

Appendix B

Submission

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: A Feeley, E Borrie & LP Trustees Limited

Address for Service: A Feeley, E Borrie & LP Trustees Limited
C/- Southern Planning Group
PO Box 1081
Queenstown 9348

Attention: Scott Freeman
scott@southernplanning.co.nz
021 335 998

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

Property address and description:

4.1 A Feeley, E Borrie & LP Trustees Limited ("the submitter") owns land legally described as Section 9 BLK VII Shotover Survey District (the "subject site"). The site is located at 508 Arrowtown – Lake Hayes Road and is 6.2117 hectares in area. The subject site contains a dwelling and associated outbuildings. The site has two established access points along Arrowtown – Lake Hayes Road.

4.2 The land is included within the Wakatipu Basin Rural Amenity Zone (WBRAZ) as identified in Figure 1 below.



Figure 1: Stage 2 PDP zoning - the land the subject of this submission is identified in green outline

5. The A Feeley, E Borrie & LP Trustees Limited ("the submitter") submission is that:

- 5.1 The submitter **opposes** Chapter 24 – Wakatipu Basin in its entirety as it applies to the land.
- 5.2 The submitter seeks that the land be included within the Low Density Residential Zone (LDR) as identified in the Structure Plan in **Appendix 1**.

Without derogating from the generality of the above, the submitter further states that:

- 5.3 A Structure Plan has been prepared to support this submission which contemplates two rows of low density residential properties¹ along the eastern boundary, replicating the existing residential character of McDonnell Road. A 25m wide landscape strip is proposed along the western boundary adjoining the Arrowtown – Lake Hayes Road to maintain the landscape corridor at the southern entrance to Arrowtown. The remainder of the site is proposed to contain up to five residential units.

¹ The density of this section of the Structure Plan is intended to reflect the outcome of the Chapter 7 – Low Density Residential when it is made operative

- 5.4 The proposed Structure Plan design is to apply a graduated approach to the density and form at the edge of the Arrowtown township rather than a boundary line approach. This approach is less severe and is akin to the other entrances into Arrowtown via Manse Road or Centennial Avenue, where residential development on larger land areas is replaced by dwellings on smaller land parcels the closer you get to the town centre.
- 5.5 The submitter considers that the land should be included within the LDR zone as it adjoins the existing residential boundary of Arrowtown. The site is opposite 1-43 McDonnell Road which all contain modest, low density residential dwellings and residential development along the opposite side of the road on the subject site would provide a balance to McDonnell Road, whereas at present the road is only one-sided.
- 5.6 The site is also a short walk from the Arrowtown town centre, parks, education providers and public transport stops².
- 5.7 Council water, sewer and stormwater services are located within McDonnell Road immediately adjacent to the site.
- 5.8 McDonnell Road is an existing road with a 50km/hr speed limit that provides access to dwellings along that road and connects through to Centennial Avenue, south of Arrowtown. The road is sealed and formed to a width of approximately 8.5m within a 20m legal corridor and currently has a footpath and allows for parking along one side. The 20m legal corridor width would allow for additional on-site parking and/or a footpath adjoining the subject site.
- 5.9 The subject site is topographically distinct from the adjoining land to the south being predominantly flat along the majority of the eastern and western boundaries with elevated areas in the southern portion of the site which continues into the adjoining property to the south. Consequently, the LDR zoning of the submitter's site would not necessarily result in a spread of urban development further to the south as the topography would contain the zoning.

² This is consistent with Objective 4.2.1 and Policies 4.2.1.2 & 4.2.1.3 of Chapter 4 – Urban Development (as notified)

- 5.10 The subject site has the ability to absorb urban residential development in a way that does not detract from the landscape and visual amenity values of the Wakatipu Basin area given that it adjoins existing low density residential development to the east³.
- 5.11 The suitability of the site to contain urban development was outlined within the Wakatipu Land Use Study (map provided in Figure 2 below) in which the submitter's site was identified as having a moderate capability to absorb development into the landscape. The submitter's site was included as part of the South Arrowtown Precinct of which the recommended planning strategy was for the Precinct to contain Medium and Low Density Residential Zoning (with densities of 1:250m² and 1:450m² respectively).

