

# **Queenstown Lakes District Council**

## **Proposed District Plan – Stage 3**

### **Wahi Tupuna - 39 Map, 39.1 and 39.2**

#### **Supplementary Evidence – Ken Gousmett Trustee, on behalf of Cavell Heights Trust**

##### **Submitter Number 3028 - 29 May 2020**

**39 Map** – boundary lines. My submission regarding maps related to the map view available on Council's web site at the time that I prepared my submission. Since then the problem that I identified of the line thickness when zoomed in, has been corrected. I therefore withdraw my submission headed "39 Map" other than reference to the 10 cubic metre earthworks limit, which I elaborate further below.

##### **39.1 Purpose and 39.2 Objectives and Policies.**

My original submission stated that:

"The Wahi Tupuna boundaries cross in and out of existing residential properties at Arthurs Point without any pattern, justification or purpose".

I have had a reasonably long association with Arthurs Point having lived here since 1972 and having completed an 8 lot residential subdivision and built 4 homes.

By way of clarification, the Cavell Heights Trust owns 94 and 96 Atley Road, Arthurs Point. Although my concern is centred on those properties, I am sure that similar concerns will be held by the owners of the other 26 residential zoned properties at Arthurs Point that are mostly fully within the proposed Wahi Tupuna boundaries.

I note that there are some 21 residential zoned properties on the true right bank and 7 properties on the true left bank of the Shotover River at Arthurs Point, within the proposed Wahi Tupuna boundaries.

All but two of the existing residential zoned properties within the proposed Wahi Tupuna boundaries at Arthurs Point have a dwelling on them but most of the sections are large enough to be subdivided, so future development is likely. These properties are all on sloping land so the earthworks limit of 10m<sup>3</sup> will be exceeded when any future development occurs, requiring a site investigation and reporting for a consent application under the proposed Wahi Tupuna rules.

Also, the earthworks necessary to build the existing dwellings on sloping land will already have disturbed much of the surface area of these properties thereby negating the purpose of the proposed Wahi Tupuna rules.

Furthermore, I note that where there are existing residential areas, such as at Roys Bay and Beacon Point in Wanaka and both sides of Frankton Arm in Queenstown, the proposed Wahi Tupuna boundaries follow the lake side of the existing residential properties rather than crossing through the existing residential zoned land or encompassing the entire residential zoned land as is proposed at Arthurs Point.

This leads me to question the basis of assessment made across the District to support the location of the proposed Wahi Tupuna boundaries. It appears that the basis of the proposed Wahi Tupuna boundaries has not been evenly applied.

### **35 Earthworks**

I also wish to add some further detail to my submission on the proposed 10 cubic metre earthworks limit. This limit will be breached by quite minor development such as a home garden or glass house or shed of dimensions as small as 5m by 5m if the depth of earthworks averages just 41cm, particularly on sloping land where cut to fill is often necessary. This is because the definition of earthworks includes all cut and all fill i.e. cut to fill and would include imported top soil for a garden or lawn and imported hardfill for a shed. All of these activities – lawns, gardens and sheds are common activities in a residential zone. The reduction of the current limit for earthworks for residential zones from 300 cubic metres to 10 cubic metres would trigger a site investigation and engagement of an experienced consultant to report on whether the proposed minor works should proceed as part of a consent process within the Wahi Tupuna boundaries.

#### **I seek the following from the Queenstown Lakes District Council:**

1. That all residential zoned land at Arthurs Point be excluded from the proposed Wahi Tupuna boundaries. This is in line with residential zoned land along shore lines in Wanaka and Frankton Arm Queenstown.
2. That the proposed earthworks limit be increased from 10 cubic metres to say 50 cubic metres (that is 25 cubic metres of cut to fill), for any land within the Wahi Tupuna boundaries. This will avoid triggering an investigation, assessment and consent process for minor works. (I note that minor works will soon not require a building consent).

If these changes are made to the proposed Wahi Tupuna rules and boundaries my opposition to the Purpose, Objectives, Policies and Map will have been met.