

ANNEXURE A – SUBMISSIONS

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: Tim Williams
tim@southernplanning.co.nz
021 209 8149

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. Matakauri Lodge Limited (MLL) submission is that:

MLL owns and operates a high end luxury accommodation facility on land legally described as Lot 2 DP 27037. The Proposed District Plan zones this land Rural Lifestyle with a Visitor Accommodation Sub-zoning. This zoning and sub-zoning is identified on Proposed Planning Map 38 – Wilson Bay and Bobs Cove.

MLL in part **supports** the Proposed District Plan (PDP) on the following basis:

4.1 The PDP zones MLL's land as Rural Lifestyle with a Visitor Accommodation Sub-zoning.

- 4.2 Part Four Rural Environment – 22 Rural Residential & Rural Lifestyle Objectives, Polices and Rules where those provisions enable visitor accommodation activity and buildings and provide for those activities as a controlled activity within a Visitor Accommodation Sub-zone.

Without derogating from the generality of the above, MLL further submit that:

- 4.3 The MLL site has been used for visitor accommodation purposes since the late 1990's. The s32 report accompanying Part Four of the PDP titled Matakauri Lodge identifies the visitor accommodation history of the site and uncertainty the District Plan zoning provides for continued operation and development of the site for visitor accommodation activity. MLL supports the s32 evaluation in this respect.

- 4.4 MLL supports the purpose of the s32 which is *'to simplify and streamline the provisions to better recognise the presence of visitor accommodation on the site and therefore reduce administrative cost and provide certainty to ongoing investment in the site and activity'*.

- 4.5 MLL supports:

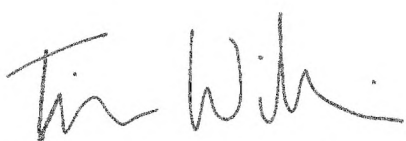
Objective 22.2.2 Ensure the predominant land uses are rural, residential and where appropriate, visitor and community activities and

Policy 22.2.2.4 Encourage visitor accommodation only within the specified visitor accommodation subzone areas and control the scale and intensity of these activities.

Policy 22.2.2.5 The bulk, scale and intensity of buildings used for visitor accommodation activities are to be commensurate with the anticipated development of the zone and surrounding residential activities.

Where these objectives and policies support the provision for visitor accommodation activity and buildings within visitor accommodation sub-zones.

- 4.6 MLL considers the provision of a Visitor Accommodation Sub-zone on the site along with provisions enabling visitor accommodation buildings and activity as a controlled activity will provide the necessary certainty to enable continued operation and investment in the site and associated facilities.
- 5. The submitter seeks the following decision from the Queenstown Lakes District Council:**
- 5.1 The Visitor Accommodation sub-zoning for the MLL site is confirmed, and
- 5.2 The Objectives, Policies and Rules of the Rural Lifestyle Zone that provide for visitor accommodation activity and buildings as a controlled activity within the Visitor Accommodation Sub-zone are confirmed.
- 5.3 Any consequential relief or alternative amendments to objectives and provisions to give effect to the matters raised in this submission.
- 6. The submitter wishes to be heard in support of their submission.**
- 7. If others make a similar submission the submitter will consider presenting a joint case with them at a hearing.**



(Tim Williams on behalf of Matakauri Lodge Limited)

Date 23 October 2015

FORM 6
FURTHER SUBMISSION ON PROPOSED QUEENSTOWN LAKES DISTRICT PLAN

Clause 8 of First Schedule, 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: Tim Williams
tim@southernplanning.co.nz
 021 209 8149

1. This is a further submission on the Proposed Queenstown Lakes District Plan.

2. The following submissions are opposed:

- Submission 243 – Christine Byrch
- Submission 811 – Marc Scaife

3. The following submissions are supported:

NA

4. The submitter has an interest in the proposal that is greater than the interest of the general public.

The submitter's interest is greater than the interest of the general public because Matakauri Lodge Limited owns land which will be directly affected by outcomes requested in submissions listed above and lodged an original submission (No. 595) relating to matters raised by these submitters.

5. The reasons for this submission are:

Submitter #	Support, Oppose	Further Submission

	or Neutral	
243-243.47	Oppose	The submitter opposes this submission and considers that the Proposed District Plan and Visitor Accommodation Sub-zone is an appropriate method to recognise and enable visitor accommodation on Lot 2 DP 27037 as outlined in Submission No. 595. Submission 243 inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.
811 -811.15	Oppose	The submitter opposes this submission and considers that the Proposed District Plan and Visitor Accommodation Sub-zone is an appropriate method to recognise and enable visitor accommodation on Lot 2 DP 27037 as outlined in Submission No. 595. Submission 243 inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.