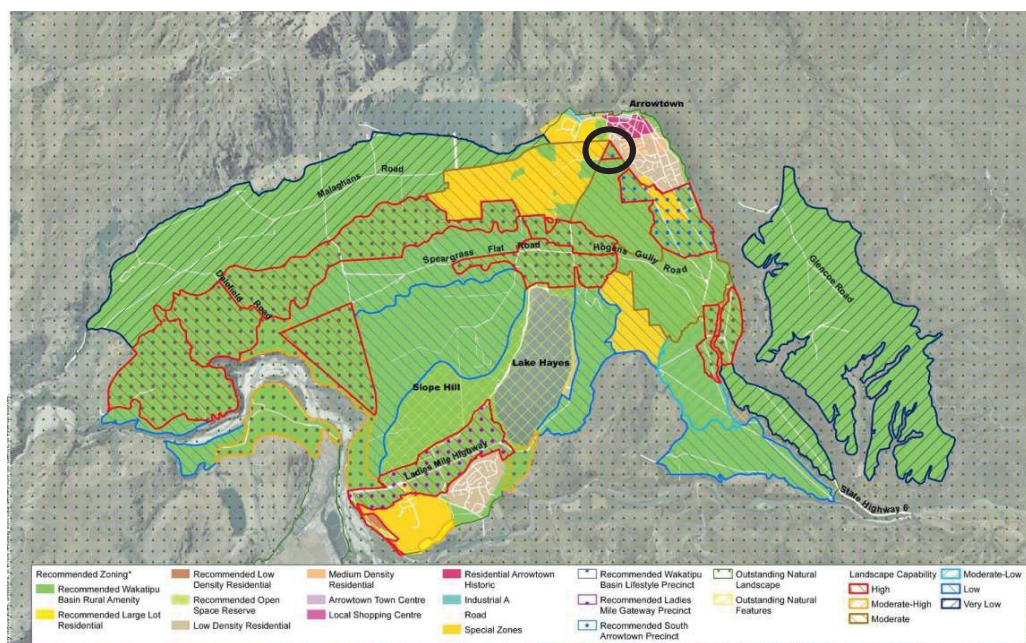


Figure 2: Landscape Capability and Recommended Zoning/Precincts identified within the Wakatipu Basin Land Use Study (submitter's site circled in black)

- 5.12 Chapter 24 – Wakatipu Basin and the zoning of the land within the Wakatipu Basin as notified, is based upon many of the findings within the Wakatipu Basin Land Use Study, however the urban zoning of the submitter's land has not been incorporated as recommended by the Study. The Section 32 report⁴ on Chapter

³ This is consistent with Policy 3.2.2.1.7 of Chapter 3 – Strategic Directions and Objective 4.2.1 and Policies 4.2.1.1 & 4.2.1.5 of Chapter 4 – Urban Development (as notified)

⁴ Page 27

24 addresses the inclusion of the land to the south of Arrowtown within the WBRAZ and states:

“Any provision for subdivision or development beyond that provided for in the WBRAZ should require a comprehensive structure plan process to be completed and incorporated in a future Variation or Plan Change.”

