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On behalf of:

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Would you like to speak at the hearing?

 Yes I do NOT wish to speak in support of my submission and ask that the following submission be fully considered. Variations Rural Visitor Zone

Additional requirements for hearing:

Attached Documents

FORM 5

SUBMISSION ON PROPOSED QUEENSTOWN LAKES DISTRICT PLAN

Clause 6 of Schedule 1, Resource Management Act 1991

To: Queenstown Lakes District Council

Submitter Details:

Name of submitter: Matakauri Lodge Limited

Address for Service: Matakauri Lodge Limited

C/- Southern Planning Group
PO Box 1081
Queenstown 9348

Attention: Scott Freeman
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1. This is a submission on the Proposed Queenstown Lakes District Plan.

2. Trade Competition

The submitter could not gain an advantage in trade competition through this submission.

3. Omitted

4. Scope of submission

Site Details

Matakauri Lodge Limited ("MLL") is the registered owner of the registered owner of the site located at 569 Glenorchy – Queenstown Road. The property has an area of 3.5994 hectares and is legally described as Lot 2 DP 27037 and Section 1-2 Survey Office Plan 434205.

The site is located approximately 8 kilometres west from the centre of Queenstown and specifically on the southern side of the Glenorchy – Queenstown Road.

The site is indicated in the aerial photograph below:



Vehicular access to the site from the Glenorchy – Queenstown Road is via a formed right of way that is called Farrycroft Row. Farrycroft Row provides access to a number of other allotments, some which have residential dwellings established on them.

Recreation Reserves that are owned by the Crown and administered by the Department of Conservation adjoin the site to the east and south. A public walking track below the site meanders along the lake edge within this Recreation Reserve.

The majority of the site slopes gently down to Lake Wakatipu in a north to south direction. The southern portion of the site falls away steeply to Lake Wakatipu.

Existing activities undertaken from the site

The site is occupied by Matakauri Lodge, a long established visitor accommodation operation.

The use of the site for visitor accommodation purposes dates back to the late 1990's. This use has been authorised by a significant number of resource consents that have been issued by the Council. Via these resource consents, up to 32 overnight guests can be accommodated on the site in various buildings.

Matakauri Lodge operates as a high end luxury accommodation facility with a number of individual 'cottage' buildings and central lodge/reception facilities. The existing buildings located on site can be summarised as follows:

- Main Lodge Building
- Four Chalets contained in two buildings
- Two Villas contained within one building
- A standalone Owners Cottage
- Health care facility

The total combined footprint of these buildings is 1924m² equating to a building coverage of 5.35%.

Matakauri Lodge also provides small scale ancillary activities that complement the primary visitor accommodation operation. These ancillary activities include public dining and attendance at the health care facility for a small number of public users, as well as the ability to hold four functions per year for events such as weddings.

MLL acquired the site in 2009. Since this time, MLL has undertaken a significant redevelopment programme for the site (including substantial native planting throughout the site).

It is noted that MLL presently has a resource consent application lodged with the Council that seeks to add additional visitor accommodation buildings which increase guest numbers to a maximum of 46 guests. This application has been on hold for some time as MLL's request.

Operative District Plan

In terms of the Operative District Plan ("ODP"), the site is contained within the Rural Lifestyle Zone, as illustrated by the black star below:



The ODP Rural Lifestyle Zone has been in place since the late 1990's,

Proposed District Plan – Stage 1

In the notified version of Stage 1 of the Proposed District Plan ("PDP"), the site was still contained in the Rural Lifestyle Zone, but with a Visitor Accommodation Sub-Zone overlay ("VASZ").



MLL lodged a submission (#595) in support of the VASZ that applied to the notified version of the Stage 1 PDP.

In the decision's version of Stage 1 of the PDP, the Council decided to remove the VASZ as originally applied to the site. The site is still contained in the Rural Lifestyle Zone. The decision to remove the VASZ has been appealed by MLL (reference ENV-2018-CHC-68). No decision has been made by the Environment Court in relation to this appeal (mediation is set down for early 2019).

Proposed District Plan – Stage 3b

Stage 3b of the PDP introduces a new chapter to the PDP, being Chapter 46 Rural Visitor Zone ("RVZ"). The ODP Rural Visitor Zone has been used as a baseline for the PDP RVZ, with various amendments to deal with a range of resource management issues.

