

BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN

IN THE MATTER

of the Resource Management
Act 1991

AND

IN THE MATTER

of a submission to the Proposed
District Plan

BY

**BANCO TRUSTEES LIMITED,
MCCULLOCH TRUSTEES
2004 LIMITED AND OTHERS
(SUBMISSION #2400)**

SYNOPSIS OF SUBMISSIONS FOR BANCO TRUSTEES AND OTHERS

Dated: 25 July 2018

TODD & WALKER 
LAWYERS | NOTARY PUBLIC

Solicitors:

G M Todd/B B Gresson
PO Box 124
Queenstown 9348
P 03 441 2743
F 03 441 2976
graeme@toddandwalker.com;
ben@toddandwalker.com

MAY IT PLEASE THE PANEL:

1. These submissions are in support of the submission by Banco Trustees and others ("**Banco**") seeking its land at McDonnell Road ("**land**") be rezoned as Wakatipu Basin Rural Lifestyle Precinct.
2. The land has been notified as Wakatipu Basin Rural Lifestyle Precinct under the Queenstown Lakes District Council's ("**Council**") Variation to the Proposed District Plan ("**PDP**").
3. It is submitted on the basis of the expert planning and landscape evidence filed by Mr Geddes and Mr Skelton that the relief sought in the submission be accepted and the recommendations of the experts of the Council that the notified zoning of Wakatipu Basin Rural Amenity Zone be rejected.
4. The Lifestyle Precinct zoning it is submitted is a more appropriate zoning for the land particularly given the findings of the Wakatipu Basin Land Use Study ("**Study**") which it is submission forms the foundation of the Wakatipu Basin Variation to the PDP. In short the Study found that the land is suitable for low density residential living (average lots of 200m²) and that it has a high capability to absorb additional development. Mr Skelton in his evidence addresses the findings of the Study and agrees with its findings.
5. The Council's notified zoning of Wakatipu Basin Amenity Zone and the Council's experts' subsequent recommendation to retain the Amenity Zone and reject Banco's submission seeking Lifestyle Precinct is totally inconsistent with the findings of the Study.
6. It is significant that the Council has not provided expert landscape evidence in response to Banco's submission. Mr Langman for the Council in his recommendation to retain the notified zoning has instead ironically relied on the findings of the Study. Despite this Mr Langman has not adopted the findings of the study and has instead recommended the land be retained as Rural Amenity Zone.
7. Mr Langman's recommendation is based on view that it would be more effective for the PDP to sterilise the land in order to allow for potential future urban

development and that to allow a rural lifestyle zoning would lock-up such urban development.

8. It is submitted this view lacks merit, firstly as no landowner should be prejudiced by such a suggestion that they should have to sterilise their land in order to allow for hypothetical future urban development at an unknown time in the future. If land is suitable for a particular purpose proposed the Council should not be in the position of preventing this purpose on the basis of an unknown future alternative.
9. Further, nothing proposed in this submission would preclude future lower density development on the land.
10. Given such it is submitted little weight should be given to Mr Langman's recommendation and the Panel should instead rely on the expert landscape evidence of Mr Skelton for Banco.
11. Mr Skelton's largely agrees with the findings of the Wakatipu Basin Land Use Study and rightly concludes that a rural living type zone would maintain the amenity of the landscape.
12. Mr Geddes in his evidence adopts Mr Skelton's view and it is submitted successfully addresses how the Lifestyle Precinct is appropriate for the zone in terms of the higher order provisions of the PDP and the statutory framework under the Resource Management Act 1991.
13. As such it is submitted that a Lifestyle Precinct Zone would best achieve the Strategic Directions of the PDP and the purpose of the Resource Management Act 1991.



G M Todd/B B Gresson
Counsel for Banco Trustees and others