- 5.13 It is unclear from the Section 32 report as to why the zoning of the land has not been considered holistically along with the remainder of the land covered by Chapter 24. Furthermore, it is considered that the abovementioned strategy could lead to an ad hoc approach to the zoning of the land within the Precinct identified by the Wakatipu Basin Land Use Study given the land within the Precinct are owned by various parties. Notwithstanding, the submitter has prepared a Structure Plan to inform the consideration of the requested zoning of the land as recommended by the Section 32 report.
- 5.14 It is noted that the subject site is located outside of the Arrowtown Urban Growth Boundary (UGB) which was notified as part of Stage 1 (and that the Stage 2 maps do not include the UGB). Notwithstanding, the Second Minute of the Hearings Panel⁵ outlined that any submissions relating to the location of the UGB lines would be heard as part of the mapping hearings. The mapping hearing in relation to the land within the Wakatipu Basin is yet to be held. Should the Hearings Panel be of the mind to approve the proposed zoning of the submitter's land, a potential consequential relief would be to also alter the Arrowtown UGB to incorporate the proposed LDR zoning.
- 5.15 Given that the submitter's site is located outside of the Arrowtown UGB as notified, the LDR zoning of the submitter's site is not consistent with Policies 4.2.2.1 and 4.2.5.1 of Chapter 4 – Urban Development. However, given that the submissions in relation to the zoning of land surrounding the Arrowtown UGB have yet to be considered by the Hearings Panel in terms of whether the land is suitable to be zoned for urban development, it is considered that the UGB location may require amendment following this determination. Accordingly, these policies should apply to the land located within the UGB as determined by the Hearings Panel following consideration of all of the

⁵ Dated 5 February 2016

submissions and not to assess the suitability of the zoning of the land outside the UGB at the outset.

- 5.16 The LDR zoning of the subject site would enable increased market competition in Arrowtown in line with that sought by Chapter 3 – Strategic Directions⁶. This is important as there are very few undeveloped areas within the notified Arrowtown Urban Growth Boundary which may over time reduce the affordability of the suburb further than it is currently.

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

- 6.1 That the land be included within the Low Density Residential Zone.
- 6.2 That the attached Structure Plan be appended to Chapter 7 with a corresponding new Rule 7.5.16 as a discretionary activity as follows:

*Structure Plan – Section 9 BLK VII Shotover Survey District
Development shall be undertaken in general accordance with the Structure Plan.*

7. Conclusion

- 7.1 The inclusion of the subject site within the LDR zone is considered to be the most suitable zoning compared to the notified Wakatipu Basin Rural Amenity zoning of the land when the context surrounding the land is taken into account. The inclusion of the land within the LDR zone would also accord with all of the objectives and policies within Chapter 7 – Low Density Residential Zone as well as those applicable provisions within Chapter 3 – Strategic Direction and Chapter 4 – Urban Development (as notified).
- 7.2 In utilising the existing Chapter 7 provisions as much as possible, the inclusion of the land will not introduce any overly complicated provisions and will contribute to the streamlining of the District Plan.

⁶ In particular Policy 3.2.2.1.6

- 7.3 Utilising the existing Chapter 7 provisions will also ensure that any future residential development of the land would be in keeping with that which has occurred on the adjoining properties along McDonnell Road and will ensure that the amenity of the neighbouring land is maintained.
- 7.4 In addition to the above, the submitter seeks any such further, consequential or alternative amendments necessary to give effect to this submission (including the necessary adjustment of the urban growth boundary), 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; 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.