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

- Submission 243 - Christine Byrch is disallowed
- Submission 811 - Marc Scaife is disallowed

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.



Tim Williams (on behalf of Matakauri Lodge Limited)

Submitter Details

First Name: **Christine**
 Last Name: **Byrch**
 Street: **PO Box 858**
 Suburb:
 City: **Queenstown**
 Country: **New Zealand**
 PostCode: **9348**
 Daytime Phone: **034429852**
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Trade competition and adverse effects:

I could I could not

gain an advantage in trade competition through this submission

I am I am not

directly affected by an effect of the subject matter of the submission that :

- a. adversely affects the environment, and
- b. does not relate to the trade competition or the effects of trade competitions.

Wishes to be heard:

Yes

No

Preferred hearing location:

- | | | | |
|---|---|---|---|
| <input checked="" type="checkbox"/> Ch 1 -
Introduction | <input checked="" type="checkbox"/> Ch 2 - Definitions | <input checked="" type="checkbox"/> Ch 3 - Strategic
Direction | <input type="checkbox"/> Ch 4 - Urban
Development |
| <input type="checkbox"/> Ch 5 - Tangata | <input type="checkbox"/> Ch 6 - Landscape | <input type="checkbox"/> Ch 7 - Low
Density Residential | <input type="checkbox"/> Ch 8 - Medium Density
Residential |
| <input type="checkbox"/> Ch 9 - High
Density
Residential | <input type="checkbox"/> Ch 10 - Arrowtown
Residential Historic
Management Zone | <input type="checkbox"/> Ch 11 - Large Lot
Residential | <input type="checkbox"/> Ch 12 - Queenstown
Town Centre |
| <input type="checkbox"/> Ch 13 - Wanaka
Town Centre | <input type="checkbox"/> Ch 14 - Arrowtown Town
Centre | <input type="checkbox"/> Ch 15 - Local
Shopping Centres | <input type="checkbox"/> Ch 16 - Business
Mixed Use Zone |
| <input type="checkbox"/> Ch 17 -
Queenstown
Airport Mixed Use | <input type="checkbox"/> Ch 21 - Rural Zone | <input checked="" type="checkbox"/> Ch 22 - Rural
Residential and
Rural Lifestyle | <input type="checkbox"/> Ch 23 - Gibbston
Character Zone |
| <input type="checkbox"/> Ch 26 - Historic
Heritage | <input type="checkbox"/> Ch 27 - Subdivision and
Development | <input type="checkbox"/> Ch 28 - Natural
Hazards | <input type="checkbox"/> Ch 30 - Energy and
Utilities |
| <input type="checkbox"/> Ch 32 -
Protected Trees | <input type="checkbox"/> Ch 33 - Indigenous
Vegetation and
Biodiversity | <input type="checkbox"/> Ch 34 - Wilding
Exotic Trees | <input type="checkbox"/> Ch 35 - Temporary
Activities and Relocated
Buildings |
| <input checked="" type="checkbox"/> Ch 36 - Noise | <input type="checkbox"/> Ch 37 - Designations | <input type="checkbox"/> Ch 41 - Jacks
Point Zone | <input type="checkbox"/> Ch 42 - Waterfall Park |
| <input type="checkbox"/> Ch 43 -
Millbrook Resort
Zone | | | |

Submission

Consultation Document Submissions

Part One - Introduction > 1 Introduction

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

Revise the plan.