The Section 32 report that accompanies the PDP RVZ states the following:

The RVZ is intended to provide for and manage visitor industry activities within the rural environment of the District, specifically the Outstanding Natural Landscapes (ONL). The RVZ is designed to provide for visitor industry facilities on sites that are too small to likely be appropriate for resort zoning (i.e. a stand alone special zone), and the principal activity is visitor accommodation and smaller scale commercial recreation activities, rather than a separate resort or special zone that is centred around substantial recreation activities (i.e. Millbrook Chapter 43 and the establishment and ongoing use of golf courses).¹

The Section 32 report also states:

The key resource management issues relating to the RVZ are the effects of activities on landscape values and the appropriateness of various activities within the zone and relatively remote locations within the rural environment. Issues specific to different areas include the recognition of historic values, the effects of urban growth, community identify and reverse sensitivity effects.²

As outlined above, Matakauri Lodge has been established for a significant period of time (20 years plus). The dominant use of the site is visitor accommodation activities, together with small scale ancillary commercial activities. No full-time residential activities occur on the site.

On the basis of the established predominant visitor accommodation use of the site, it's size and location, the submitter considers that the PDP RVZ is more appropriate to the site, as opposed to the Stage 1 PDP Rural Lifestyle Zone. The rationale for this approach is outlined below.

¹ Section 32 Report – Paragraph 1.2

² Section 32 Report – Paragraph 1.3

5. The submission is:

MLL supports the notified version of Stage 3b of the PDP on the following basis:

1. That the RVZ is imposed on the site owned by MLL.
2. That the purpose of the RVSZ (46.1) is confirmed.
3. Objective 46.2.1 and supporting Policies 46.2.1.1 to 46.2.1.7 that seek to provide for visitor accommodation activities in appropriate locations, while taking into account landscape quality/character, visual amenity, amenity and nature conservation values, is confirmed.
4. Objective 46.2.2 and supporting Policies 46.2.2.1 to 46.2.2.5 that seek to enable buildings and development for the visitor industry where landscape character and visual amenity values are maintained or enhanced, is confirmed
5. Rule 46.4.2 that provides for visitor accommodation as a permitted activity is confirmed.
6. Rule 46.4.6 that provides for buildings to be classified as a controlled activity is confirmed.
7. Rule 46.4.12 that classifies commercial, retail or service activities as a non-complying activity, unless such are ancillary to a visitor accommodation activity is confirmed.
8. Rule 46.5.1 that specifies a maximum building height of 6m is confirmed.
9. Rule 46.5.2 that specifies a maximum ground floor area of 500m² for any building is confirmed.
10. Rule 46.5.5 that specifies a 10m setback from the zone boundary is confirmed.
11. Rule 46.6 that specifies that any application for a controlled or restricted discretionary activities shall not require the written consent or other persons and shall no be notified or limited notified, is confirmed.

The purpose of the RVZ is to provide for visitor industry activities in remote locations within Outstanding Natural landscapes at a limited scale and intensity. Further, the RVZ seeks to direct visitor accommodation activities to locations where the landscape can accommodate change and adverse effects on landscape values are cumulatively minor.

Matakauri Lodge has been developed in a sympathetic manner over an extended period from a landscape perspective. The existing development on

the site has taken place without adversely affecting the landscape qualities of the surrounding Outstanding Natural Landscape and nearby public areas.

The purpose of the PDP Stage 1 Rural Lifestyle is to provide for rural living opportunities in rural locations. The existing visitor accommodation operation on the site (with no residential activities) is not reflective of the PDP Rural Lifestyle zoning and purpose.

The imposition of the RVZ on the site will recognise the established visitor accommodation operation on the site and provide the opportunity to enable appropriate alterations and extensions to this operation. The existing development on the site provides a basis for further visitor accommodation activities on the site. Any further visitor accommodation development on the site can be appropriately managed via the various provisions in the RVZ that will ensure such development does not cause adverse landscape and amenity related effects.

Overall, it is considered that the imposition of the RVZ on the site is an appropriate resource management outcome. The site has existing visitor accommodation facilities and is located away from the nearest urban environment. Any further visitor accommodation development on the site will need to take into account the surrounding landscape characteristics and quality, and general amenity values of the setting.

6. The submitter seeks the following decision from the Queenstown Lakes District Council:

MLL seeks that:

1. That the RVZS is applied to the MLL site.
2. That Objectives 46.2.1 and 46.2.2 (and supporting relevant policies are confirmed).
3. That Rules 46.4.2, 46.4.6, 46.4.12, 46.5.1, 46.5.2, 46.5.5 and 46.6 are confirmed.

The submitters also seek such further or consequential or alternative amendments necessary to give effect to this submission, and to:

- (a) promote the sustainable management of resources and achieve the purpose of the Resource Management Act 1991 ("Act");
- (b) meet the reasonably foreseeable needs of future generations;
- (c) enable social, economic and cultural wellbeing;
- (d) avoid, remedy or mitigate the adverse effects of the activities enabled by the Variation; and
- (e) represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of other means available in terms of section 32 and other provisions of the Act

7. The submitter wishes to be heard in support of their submission.

- 8. If others make a similar submission the submitter will consider presenting a joint case with them at a hearing.



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Scott Freeman (on behalf of Matakauri Lodge Limited)

2nd December 2019