised by cumulative adverse effects of development to enable development and variation in subdivision design and layout which reflects the characteristics identified in the applicable Landscape Classification Units.~~

~~24.2.5.5~~ Maintain and enhance a distinct and visible edge between the Precinct and the Zone.

~~24.2.5.6~~ 24.2.6.5 Retain Encourage the retention of established vegetation where this contributes to landscape character and visual amenity values of the Precinct and is integral to the maintenance of the established character of the Precinct.

Comment [AL18]: The intention of an average lot size is not to reduce cumulative effects, but to encourage variation in subdivision design

24.3 Other Provisions and Rules

24.3.1 District Wide

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation and Biodiversity
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	Planning Maps	

24.3.2 Advice Notes

- 24.3.2.1 A permitted activity must comply with all of the rules and any relevant district wide rules.
- 24.3.2.2 The surface of lakes and rivers are zoned Rural, unless otherwise identified on the Planning Maps as zoned Wakatipu Basin Rural Amenity Zone.
- 24.3.2.3 Guiding Principle: Previous Approvals
- Requirements relating to building platforms and conditions of consents, including landscaping or other visual mitigation, that are registered on a site's computer freehold register as part of a resource consent approval by the Council are considered by the Council to remain relevant and will remain binding unless altered or cancelled.
 - Applicants may apply to alter or cancel any conditions of an existing resource consent as a component of an application for resource consent for development. Whether it may be appropriate for the Council to maintain, or to alter or cancel these conditions shall be assessed against the extent to which a proposal accords with the objectives and provisions of the Wakatipu Basin Rural Amenity Zone and Wakatipu Basin Lifestyle Precinct.
- 24.3.2.4 These abbreviations for the class of activity status are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

P	Permitted	RD	Restricted Discretionary
D	Discretionary	NC	Non-Complying
PR	Prohibited		

~~24.3.2.5 Clarifications of the meaning of root protection zone, minor trimming of a hedgerow, minor trimming and significant trimming are provided in Part 32.3.2 of the Protected Trees Chapter 32.~~

Comment [AL19]: Reference to this proposed rule have been deleted due to this being ultra vires s76 RMA

24.3.3 General Rules

- 24.3.3.1 The Wakatipu Basin Lifestyle Precinct is a sub-zone of the Wakatipu Basin Rural Amenity Zone and all rules in Table 24.1 apply to the Precinct. Where specific rules and standards are identified for the Precinct in Tables 24.2 and 24.3, these shall prevail over the Zone rules in Table 24.1.
- 24.3.3.2 All activities, including any listed permitted activities shall be subject to the rules and standards contained in Tables 24.1 to 24.3.

24.4 Rules – Activities

Table 24.1 – Activities in the Wakatipu Basin Rural Amenity Zone		Activity Status
24.4.1	Any activity not listed in Tables 24.1 to 24.3.	NC
24.4.2	Farming.	P
Buildings and residential activities		
24.4.3	The use of land or buildings for residential activity except as provided for in Table 24.1 or Table 24.2.	P
24.3.4	One residential unit per site / <u>residential building platform</u> .	P
24.3.4	<u>The creation of a new residential building platform</u>	D
24.4.5	The construction of buildings including exterior alteration to existing buildings, <u>that are:</u> <u>a. including buildings</u> located within an existing approved/registered building platform <u>area; or</u> <u>b. would have been a permitted or controlled activity on 23 November 2017 under the previous Rural Residential Zone-</u> <u>Discretion is restricted to:</u> <ul style="list-style-type: none"> <u>• Building location scale and form.</u> <u>• External appearance including materials and colours.</u> <u>• Accessways.</u> <u>• Servicing and site works including earthworks.</u> <u>• Retaining structures.</u> <u>• Infrastructure (e.g. water tanks).</u> <u>• Fencing and gates.</u> <u>• External lighting.</u> <u>• Landform modification, landscaping and planting (existing and proposed).</u> <u>• Natural hazards.</u> Excludes farm buildings as provided for in Rule 24.4.8	PRD
24.4.6	Residential Flat not exceeding 150m ² gross floor area and attached to the Residential Unit.	P

Comment [AL20]: This retains the operative plan position with respect to a discretionary regime for identification of new building platforms.

Identification of platforms within the precinct is separately provided for in table 24.2 below which is prescribed by density requirements in Chapter 27

Because no density is proposed in this submission for the Amenity Zone, it is appropriate that the default is a discretionary regime.

Comment [AL21]: Proposed to be amended to reflect the PDP rights as notified and which reflect ODP rights which have existed for a number of years. The proposed change from controlled to RD for this activity is a fundamental shift in policy for the Wakatipu Basin, given that property values are critically dependent upon rights to build in certain locations. There is no need to require this activity as restricted discretionary given that the identification of a building platform has in all instances already gone through a thorough landscape assessment as to the effects of future buildings within that platform.