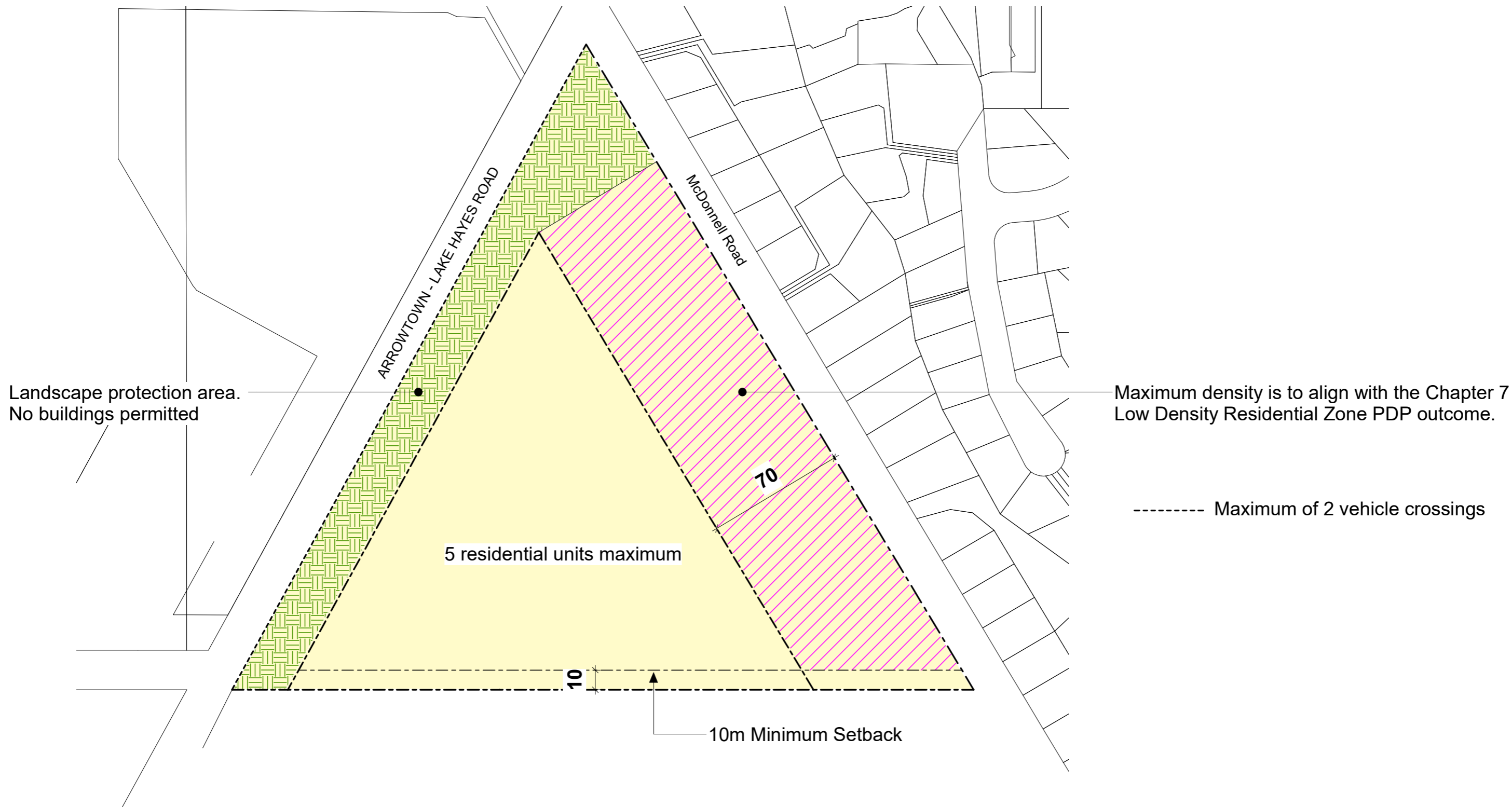
8. If others make a similar submission the submitter will consider presenting a joint case with them at a hearing.

Signature



(Scott Freeman on behalf of A Feeley, E Borrie & LP Trustees Limited)

Date: 23 February 2018



1 Site - Structure Plan
1 : 1000

1808 Feeley 508 Arrowtown-Lake Hayes Road	© COPYRIGHT ASSEMBLY ARCHITECTS LIMITED 6 ARROW LANE P.O. BOX 192 ARROWTOWN, 9351 Justin Wright 021 565 363		
	2	21/02/18	Planning Issue
	1	19/02/18	Review
NOT FOR CONSTRUCTION	ISS	DATE	NOTE
			21/02/2018

ASSEMBLY
ARCHITECTS
LIMITED

E:\Data\Dropbox\0 Dropbox Server\1 Projects\2018 Projects\Dropbox\1808 Feeley Subdivision\01 CAD\1808_Site_Feeley_version02.rvt		DRAWING	NUMBER	REV
Site Structure Plan		10.00	2	