My submission is

The following comments apply to the whole plan, but there is nowhere I can find to put them, so here they are: 1. Too much Discretion There is too much that is discretionary in the Plan and so too little certainty for the community. To have so much decided by beuaraucrats leads to inconsistency, expense, and a lot of work for those who both support and oppose resource consent applications. Too much faith is put on the ability of decision makers. In an ideal world this might work but in the real world, ad hoc decision making by real people does not lead to well informed and consistent decisions. And this I am sorry to say is my experience with decisions on resource consents in this district. 2. Editorial Comments My overall impression of the proposed Plan is that it is not ready for public comment. It is not well written and would benefit from professional editing. It is not of the standard I would expect of the primary planning document for the Queenstown Lakes District. Although this comment applies to all chapters, I have only commented here on the beginning of the first chapter to illustrate what I mean. You may think this is being pedantic, but clarity is of the essence in a planning document such as this. Examples of poor writing: in section 1.1 'In the RMA, sustainable management means' why not say 'The RMA defines sustainable management as ...' in section 1.4 'These responsibilities will allow' should be 'Fulfilling these responsibilities will allow' section 1.4.2 'Monitoring of the Plan will reflect the grouping of chapters within each Part ...' What exactly does this means? section 1.5.1 By The Act, do you mean the RMA? the Queenstown Lakes District Council is singular so 'Queenstown Lakes District Council has'. Instead of 'However, as changes occur to the environment it may be desirable to make amendments to this Plan in order to respond to new issues and conditions.' why not 'However, it may be desirable to make amendments to this Plan in response to issues as they arise.' This paragraph adds nothing: 'Definitions are provided within this Plan and have specific meanings. Generally, plain English interpretations of words are encouraged but there are definitions included within the Resource Management Act, and other legislation such as the Building Act.' section 1.6.10 Surely this paragraph could be written more clearly? 'The District is split into several zones to allow different provisions to apply to each. This allows development in each zone to be reflective of the effects anticipated by this Plan. District Wide Matters apply over all zones.' 2. Favours Growth over Residential Living The Proposed District Plan favours noise, growth, business, commercial development over residential living. It is my opinion that the plan should provide more for residential living rather than business growth and development. 3. Inconsistencies There are inconsistencies within the Proposed District Plan eg some special zones are subsumed within Zones eg the visitor accommodation sub zone within the Rural Living Zones, while others are included in the final chapter Part Six – Special Zones. What is it that determines whether there is a sub zone or a special zone? 4. Provisiion to Deal with Omissions, Inconsistencies, Errors etc My impression is that this District Plan has been written in a hurry and that it contains omissions, inconsistencies, errors and so on. In the event that all of these are not resolved before the plan comes in to use, I suggest that provision is made for some means of quickly resolving these problems/issues as they arise and are noticed once the plan is in use.

Part One - Introduction > 1 Introduction > 1.1 Purpose

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

That this section will be rewritten to reflect a competent and articulate council.

My submission is

The section, and in particular the first paragraph, needs to be more clearly written. It is a disappointing start to what is the District's most important planning document.

Part One - Introduction > 1 Introduction > 1.6 How to use this Plan

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

Please clarify

My submission is

This is a question: section 1.6.9 is it correct that 'The Council must generally grant consent to a controlled activity, but in granting consent the Council may impose conditions that relate only to those matters specified.' I thought that Council must grant consent to controlled activities?

Part One - Introduction > 2 Definitions

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

Rewrite definitions based on my comments above.

My submission is

I have not read each definition carefully, as this would take a very long time. Here are my comments on those I have read. However, this chapter is on the whole badly written and needs to be carefully edited and rewritten. Being clear and concise is essential for the definitions to be of use. Activity Sensitive To Aircraft Noise (ASAN) - this should specifically include outdoor spaces associated with residential, visitor accommodation, community, and day care activities. People in the Queenstown Lakes District do not live their lives inside, but enjoy being outdoors on their properties. eg "Means any residential activity, visitor accommodation activity, community activity and day care facility activity as defined in this District Plan including all outdoor spaces associated with these activities and any educational facility, but excludes activity in police stations, fire stations, courthouses, probation and detention centres, government and local government offices." Aircraft Operations – why is "aircraft using the Airport as an alternative to landing at a scheduled airport" excluded? This seems to be a mistake. Domestic Livestock – to be consistent with the definition of commercial livestock, this definition should refer to the livestock rather than their keeping. Ecosystem Services – not just the services that people benefit from. Farming Activity – write more clearly Hotel – missing a word Kitchen Facility – this is not very clear. Nature Conservation Values - surely you need to define the values here. Their 'preservation and protection etc' does not define these values. Noise - Ldn: delete the day/night level, . I thought that this measure was not accepted by QLDC when last advertised? Any level of noise can be made to meet a standard by averaging it over a long enough time period. This level has been introduced simply to allow helicopter noise. Why are helicopters a special case? They should meet the noise standards as every other activity is required to do. Residential activity / residential flat / residential unit - these definitions need to be clearly written and perhaps renamed to make clear whether you are referring to the building or the use of the building. At the moment, they are very muddled. Also clarify Secondary unit. Ski Area Activities - delete points a and d - they are way too broad. Point c - should it be 'or' or 'of'? Temporary Activities - improve the wording. Temporary Events - 'uses similar in character' to what? Unit - you refer to 'visitor accommodation unit' but this is not defined anywhere. Visitor accommodation - this is defined as the use of buildings and land. You need to also define the buildings and infrastructure that is used to provide for visitor accommodation, as you have attempted to do for residential buildings and use of residential living, so that separate resource consents can be described for the infrastructure and for its use. Residential buildings and living in those residential buildings - two activities and needs to be more clearly stated as such in the definitions. Is it necessary to call residential buildings residential activity? Residential unit?