Table 24.1 – Activities in the Wakatipu Basin Rural Amenity Zone

**Activity
Status**

24.4.7	Residential Flat not exceeding 150m ² gross floor area that is not attached to the Residential Unit. Discretion is restricted to: <ul style="list-style-type: none"> • Building location scale and form. • External appearance including materials and colours. • Accessways. • Servicing and site works including earthworks. • Retaining structures. • Infrastructure (e.g. water tanks). • Fencing and gates. • External lighting. • Landform modification, landscaping and planting (existing and proposed). • Natural hazards. 	RD
24.4.8	Farm Buildings.	P
24.4.9	The construction of any buildings including the physical activity associated with buildings such as roading, access, lighting, landscaping and earthworks not specifically provided for by any other rule in Table 24.1 or Table 24.2. Non-residential activities	D
24.4.10	Roadside stall buildings.	P
24.4.11	Home occupation.	P
24.4.12	Informal airports.	P
24.4.13	Retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site.	P
24.4.14	Retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site where the access is onto a State Highway.	D
24.4.15	Commercial recreational activities that are undertaken on land, outdoors and involve not more than 12 persons in any one group.	P
24.4.16	Commercial recreational activities that are undertaken on land, outdoors and involve more than 12 persons in any one group.	D
24.4.17	Cafes and restaurants.	D
24.4.18	Residential visitor accommodation and homestays.	P
24.4.19	Visitor accommodation.	D

Table 24.1 – Activities in the Wakatipu Basin Rural Amenity Zone		Activity Status
24.4.20	Community activities.	D
24.4.21	Activities on or over the surface of waterbodies.	D
24.4.22	Industrial activities directly associated with wineries and underground cellars within a vineyard. Discretion is restricted to: <ul style="list-style-type: none"> Noise. Access and parking. Traffic generation. Odour. Hours of operation. Waste treatment and disposal. 	RD
24.4.23	Any commercial or Industrial activity not otherwise provided for in Table 24.1 including those associated with farming.	NC
24.4.24	Panelbeating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motorbody building, or any activity requiring an Offensive Trade Licence under the Health Act 1956. Excludes activities undertaken as part of a Farming Activity, Residential Activity or as a permitted Home Occupation.	NC

Table 24.2: Activities in the Wakatipu Basin Lifestyle Precinct		Activity Status
Buildings and Residential Activities		
24.4.25	<u>The construction of buildings, including exterior alteration to existing buildings which are not a permitted activity under Rule 24.4.5</u>	NC
24.4.26	<u>The creation of a new residential building platform which complies with Rule 27.5.1</u>	C
24.4.27	<u>The creation of a new residential building platform which does not comply with Rule 27.5.1</u>	NC
24.4.28	Residential Flat not exceeding 150m ² gross floor area that is not attached to the principal Residential Unit but is not separated from the principal Residential Unit by more than 6 metres, <u>but is located within an approved residential building platform</u>	P
	Residential Flat not exceeding 150m² gross floor area that is not attached to the principal Residential Unit and is separated from the principal Residential Unit by	NC

Comment [AL22]: These three rules revert to the rights under the operative plan for rural living zones, where controlled activity rights are the default for activities within the prescribed densities and identified building platforms.

Where this is not achieved, the activity defaults to non-complying so as to ensure amenity values are protected.

~~more than 6 metres.~~

Non-residential activities

~~24.4.297~~ Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, or any activity requiring an Offensive Trade Licence under the Health Act 1956. PR

~~Excludes activities undertaken as part of a Farming Activity, Residential Activity or as a permitted home occupation.~~

~~24.4.3028~~ Informal airports. D

~~24.4.29~~ ~~Clearance, works within the root protection zone or significant trimming of exotic vegetation that is of a height greater than 4 metres.~~ RD

~~Discretion is restricted to:~~

- ~~• The extent of clearance.~~
- ~~• Trimming and works within the root protection zone.~~

Comment [AL23]: This rule has been deleted as it is ultra vires section 76 of the RMA

24.5 Rules - Standards

The following standards apply to all activities.