Part Three - Urban Environment > 12 Queenstown Town Centre > 12.6 Non-Notification of Applications

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

My submission is

12.6.2.2 Building coverage in the Town Centre Transition subzone and comprehensive development of sites 1800m² or greater. - should be notified for these large developments.

Part Three - Urban Environment > 12 Queenstown Town Centre > Figure 2

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

My submission is

Part Four - Rural Environment > 22 Rural Residential and Rural Lifestyle > 22.1 Zone Purpose

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

Revise as per comments.

My submission is

As with the rest of the proposed plan, this section would benefit from re writing to make it clear and concise. I don't think that the proposed plan adequately addresses Issues one and three identified in the Section 32 report. Why do Rural Residential not have a building platform? Why are buildings controlled by different features / characteristics between rural residential and rural lifestyle? I support discouraging commercial activities in rural living zones.

Part Four - Rural Environment > 22 Rural Residential and Rural Lifestyle > 22.2 Objectives and Policies > 22.2.1 Objective 1

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

Revise as per my comments.

My submission is

This objective could be re written to be clear and concise. Same for policies. Eg for 22.2.1.1 why not say 'Avoid visually prominent buildings ...'? Policy 22.2.1.3 density provisions should not be flexible - there must be a minimum or there is no certainty for the residents of the zone and the zone is inconsistent with its purpose which states "a minimum allotment size is necessary to maintain the character and quality of the zones" Policy 22.2.1.4 why only manage "anticipated activities" - surely need to manage all activities?

Part Four - Rural Environment > 22 Rural Residential and Rural Lifestyle > 22.2 Objectives and Policies > 22.2.2 Objective 2

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

My submission is

To be consistent with the purpose of this zone and objective 22.2.2.3, delete " and where appropriate, visitor activities" from objective 22.2.2 Delete objective 22.2.2.4 - visitor accommodation is too different from the purpose of this zone to have a visitor accommodation sub zone.

Part Four - Rural Environment > 22 Rural Residential and Rural Lifestyle > 22.2 Objectives and Policies > 22.2.5 Objective 5

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

Revise

My submission is

I think I know what this means, but it needs to be more clearly written. Meaning is obscure.

Part Four - Rural Environment > 22 Rural Residential and Rural Lifestyle > 22.2 Objectives and Policies > 22.2.6 Objective 6

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

Clarify these sentences.

My submission is

What does 'comprehensively-planned' mean? 22.2.6.1 - what actually does this mean? should be sub-zone, not zone. You seem to be asking for a high vegetation cover that also maintains open space. Do you want the area planted in native grasses? Open space in front of buildings will make them visible from the Glenorchy Road - is this the purpose of this objective?

Part Four - Rural Environment > 22 Rural Residential and Rural Lifestyle > 22.3 Other Provisions and Rules

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

My submission is

22.3.2.7 - you are introducing another floor area - this is not in the definitions. The definitions already include Ground Floor Area, Gross Floor Area (GFA), Building Coverage, Habitable Space, Net Floor Area. Do you need another floor area calculation?

Part Four - Rural Environment > 22 Rural Residential and Rural Lifestyle > 22.4 Rules - Activities

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

revise so that all buildings are given an activity status. All visitor accommodation should be non complying. 22.4.10 and all reference to a visitor accommodation subzone in the rural living zones should be deleted. If it is retained, then this should not include buildings - all buildings should be treated equally in the zone. 22.4.13 Informal airports should be prohibited. If not prohibited, then at the very least 22.4.15 Any building within a Building Restriction Area that is identified on the planning maps should be prohibited. other changes as noted above.