Table 24.3 - Standards		Non-compliance status
24.5.1	<p>Building coverage</p> <p>The maximum building coverage for all buildings shall be 15% of lot area, or 51000m² gross floor area whichever is the lesser.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> • Building location, character, scale and form. • External appearance including materials and colours. • Landform modification/planting (existing and proposed). 	RD
		Comment [AL24]: Deleted given building coverage is defined
24.5.2	<p>Setback from internal boundaries</p> <p>The minimum setback of any building from internal boundaries shall be 10m <u>in the Precinct and 15m elsewhere in the Zone.</u></p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> • Building location, character, scale and form. • External appearance including materials and colours. • Landform modification/planting (existing and proposed). 	RD
		Comment [AL25]: Amended to reflect ODP rights and established development
24.5.3	<p>Height of buildings</p> <p>The maximum height of any building shall be 68m.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> • Building location, character, scale and form including the pitch of roofs. • External appearance including materials and colours. • Landform modification/planting (existing and proposed). 	RD
		Comment [AL26]: Amended to reflect ODP rights and established development
24.5.4	<p>Setback from roads</p> <p>The minimum setback of any building from road boundaries shall be 20m in the Zone and 10.75m in the Precinct <u>and 20m elsewhere in the Zone.</u></p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> • Building location, character, scale and form. • External appearance including materials and colours. • Landscaping/planting (existing and proposed). 	RD
		Comment [AL27]: Amended to reflect ODP rights and established development
24.5.5	<p>Building and Materials</p> <p><u>All buildings, including any structure larger than 5m², new, relocated, altered, reclad, or repainted are subject to the following:</u></p> <ul style="list-style-type: none"> • <u>The exterior colours of all building materials shall be in the range of black, browns, greens, or greys.</u> • <u>Reflectance values for roofs shall be no greater than 20%;</u> • <u>Reflectance values for all other surfaces shall be no greater than 30% (except this rule does not apply to stone);</u> • <u>These standard do not apply to any material or surface colours used</u> 	RD

Table 24.3 - Standards

Non-compliance status

~~inside any building:~~

~~Discretion is restricted to:~~

- ~~• Whether the building would be visually prominent;~~
- ~~• Whether the proposed colours and materials are appropriate given the existence of established screening or in the case of alterations, if the proposed colours is already present on an established building.~~

~~Setback from identified landscape features~~

~~Any building or accessway shall be located a minimum of 50m from the boundary of any identified landscape feature as identified on the planning maps.~~

~~Discretion is restricted to:~~

- ~~• Building location, character, scale and form.~~
- ~~• External appearance including materials and colours.~~
- ~~• Landform modification/planting (existing and proposed).~~

Comment [AL28]: New standards for building design controls have been added given the above amendment that buildings should be permitted rather than RDA within approved building platforms or legacy RR allotments.

Comment [AL29]: See introductory comment regarding the necessity of a setback rule from ONFL. The delineation of these landscapes is not always precise on the ground and these landscapes are otherwise protected in Chapter 6. Policy support for recognising the need for an appropriate setback to protect outstanding values has been retained.

24.5.6 Setback from boundaries of non-residential buildings housing animals

RD

The minimum setback from boundaries for any building housing animals shall be 30m.

Discretion is restricted to the following:

- Effects on open space, rural living character and amenity.
- Effects on privacy, views and outlook from neighbouring properties and public places.
- Reverse sensitivity effects on adjacent properties including odour and noise.
- Landform modification/planting (existing and proposed).

24.5.7 Setback of buildings from waterbodies

RD

The minimum setback of any building from the bed of a wetland, river or lake shall be 30m.

Discretion is restricted to the following:

- Indigenous biodiversity values.
- Natural Hazards.
- Visual amenity values.
- Landscape and natural character.
- Open space.

24.5.8 Farm buildings

RD

- a. The maximum gross floor area shall be ~~5150~~5150m².
- b. All exterior surfaces shall be coloured in the range of black, browns, greens or greys (except soffits).
- c. Pre-painted steel and all roofs shall have a reflectance value not greater than 20%.
- d. All other surface finishes shall have a reflectance value of not

Table 24.3 - Standards**Non-compliance status**

greater than 30%.

Discretion is restricted to:

- Building location, character, scale and form.
- External appearance including materials and colours.
- Landform modification/planting (existing and proposed).

24.5.9 Home occupations

RD

- a. The maximum net floor area of home occupation activities shall be 150m².
- b. No goods materials or equipment shall be stored outside a building.
- c. All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building.

Discretion is restricted to:

- The nature, scale and intensity of the activity.
- Visual amenity from neighbouring properties and public places.
- Noise, odour and dust.
- Access, safety and transportation.

24.5.10 Roadside stall buildings

RD

- a. The maximum ground floor area shall be 5m².
- b. Buildings shall not be higher than 2.0m from ground level.
- c. The minimum sight distance from the stall or stall access shall be 250m.
- d. The minimum distance of the stall or stall access from an intersection shall be 100m; and, the stall shall not be located on the legal road reserve.

Discretion is restricted to:

- Building location, character, scale and form.
- External appearance including materials and colours.
- Access and safety.
- Parking.

24.5.11 The maximum gross floor area of buildings shall be 25m² for retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site.

RD

Discretion is restricted to:

- Building location, character, scale and form.
- External appearance including materials and colours.
- Access safety and transportation effects.
- Parking, access and safety.