My submission is

This proposed plan does not address the problem in the existing plan that concerns buildings in that building not used for residential activities are not properly accounted for. ALI buildings in both rural residential and rural lifestyle should be on a building platform. The building platform should be discretionary and be granted based on External appearance. ? Visibility from public places. ? Landscape character. ? Visual amenity The actual building and its use need to be defined and considered as two different activities. The zone purpose for residential living must be maintained by ensuring one residential building per 4000m2 in rural residential and one residential building per

hectare in rural lifestyle is the norm, and anything more than this is non complying. Residential activity (ie use of building as a residence) should be permitted. There needs to be some provision in the plan that stops subdivisions already approved with large sites adding additional building platforms based on the new densities. Regarding the visitor accommodation sub zone - the Rural living zones are for low density rural living - not for business. Any other business is restricted to Home Occupation with only one person working that comes from outside of the household, and this is an appropriate level of industry. The visitor accommodation sub zone is a misnomer. It has been included specifically to allow visitor accommodation on only two disconnected sites - the Matakauri Lodge site and another on Speargrass flat road. The Section 32 report has been written by Matakauri planning consultant and correspondence regarding the subzone is also with that consultant. It is clear from the report and correspondence that this is not creating a sub zone but setting special conditions that allow development out of character with the zone for 2 individual sites, as dictated by the Matakauri planning consultant. I have read the section 32 Matakauri report. It is not clear, but in essence seems to say that: 1. development at Matakauri is beyond what is appropriate for the rural lifestyle zone 2. because of the zoning, future expansion requires resource consent and is therefore expensive and uncertain. Regarding the first point, this is true, and suggests that the level of development granted consent by QLDC should never have been allowed. At the time of granting these consents, both Matakauri and QLDC, said that the development was consistent with the underlying zone. Now they are both stating the opposite - such fickle opinions do not give confidence in Council's decision making or Matakauri's credibility. Regarding the second point, the owners of Matakauri bought the property knowing it was in a rural lifestyle zone and subject to that zone's rules and standards. This should have given them certainty. However, it is that the Council has not applied the zone standards to the Matakauri site that has led to a lack of certainty for Matakauri and neighbours and all those affected by the development which is way in excess of what should have been allowed in a rural lifestyle zone. As neighbours of the Matakauri site, we also want certainty. We live in what is supposed to be a rural lifestyle zone where the norm is one residential building per site. The activity at Matakauri is already way beyond this. The appropriate action of QLDC is to give others in the zone certainty by maintaining the rural lifestyle zone on the Matakauri site.

22.4.13 Informal airports should be prohibited - no place for airports in residential areas. If not prohibited outright, then at least prohibited within 500m of any formed legal road or the notional boundary of any residential unit or building platform not located on the same site.

22.4.15 Any building within a Building Restriction Area that is identified on the planning maps should be prohibited.

Part Four - Rural Environment > 22 Rural Residential and Rural Lifestyle > 22.4 Rules - Activities

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

Remove the Visitor Accommodation sub-zone from the proposed plan.

My submission is

That this Visitor Accommodation sub-zone should be deleted from the plan

Part Four - Rural Environment > 22 Rural Residential and Rural Lifestyle > 22.5 Rules - Standards
> Table 2

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

Delete the sentence "Except this rule does not apply to the visitor accommodation sub zones" from Rule 22.5.6.

My submission is

22.5.6 Setback of buildings from water bodies - why should this not apply to visitor accommodation?
Of course it should!

Part Four - Rural Environment > 22 Rural Residential and Rural Lifestyle > 22.5 Rules - Standards
> Table 2

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

Revise as above.

My submission is

You need to distinguish between residential buildings and all other buildings. The maximum building size should be the same for both rural lifestyle and rural residential zones. Delete the maximum site coverage for rural residential - this zone should also have a building platform. 22.5.2 - I think there is a mistake in here. This standard as it is written allows many buildings covering 15% of the net site area. Do you mean maximum of all buildings should be 15%? I think that is too much. add as a fourth point: Whether the building would be visually prominent, especially in the context of the wider landscape, rural environment and as viewed from neighbouring properties. 22.5.3 - delete the 4th point? 22.5.6 set backs from water bodies should definitely apply to visitor accomodation sub zones if these are retained - why should they not? 22.5.13 delete this sub-zone, but if it is retained, maximum building coverage should be 2000m³, and any more than this should be prohibited. add another point for discretion: Whether the building would be visually prominent, especially in the context of the wider landscape, rural environment and as viewed from neighbouring properties.

Part Four - Rural Environment > 22 Rural Residential and Rural Lifestyle > 22.5 Rules - Standards > Table 3

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision**My submission is**

Part Four - Rural Environment > 22 Rural Residential and Rural Lifestyle > 22.5 Rules - Standards > Table 4

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

22.5.20 - any non compliance should be prohibited

My submission is

22.5.20 - this building restriction should be absolute - this is one of the conditions of granting consnet and there should be certainty for neighbours etc.