Table 24.3 - Standards		Non-compliance status
24.5.12	<p>Grazing of animals in or on the margins of waterbodies</p> <p>Stock shall be prohibited from standing in the bed of, or on the margin of a waterbody where this causes pugging or damage to the margin of the waterbody.</p> <p>For the purposes of this rule:</p> <ul style="list-style-type: none"> • Margin means land within 3.0 metres from the edge of the bed. • Waterbody and bed have the same meaning as in the RMA, and also includes any drain or water race that goes to a lake or river. 	PR
24.5.13	<p>Glare</p> <p>a. All fixed exterior lighting shall be directed away from adjacent roads and sites.</p> <p>b. Activities on any site shall not result in more than a 3 lux spill (horizontal and vertical) of light to any other site, measured at any point within the boundary of the other site.</p> <p>c. There shall be no upward light spill.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> • Lighting location and number of lights. • Proximity to roads, public places and neighbours. • Height and direction of lights. • Lux levels. 	RD
24.5.14	<p>Informal airports</p> <p>Informal airports that comply with the following standards shall be permitted activities:</p> <p>a. Informal airports shall not exceed a frequency of use of 2 flights per day;</p> <p>b. Informal airports shall be located a minimum distance of 500 metres from any other zone or the notional boundary of any residential dwelling not located on the same site;</p> <p>c. Informal airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities.</p> <p>Advice note: For the purpose of this Rule a flight includes two aircraft movements i.e. an arrival and a departure.</p>	D
24.5.15	<p>Residential visitor accommodation</p> <p>The commercial letting of one residential unit or residential flat per site for up to 3 lets not exceeding a cumulative total of 28 nights per 12 month period.</p>	D
24.5.16	<p>Homestay</p>	D

Table 24.3 - Standards

Non-compliance status

- a. May occur within either an occupied residential unit or an occupied residential flat on a site, and shall not occur within both on a site.
- b. Shall not exceed 5 paying guests per night.

24.6 Non-notification of applications

Any application for resource consent for restricted discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified, with the exception of the following:

- a. Rule 24.5.1 Building coverage.
- b. Rule 24.5.2 Setback from internal boundaries.
- c. Rule 24.5.3 Height of buildings.
- d. Rule 24.5.4 Setback from roads.
- ~~e. Rule 24.5.5 Setback from identified landscape features.~~

24.7 Assessment Matters - Restricted Discretionary Activities

24.7.1 In considering whether or not to grant consent or impose conditions on a resource consent, regard shall be had to the assessment matters set out at 24.7.3 to 24.7.13.

24.7.2 All proposals for restricted discretionary activities will also be assessed as to whether they are consistent with the relevant objectives and policies for the Zone or Precinct as well as those in Chapters 3-Strategic Direction; Chapter 4- Urban Development, Chapter 6-Landscapes and Chapter 28- Natural Hazards.

Assessment Matters

24.7.3 New buildings (and alterations of existing buildings), residential flat, building coverage and building height infringements:

Landscape and visual amenity

- a. Whether the location, form, scale, design and finished materials including colours of the building(s) adequately responds to the identified landscape character and visual amenity qualities of the landscape character units set out in Schedule 24.8 and the criteria set out below.
- b. The extent to which the location and design of buildings and ancillary elements and the landscape treatment complement the existing landscape character and visual amenity values, including consideration of:
 - building height;
 - building colours and materials;
 - building coverage;
 - design, size and location of accessory buildings;

Assessment Matters

- the design and location of landform modification, retaining, fencing, gates, accessways (including paving materials), external lighting, domestic infrastructure (including water tanks), vegetation removal, and proposed planting;
 - the retention of existing vegetation and landform patterns;
 - earth mounding and framework planting to integrate buildings and accessways;
 - planting of appropriate species that are suited to the general area having regard to the matters set out in Schedule 24.8;
 - riparian restoration planting;
 - the retirement and restoration planting of steep slopes over 15° to promote slope stabilisation and indigenous vegetation enhancement; and
 - the integration of existing and provision for new public walkways and cycleways/bridlepaths.
- c. The extent to which existing covenants or consent notice conditions need to be retained or are otherwise integrated into the proposed development in a manner that ~~delivers optimal~~maintains and enhances landscape character and visual amenity outcomes.
- d. The extent to which the development maintains visual amenity from public places ~~and neighbouring properties.~~
- e. Whether clustering of buildings or varied allotments sizes in subdivision design would offer a better solution for maintaining a sense of openness and spaciousness, or the integration of development with existing landform and vegetation / lifestyle development patterns.
- f. Where a residential flat is not located adjacent to the residential unit, the extent to which this could give rise to sprawl of buildings and cumulative effects.
- g. The extent to which the development avoids, remedies or mitigates adverse effects on the outstanding features, elements and patterns that contribute to the value of adjacent or nearby ONLs and ONFs. This includes consideration of ~~the~~ an appropriate setback from such features as well as the maintenance of views from public roads and other public places to the surrounding ONL and ONF context.
- h. The extent to which development adversely affects other identified landscape features as identified on the planning maps, and in particular the visual amenity values of those features in views from public places outside of the Precinct.
- i. Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds or and consent notices.

Comment [AL30]: Views to private lots should not be a general matter of assessment, as this is otherwise assessed under section 95E. For standards which particularly breach amenity of neighbouring properties (such as internal setbacks) this could otherwise be included as a matter of discretion particular to that standard.

24.7.4 Servicing, hazards, infrastructure and access

- a. The extent to which the proposal provides for adequate on-site wastewater disposal and water supply. The provision of shared infrastructure servicing to more than one property is preferred in order to minimise environmental effects.
- b. The extent to which the proposed access utilises an existing access or provides for a common access in order to reduce visual and environmental effects, including traffic safety, minimising earthworks and vegetation removal.
- c. Whether adequate provision is made for firefighting activities and provision for emergency vehicles.
- d. The extent to which the objectives and policies set out in Chapter 28, Natural

Assessment Matters

Hazards, are achieved.

24.7.5 Non-residential activities

Whether the proposal achieves:

- a. An appropriate scale and intensity of the activity in the context of the amenity and character of the surrounding area including reference to the identified elements set out in Schedule 24.8 for the relevant landscape character unit.
- b. Adequate visual amenity for neighbouring properties and from public places.
- c. Minimisation of any noise, odour and dust.
- d. Acceptable access and safety.

24.7.6 Boundary and road setbacks

Whether the proposal achieves:

- a. The maintenance of landscape character and visual amenity including reference to the identified elements set out in Schedule 24.8 for the relevant landscape unit.
- b. The maintenance of views to the surrounding mountain context.
- c. Adequate privacy, outlook and amenity for adjoining properties.

24.7.8 Setback from boundaries of non-residential buildings housing animals

Whether the proposal achieves:

- a. The maintenance of landscape character and visual amenity including reference to the identified elements set out in Schedule 24.8 for the relevant landscape character unit.
- b. Minimisation of adverse odour, dust and/or noise effects on any neighbouring properties.

24.7.9 Setback of buildings from waterbodies

Whether the proposal achieves:

- a. The maintenance or enhancement of indigenous biodiversity values.
- b. The maintenance or enhancement of landscape character and visual amenity values including reference to the identified elements set out in Schedule 24.8 for the landscape character unit that the proposal falls into.
- c. The maintenance or enhancement of open space.
- d. Mitigation to manage any adverse effects of the location of the building including consideration of whether the waterbody is subject to flooding or natural hazards.

24.7.10 Roadside stalls

Whether the proposal achieves:

- a. An appropriate scale and intensity of the activity in the context of the surrounding landscape character and visual amenity values.
- b. Preservation of visual amenity for neighbouring properties and from public places.
- c. Minimisation of any noise, odour and dust.
- d. Adequate parking, access safety and avoids adverse transportation effects.

Assessment Matters

24.7.11 Retail sales

Whether the proposal ensures:

- a. An appropriate scale and intensity of the activity in the context of the surrounding landscape character and visual amenity values.
- b. Preservation of visual amenity for neighbouring properties and from public places.
- c. Minimisation of any noise, odour and dust.
- d. Adequate parking, access safety and avoids adverse transportation effects.

24.7.12 Glare

- a. The effects on adjacent roads and neighbouring sites.
- b. The extent of likely visual dominance from light fixtures, poles and lux levels.
- c. The nature and extent of any effects on character and amenity, including the night sky.
- d. The nature and extent of any effects on privacy, views and outlook from neighbouring properties.
- e. Whether there will be any reverse sensitivity effects on adjacent properties.

~~24.7.13 Clearance, works within the root protection zone or significant trimming of exotic vegetation over 4m in height~~

- ~~a. The degree to which the vegetation contributes to the landscape character and visual amenity values, and the extent to which the clearance or significant trimming would reduce those values.~~
- ~~b. The potential for buildings and development to become more visually prominent.~~
- ~~c. The merits of any proposed mitigation or replacement plantings.~~
- ~~d. a. The effects on the health and structural stability of the vegetation.~~

Appendix 2 – Amendments to Chapter 27 – Subdivision

Variation to Stage 1 Subdivision and Development Chapter 27:

Underlined text for additions and ~~strike-through~~ text for deletions.

Amend Chapter 27 by inserting the following into Rule 27.4.2;

The following shall be non-complying activities:

g. ~~The further subdivision of an allotment that has previously been used to calculate the minimum and average lot size for subdivision in the Wakatipu Basin Lifestyle Precinct, except in the instance that the further subdivision and any prior subdivision, together, complies with Rule 27.5.1.~~

Comment [AL1]: The intention of this rule is to prevent an ultimate breach of the average density.

h. ~~The subdivision of an existing or approved residential flat from the residential unit it is ancillary to, or the subdivision of a second residential unit on any allotment in the Wakatipu Basin Rural Amenity Zone or the Wakatipu Basin Lifestyle Precinct.~~

Comment [AL2]: Part of this rule is deleted given that if a second residential unit complies with density requirements then it should not otherwise be prevented from being further subdivided (in the Precinct) and otherwise in the Amenity Zone, the effects of subdivision will be assessed through the proposed fully discretionary regime.