Part Four - Rural Environment > 22 Rural Residential and Rural Lifestyle > 22.6 Non-Notification of Applications

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

that all applicatiions for resource consent in the VA subzone be notified.

My submission is

22.6.2 this VA sub-zone should be deleted. If not, applications for resource consent should all be notified.

Part Five - District Wide Matters > 36 Noise

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

delete Ldn - the helicopter noise standard. reduce the maximum allowed noise from commercial motorised craft

My submission is

Delete 36.5.13 the Ldn standard that allows for helicopter noise. This standard has been specifically written to accomodate helicopters as they do not meet the general noise standard. A standard can be written to allow any noise if it is averaged over a long enough period. I am disapointed that council has incorporated this standard when I thought it had already been rejected by ratepayers when plan change 27 was applied for. 36.5.16 Commercial Motorised Craft - the noise from large boats, in particula Pacific Jem and Southern Discoveries, is already too loud so this standard needs to be reduced. The test for boats should include commentary which is particularly loud on Southern Discoveries.

Part Four - Rural Environment > 21Rural Zone > 21.2Objectives and Policies > 21.2.6Objective - 6.

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

Revise as per above.

My submission is

I don't think it is council's place to encourage future growth of ski areas. It is not Council's place to encourage any business. The Plan should recognise and attempt to control the effects of lights used both for night skiing and for snow making. I don't think there should be a commitment to allow for continuation of the SHPG. If that business has resource consent then they can continue. If they want to expand, then need to apply for resource consent and have this assessed as any other business would.

Part Four - Rural Environment > 21Rural Zone > 21.2Objectives and Policies > 21.2.12Objective - 12

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

Add standards to support 21.2.12.3.

My submission is

I support this objective: 21.2.12.3 Avoid or mitigate the adverse effects of frequent, large-scale or intrusive commercial activities such as those with high levels of noise, vibration, speed and wash, in particular motorised craft in areas of high passive recreational use, significant nature conservation values and wildlife habitat. However, I do not see any standards to support it and I think you need to add 'areas of high amenity value' to the list in the last sentence. I live near the lake and like to kayak on the lake. Both the Paptic Jem and the Southern Discoveries boat are very loud and create a large wash.

Part Four - Rural Environment > 21Rural Zone > 21.5Rules - Standards > Table 6

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

21.6.8 Informal Airports Located on Public Conservation and Crown Pastoral Land Helicopter landings at informal airports that do not comply with this standard should be prohibited or even non complying.

My submission is

21.6.8 Informal Airports Located on Public Conservation and Crown Pastoral Land Helicopter landings at informal airports that do not comply with this standard should be prohibited or even non complying. I support 21.6.8.4 21.6.8.4 In relation to points (21.5.25.1) and (21.5.25.2), the informal

airport shall be located a minimum distance of 500 metres from any formed legal road or the notional boundary of any residential unit or approved building platform not located on the same site.

Attached Documents

File
No records to display.



FORM 5: SUBMISSION

DISTRICT PLAN REVIEW



Clause 6 of First Schedule, Resource Management Act 1991 – as amended 30 August 2010

TO // Queenstown Lakes District Council

YOUR DETAILS // Our preferred methods of corresponding with you are by **email** and **phone**.

Name: MARC SCATTE

Phone Numbers: Work: 4429852 Home: _____ Mobile: _____

Email Address: marcscatte@xtra.co.nz

Postal Address: PO BOX 858 QUEENSTOWN Post code: 9348

PLAN CHANGE // To which this submission relates to:

22 Rural Residential & Rural lifestyle

I do not gain an advantage in trade competition through this submission.

*I ? ** directly affected by an effect of the subject matter of the submission:
 (a) adversely affects the environment; and
 (b) does not relate to trade competition or the effects of trade competition.

* Delete entire paragraph if you could not gain an advantage in trade competition through this submission.
** Select one.

SPECIFIC PROVISIONS // Of the proposal that my submission relates to are:

Refer separate submission



MY SUBMISSION IS //

Include whether you support or oppose the specific provisions or with to have them amended; and the reasons for your views.

refer attached



I SEEK THE FOLLOWING FROM THE LOCAL AUTHORITY //

Give precise details:

Submission 1: Decline V.A. subzone for Matakauri lodge and in general for the Rural lifestyle zone.
Submission 2: make adjustments to Rules for Rural living zones and improve clarity of rules.

wish to be heard in support of my submission.

consider presenting a joint case with others presenting similar submissions.