Amend Chapter 27 by inserting the following into Rule 27.4.3;

The following shall be ~~Restricted-Discretionary~~Controlled activities:

b. ~~Any subdivision in the Wakatipu Basin Rural Amenity Zone or the~~ Wakatipu Basin Lifestyle Precinct meeting the ~~minimum and/or~~ average lot sizes specified in Rule 27.5.

Amend Chapter 27 by amending Rule 27.5.1 as follows;

27.5.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, average, less than the minimum specified.

Zone		Minimum Lot Area
Rural <u>Wakatipu Basin</u>	Wakatipu Basin Rural Amenity Zone	N/A <u>80ha</u>
	Wakatipu Basin Lifestyle Precinct	6000m² minimum/1.0ha average <u>Precinct Zone 'A' – 4000m² average</u> <u>Precinct Zone 'B' – 1ha average</u>
Rural Lifestyle		
	Rural Lifestyle Deferred A and B.	No minimum, but each of the two parts of the zone identified on the planning map shall contain no more than two allotments.
	Rural Lifestyle Buffer.	The land in this zone shall be held in a single allotment
Rural Residential		
	Rural Residential Ferry Hill Subzone	4000m ² with no more than 17 lots created for residential activity

Comment [AL3]: The intention of this change is to ensure that different densities in different areas of the precinct are applied to reflect historical development rights (e.g. in the legacy Rural Residential Zoning) and respond to those areas which have capacity to absorb denser subdivision as compared to those areas which don't.

The intention is that this table could be added to for a range of other densities within different precinct areas.

Amend Chapter 27.7 Location Specific objectives, policies and provisions

~~27.7.6 Objective – Ferry Hill Rural Residential Sub-Zone – Maintain and enhance visual amenity values and landscape character within and around the Ferry Hill Rural Residential Sub-Zone.~~

~~• Policies~~

~~27.7.6.1 At the time of considering a subdivision application, the following matters shall be had particular regard to:~~

- ~~• The subdivision design has had regard to minimising the number of accesses to roads;~~
- ~~• the location and design of on-site vehicular access avoids or mitigates adverse effects on the landscape and visual amenity values by following the natural form of the land to minimise earthworks, providing common driveways and by ensuring that appropriate landscape treatment is an integral component when constructing such access;~~
- ~~• The extent to which plantings with a predominance of indigenous species enhances the naturalness of the escarpment within Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone;~~
- ~~• The extent to which the species, location, density, and maturity of the planting is such that residential development in the Ferry Hill Rural Residential sub-zone will be successfully screened from views obtained when travelling along Tucker Beach Road.~~

Insert the following:

27.7.6.1	<p><u>Subdivision in the Wakatipu Basin Rural Amenity Zone and the Wakatipu Basin Lifestyle Precinct</u></p> <p><u>Restricted-Discretionary Controlled and Discretionary Activities</u></p>
	<p>Subdivision in the Wakatipu Basin Rural Amenity Zone and the Wakatipu Basin Lifestyle Precinct:</p> <p><u>Control / Discretion (as applicable) is restricted to:</u></p> <ul style="list-style-type: none"> a. <u>Location of building platforms and accessways</u> b. <u>Subdivision design and lot layout including the location of boundaries, lot sizes and dimensions;</u> c. <u>Location, scale and extent of landform modification, and retaining structures;</u> d. <u>Property access and roading;</u> e. <u>Esplanade provision;</u> f. <u>Natural and other hazards;</u> g. <u>Firefighting water supply and access;</u> h. <u>Water supply;</u> i. <u>Network utility services, energy supply and telecommunications;</u> j. <u>Open space and recreation provision;</u> k. <u>Ecological and natural landscape features;</u> l. <u>Historic Heritage features;</u> m. <u>Easements;</u> n. <u>Vegetation removal and proposed plantings;</u> o. <u>Fencing and gates;</u> p. <u>Wastewater and stormwater management;</u> q. <u>Connectivity of existing and proposed pedestrian networks, bridle paths, cycle networks.</u>
27.7.6.2	<p><u>Assessment Matters - Restricted-Controlled and Discretionary Activities</u></p> <p><u>General</u></p> <ul style="list-style-type: none"> a. <u>The extent to which the proposal is consistent with relevant objectives and policies including those in Chapter 27 Subdivision, Chapter 24 Wakatipu Basin and Chapter 6 Landscapes.</u> b. <u>The extent to which the subdivision provides for low-impact variation in design that avoids or mitigates adverse effects on the environment, maintains and enhances landscape character and visual amenity values of the Wakatipu Basin.</u> <p><u>Subdivision Design</u></p>