SIGNATURE

Signature (to be signed for or on behalf of submitter) **

Date 23. 10. 15

** If this form is being completed on-line you may not be able, or required, to sign this form.



District Plan review, chapter 22, Rural Lifestyle and Rural Residential zones.

Efficiency and effectiveness in achieving the objectives of the RMA

My submission is that in general the District Plan, both in its present form and as proposed, is inefficient in meeting the requirement of the RMA of allowing society to achieve its goals whilst preserving the environment. It does not have sufficiently firm and clear rules that regulate activities and set standards, and relies excessively on official's discretion to arbitrarily regulate activities on a case by case basis. My view is that an approach to planning in which Council officials and independent commissioners have discretion to approve activities and breaches of planning standards has served both the community and the environment poorly. It has led to ad-hoc and inconsistent planning decisions and to a state of confusion about what the planning provisions signify or what their relevance is. This state of confusion and planning anarchy has also fuelled the growth of a massive army of planning industry consultants and lawyers at huge expense of the community, whilst at the same time leading to the erosion of the quality of the environment, the amenities that are supposed to be protected by planning. On top of all this, what I have called a discretionary approach to planning has thoroughly discredited planning itself, and the majority of the public has been switched off from participating in the only processes available by which society achieves collective aims such as protecting its social and natural environment.

In addition to my submission of the need to reduce the extent of discretionary decision-making by Council officials and independent commissioners, I submit that such decision making by people who have no accountability whatsoever needs to be balanced by greater extent of notification and limited notification of applications. The District plan should scrap all specific stipulations that preclude notification, and allow notification to be governed by criteria for notification dictated by the RMA.

I confine my comments in this submission to the DP review of the Rural living zone, but the general argument can equally be applied to other aspects of the DP review.

The section 32 report on the Rural Lifestyle and Rural Residential zones identifies a number of key issues for these living zones that are of concern to the public that need to be addressed by the District plan Review. These include :

- Insufficient protection of the Rural Lifestyle natural environment .
- Insufficient protection of the Rural Lifestyle amenity values , and
- unnecessary resource consent applications for activities that could be governed by standards that govern permitted activities.

My view is that, as outlined in the introduction, clearer and firmer rules for the zone would address these issues. The proposed Planning provisions for the Rural living zones have too many activities and rules that have discretionary activity status, and too few that are non-complying or prohibited.

22.4.3. 1&2: Activity status of buildings In RR and RL.

The review proposes that buildings on a building platform have a permitted activity status in the RL zone, to abolish building platforms altogether for the RR zone altogether and to give all buildings in that zone permitted activity status. This change from controlled to permitted is sensible, but only if standards are introduced which define the matters previously controlled: location, appearance, earthworks, landscaping. These standards do not exist in the proposed plan as it stands. It may be difficult to have a standard for landscaping and location, as these will be site specific, in which case a controlled activity status may need to remain.

22.4.3.3: Identification of a building platforms.

The proposed plan is not clear as to the activity status of buildings Not on a building platform in the RL zone. Nor does there appear to be standard governing the number of non-residential buildings, or building platforms for non-residential buildings. But these matters do need to have clear rules.

22.4.10 Visitor accommodation within a VA subzone.

See my separate submission for Matakauri lodge subzones.

With reference to the Control of buildings objective 22.2.2.5 refers to the bulk scale and **intensity** of buildings. The latter is missing in 22.4.10. Also there is control over buildings, but about control over numbers of people? 2500 sqm of building for a backpackers hostel would be a lot more people than 2500 sqm of luxury lodge.

22.4.13 Informal airports.

I can see no reason why these could be consistent with the objectives of the Zone. They should have a prohibited activity status.

22.5 Standards

As noted, where buildings are permitted there needs to be as standard or landscaping, location, earthworks.. A standard for colour alone is not sufficient..

22.5.2 Building Coverage of R Residential lots

- 15% BC may be too much for larger Rural lifestyle lot sections. Numerous RR lots exists that are well in excess of the minimum 4000 sqm . A uniform site coverage of 15 % could result in massive sprawl of buildings.
- The Non compliance status (NCS) for breaches of site coverage should **not** be discretionary. It should be NC or PR.