Comment [AL4]: Consequential amendment to changes sought in Chapter 24

- c. The extent to which the location of future buildings and ancillary elements and the landscape treatment complements the existing landscape character, visual amenity values and wider amenity values of the Zone or Precinct, including consideration of:
- I. the retention of Compatibility with existing vegetation and landform patterns;
 - II. the alignment of lot boundaries in relation to landform and vegetation features and neighbouring development;
 - III. earth mounding, and framework planting to integrate buildings and accessways;
 - IV. planting of appropriate species that are suited to the general area having regard to the matters set out in Schedule 24.8;
 - V. riparian restoration planting;
 - VI. the retirement and restoration planting of steep slopes over 15° to promote slope stabilisation and indigenous vegetation enhancement;
 - VII. the incorporation of development controls addressing such matters as building height, building colours and materials, building coverage, earthworks, retaining, fencing, gates, accessways (including paving materials), external lighting, domestic infrastructure (including water tanks), vegetation removal, and proposed plantings;
 - VIII. the integration of existing and provision for new public walkways and cycleways/bridlepaths.
- d. The extent to which existing covenants or consent notice conditions need to be retained or are otherwise integrated into the proposed development in a manner that delivers optimal landscape character and visual amenity outcomes
- e. The extent to which the development maintains visual amenity from public places and neighbouring properties.
- f. Whether clustering of future buildings variation in lot sizes and subdivision design would offer a better solution for maintaining a sense of openness and spaciousness, or the integration of development with existing landform and vegetation patterns.
- g. The extent to which the development avoids, remedies or mitigates adverse effects on the features, elements and patterns that contribute to the value of adjacent or nearby ONLs and ONFs. This includes consideration of the-an appropriate setback from such features as well as the maintenance of views from public roads and other public places to the surrounding ONL and ONF context.
- h. The extent to which development adversely affects other Identified Landscape Features as identified on the planning maps, and in particular the visual amenity values of those features in views from public places outside of the Precinct.
- i. Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds and consent notices.
- j. Whether the layout of reserves and accessways provides for adequate public access and use.

Access and Connectivity

- k. Whether proposed sites are located and designed so that each site has a minimum frontage that provides for practical, legal and safe access from a formed public road that is suitable for both normal road going vehicles and construction traffic.
- l. Whether the location and design of any proposed pedestrian, cycle, bridlepaths and vehicle accessways on the proposed site(s) avoid or minimise any adverse effects on soil stability, landform patterns and features, and vegetation.

- m. Whether subdivision provides for safe and practical pedestrian paths and cycle ways (whether sealed or unsealed) and bridle paths that are located in a manner which connect, or have the potential to connect to reserves (existing or proposed), roads and existing rural walkways.
- n. Whether site design recognises any impact of roading and access on waterbodies, ecosystems, drainage patterns and ecological values.
- o. Whether any subdivision provides for future roads to serve surrounding land or for road links that need to pass through the subdivision.

Infrastructure and Services

- p. Ensuring there is sufficient capacity and treatment to provide for the safe and efficient disposal of stormwater and wastewater from possible future development without adversely affecting natural water systems and ecological values.
- q. Ensuring the design of stormwater and wastewater disposal systems incorporate measures to reduce runoff rates where there may be damage caused to natural waterway systems.
- r. Whether any subdivision proposal demonstrates how any natural water system on the site will be managed, protected or enhanced.
- s. Whether subdivision provides for an adequate and reliable supply of potable water to each proposed site.
- t. Whether subdivision provides for an adequate and reliable supply of emergency water supply to each site in the event of fire.
- u. Whether subdivision has sufficient capacity for the disposal of any effluent or other wastewater flow within the boundaries of each proposed site regardless of seasonal variations and loading.
- v. Assessing where more than one site will be created, whether a shared or individual wastewater treatment and disposal system is the most appropriate, having regard to any known physical constraints.
- w. Considering the extent to which easements and consent notices should be applied to protect the integrity of stormwater and/or wastewater treatment and disposal systems.
- x. Assessing the extent to which access easements should provide for lines, including electric lines, telecommunication lines and other lines, where such lines or cables are or may be located within any private property and serve other properties or sites.
- y. Whether sites can be connected to services such as telecommunications and electricity using low impact design methods including undergrounding of services.

Natural Environment and Cultural values

- z. Considering the extent to which the subdivision provides for ecological restoration and enhancement. Ecological enhancement may include enhancement of existing vegetation, replanting and weed and pest control.
- aa. Assessing the extent to which the subdivision and subsequent land use on the proposed site(s) adversely affects the historical, cultural or spiritual significance of any site or waahi tapu of significance to iwi.

- bb. Assessing the extent to which the subdivision design and layout preserves and enhances areas of archaeological, cultural or spiritual significance.
- cc. Assessing the extent to which the integrity of any identified heritage feature(s) is maintained and enhanced.

Earthworks and Hazards

- dd. Considering how earthworks can be undertaken in a manner which mitigates and remedies adverse effects from soil erosion and the generation of sediments into receiving environments.
- ee. Considering whether earthworks are likely to have adverse effects on landscape character or visual amenity values which cannot be avoided, remedied or mitigated.
- ff. Considering the extent to which subdivision will increase the risks associated with any natural hazard and/or how the subdivision avoids, remedies or mitigates any hazard prone area.
- gg. Considering the extent to which contaminated or potentially contaminated soil is able to be treated or disposed of.
- hh. Where the subdivision land includes waterbodies, considering the extent to which remediation measures and methodologies can be employed to avoid, remedy or mitigate any adverse effects on human health, water quality, and to the downstream receiving environment.
- ii. Considering whether consent notices or other protective instruments are needed to ensure that any hazard or contamination remediation measures and methodologies are implemented at the time of development.

Further Submission on Queenstown Lakes Proposed District Plan Stage 2

Under Clause 8 of the First Schedule, Resource Management Act 1991

To: Queenstown Lakes District Council

Further Submitter: Slopehill Joint Venture (#2475)

1. This is a further submission on the Queenstown Lakes Proposed District Plan – Stage 2 (**Proposed Plan**).
2. The Slopehill Joint Venture (**Slopehill**) is representing a relevant aspect of the public interest, and has an interest in the Proposed Plan that is greater than the interest the general public has, as it is affected by the content of a submission (clause 8(1) of Part 1 of Schedule 1 of the RMA 1991).
3. Slopehill supports or opposes submissions on the Proposed Plan as set out in the table below:

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support or opposition are:
#2445 – Cathy Walker	Chapter 27 Planning Maps 13d, 26 and 30 Chapter 27 Rule 27.5.1	Support	Slopehill supports the relief sought by the Submitter to reduce the average lot size for subdivision and the change in subdivision status from a restricted discretionary activity to a more permissive status. The land surrounding Slopehill Road is varied, with some parts having the capacity to accommodate further subdivision and development on smaller lots without adverse environmental impact, due to the natural topography of the area (i.e. the ability of hills and trees to mitigate visual effects).
#2576 – Todd and Others	The Submission in its entirety.	Oppose	The relief sought to retain the zoning of the land east of Lower Shotover Road shown on Map 30 as Wakatipu Basin Rural Amenity Zone (WBRAZ) is opposed. The WBRAZ does not accurately reflect current development in the

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support or opposition are:
<p>#2535 – E & M Harris #2591 – M & C Burgess</p>	<p>Chapter 24 Planning map Slopehill supports the re-zoning sought to enable subdivision down to an average of 1ha per allotment as a controlled activity insofar as this does not undermine the specific relief sought by Slopehill in its submission. The submitters proposed WBLP zoning of its land which would be consistent with the zoning sought for the adjoining land under this submission.</p>	<p>Support</p>	<p>Slopehill area and does not adequately accommodate for reasonable future development. The WBRAZ does not accurately reflect current development in the Slopehill area and does not adequately accommodate for reasonable future development. The land can absorb further development and can support further subdivision and domestication of the area without adverse environmental effects.</p>
<p>#2248 – D Gallagher #2249 – M K Greenslade #2296 – L McFadgen #2298 P & J McLeod #2300 R & S McLeod</p>	<p>The submitter's proposed rezoning of the area which adjoins Lower Shotover Road to the east to be re-zoned Wakatipu Basin Lifestyle Precinct (WBLP) is supported insofar as it does not undermine the specific relief sought by Slopehill in its submission.</p>	<p>Support</p>	<p>Slopehill supports the general concerns with the methodology of Variation itself and the determination of the WBRAZ/WBLP boundaries as they are currently proposed. In general the proposed WBRAZ zoning does not accommodate for reasonable future development or recognise where there is potential to absorb additional development without adverse environmental effects. Slopehill supports the Submitters' opposition of Rule 24.5.4 and agrees a 75m setback from roads is not reasonable in either the WBRAZ or WBLP. The relief sought for a 20m setback within the WBRAZ is supported, however a 10m setback is preferred for the WBLP which reflects operative plan rights for rural living zones.</p>
<p>#2500 – Philip Smith</p>	<p>The submission is supported insofar as it does not undermine the specific relief sought by Slopehill in its submission.</p>	<p>Support</p>	<p>The rezoning of the land and the amendments to LCU 11 reflect the ability of the land to absorb the effects of further rural living subdivision and development without adverse environmental</p>

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support or opposition are:
			effects.

- 4. Slopehill wishes to be heard in support of its further submission.
- 5. Slopehill will consider presenting a joint case with others presenting similar further submissions.
- 6. A copy of this further submission has been served on the original submitters to which this further submission relates.



Slopehill Joint Ventures
Signed by its duly authorised agents
Anderson Lloyd
Per: **Vanessa Robb**
vanessa.robb@al.nz

Address for service: vanessa.robb@al.nz / jaylene.hodgson@al.nz