22.5.3 : Bldg size :

max size = defined GFA or Ground floor area?

22.5.4,5&,6 : Setbacks: NCS should be non-complying , possibly PR. Scrap the exception for R Visitor zone in 22.5.6.

22.5.11&12 :Residential density. NCS should be PR.

22.5.13 Refer separate submission. NCS should be non-complying , possibly PR.

How can the scale and intensity of the activity be compatible with surrounding activities if the VA subzone is surrounded by RL ? RL has 1 residential unit , max 1000 sqm site coverage whereas VA has 2.5 times that?

No standard for number of people , cars ,etc. remember VA is not just lodges, but includes camp grounds, hostels etc. A 2500 sqm footprint of a 2 storey building could be a 100 room hotel allowed as a controlled activity!

22.5.20 Building restriction NCS should be PR.

District Plan review submission.

Rural Lifestyle Visitor Accommodation Sub-zone,

Section 32 Evaluation report Matakauri lodge

The Matakauri Lodge Section 32 Report purports to address a planning issue of how to deal with conflicts of interest between visitor accommodation and the RL zone, and claims that the establishment of a special Matakauri Lodge visitor accommodation subzone is the answer to this problem. Although set out as if it were a balanced consideration of options for addressing this issue, it is in fact a totally one-sided report that never considers the possible conflicts of interest of the proposed subzone with the interests of neighbours, with the integrity of the zone, with and its amenity and landscape values. It adopts circular arguments that already contain implicit assumptions and definitions which preclude such conflicts. The truth is that Matakauri lodge is not the solution, but is in fact the problem. If visitor accommodation were limited to the standards dictated by the zone it is unlikely that conflicts with the Rural lifestyle zone would arise. It is only when Visitor accommodation is allowed to be concentrate at levels well in excess of the zone, as they have at Matakauri, that conflicts arise. My submission is that a zone can not be everything for everyone. To have meaning and integrity it must have a clear purpose and can not contain subzones which are inconsistent with it and which are created to allow for activities at a level of intensity that were never intended for the zone. I submit that the creation of special Rural Lifestyle visitor accommodation subzones will not solve potential conflicts between the Rural Lifestyle zone and visitor accommodation, but rather enhance them

The report pretends to address a planning issue but the real purpose of the report is simply to facilitate further development of visitor accommodation on the Matakauri site. Matakauri lodge and QLDC have finally realised that the scale of development on the site is inconsistent with objectives and policies of the Rural Lifestyle zone, and that further development is going to be very difficult to obtain consent for, especially so if the rules for the zone are going to be re-written to more clearly and strictly reflect the purpose of the zone. The difficulty of obtaining consents for further visitor accommodation provisions at Matakauri lodge may be a problem for Matakauri, but it is not a QLDC planning or zoning problem. It is a problem entirely of Matakauri's making. The successive owners of Matakauri lodge invested in a RL zone whose purpose has always been low density residential living, and which had defined standards for visitor accommodation and other non residential development. The successive owners have obtained numerous incremental consents which have developed the site to a level of intensity that is now in excess of twenty times the standard for visitor accommodation activity(more than 2000 sqm of floor area compared to the max 100 sqm of visitor accommodation allowed by the standard for the RL zone). It is therefore not surprising that further development of the site will be progressively difficult if not impossible. It is a necessary condition of planning and zoning that at some point the level of activity and development on any particular site must be constrained. There would be no purpose to planning if there were no constraints. The proposed sub zone for Matakauri has no planning rationale. It is simply a device aimed at facilitating and promoting private interests of Matakauri Lodge by obtaining an exception on that site to the rules that prevail on neighbouring sites in the zone in general. There is no District Plan imperative that directs that every business must be allowed unfettered growth, or that special dispensations from planning rules should be granted for the sake of growth. The proposal for a Matakauri Lodge Visitor accommodation sub zone is baseless and I therefore oppose it.

It does not particularly surprise me that Matakauri would seek such a device aimed at bypassing the zoning provisions which limit its expansion, especially since the current owner or his agents have operated on the basis that they have the right to do as they please without constraints imposed by the zoning and without consideration, consultation or notification of neighbours or other residents of the zone. It does surprise me, however, that the council has been willing to endorse a document which apart from being lamentable in its quality, is nothing but a rather poorly disguised ploy to amend the District Plan zoning purely for the purpose of facilitating Matakauri's private interests at the cost of the integrity of the surrounding zone, the interests of neighbouring properties and the public enjoyment of the natural landscape.