

Submission on Queenstown Lakes Proposed District Plan 2015 - Stage 1

Clause 6 of the First Schedule, Resource Management Act 1991

To: Queenstown Lakes District Council
By email: services@qldc.govt.nz

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1. This is a submission on the Queenstown Lakes Proposed District Plan 2015 - Stage 1 ("**the Proposed Plan**").
2. I am not a person who could gain an advantage in trade competition through this submission (clause 6(4) of Part 1 of Schedule 1 of the RMA 1991).
3. The specific provisions of the proposal that my submission relates to are: Chapters 3 (Strategic Direction), Chapter 6 (Landscapes), Chapter 21 (Rural Zone), Chapter 22 (Rural Lifestyle Zone), Chapter 27 (Subdivision) and Map 30.
4. I oppose the Proposed Plan Chapters 3, 6, 21, 22 and 27 insofar as they relate to the land identified below .
5. This submission relates to the following matters and seeks to achieve the following outcomes;
 - a. That the ONL boundary be amended as identified on the attached map at **Appendix 1** in light of the following factors: the topography of the area, vegetation, and the need for a practical and logical ONL boundary.
 - b. That the following area of land be rezoned from Rural to Rural Lifestyle in light of its particular characteristics; the area of land located on the northern side of, and adjoining, State Highway 6 (identified in green on the attached Map at Appendix 1 (referred to as "**the Site**")).
 - c. That the Rural Lifestyle Zone establishes a framework for the efficient and effective use of the natural resources of the district by providing for a comprehensive set of objectives policies and rules to enable rural living and subdivision. A number of small changes are sought to the objectives, policies and rules of Chapter 22 Rural Residential and Rural Lifestyle. Particular changes include reducing the 2ha minimum average down to 1ha minimum average and enabling two residential units within one residential building platform.

- d. These changes are proposed in order to improve the effectiveness and efficiency of the methods in achieving the relevant objectives of the plan and to also remove any unnecessary restrictions or ambiguous language.
- e. That the District Plan provides a complete and comprehensive set of provisions to enable subdivision and other land uses in rural areas in addition to agricultural and farming uses.
- f. The provisions in the Rural and Strategic Direction chapters place undue emphasis on the protection of all landscapes without provision of appropriate use and development does not support the sustainable management purpose of the RMA. It is suggested that all such policies and objectives are amended in light of the sustainable management language of the RMA. The District Plan should balance the protection and use and development of all natural and physical resources, taking into account particular section 6 and 7 matters requiring protection and maintenance. Any objectives and policies which provide for a higher level of protection than that specified in Part 2 of the RMA, without clear justification in a section 32 analysis, should either be deleted or amended accordingly.
- g. The provisions in the Strategic Direction and Landscapes chapters which create an emphasis on the protection of all landscapes without provision for appropriate use and development are opposed. This approach does not achieve the sustainable management purpose of the RMA. This submission seeks that all such policies and objectives are tempered in light of the sustainable management language of the RMA.
6. I seek the following decision from the local authority: that the Proposed Plan be amended as requested in the Table below, together with any alternative, additional, or consequential relief necessary or appropriate to give effect to the matters raised in this submission and/ or the relief requested below.

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <u><i>underlined italics</i></u> and deleted text shown as <i>italics strike through</i>]
Chapter 3 – Strategic Direction			
Objective 3.2.1.4	Support in part	Objective 3.2.1.4 and Objective 3.2.5.5 and its allied policies overly emphasise the importance of farming activities and do not recognise that other important natural factors and processes, and human activities, have shaped the landscape character of the District.	1. Amend Objective 3.2.1.4 as follows: <i>Recognise the potential for rural areas to diversify their land use beyond the strong productive value of traditional rural activities including farming, provided a sensitive approach is taken to rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests.</i>
Objective 3.2.5.2 Minimise the adverse landscape effects of subdivision, use or development in	Oppose	The wording in this objective detracts should be amended to better reflect RMA purpose and terminology. The wording in particular is unclear and does not allow for appropriate development.	1. Amend Objective 3.2.5.2 as follows. Minimise Avoid, remedy or mitigate the adverse effects on natural landscapes effects of from

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specified Rural Landscapes.			in appropriate subdivision, use or development in specified Rural Landscapes. <u>Recognise the landscape character and visual amenity values of the Rural Landscapes and manage the adverse effects of subdivision, use and development on these values.</u>
Policy 3.2.5.2.1 Identify the district's Rural Landscape Classification on the district plan maps, and minimise the effects of subdivision, use and development on these landscapes.	Support in part	The wording in this policy should be amended to better reflect RMA purpose and terminology. The insertion correctly aligns the objective with the duty under section 6(b) of the RMA. This policy is also proposed to be split into two as follows as these are two distinct policies	1. Amend Policies 3.2.5.2.1 as follows. Identify the district's Rural Landscape Classification on the district plan maps, and minimise avoid, remedy or mitigate the adverse effects of inappropriate subdivision, use and development on these landscapes.
Policy 3.2.5.2.2	Support	The following has been split out as a separate policy from 3.2.5.2.1 above to set out the intent of the District Plan for those landscapes.	1. Insert following policy 3.2.5.2.2 <u>Avoid, remedy or mitigate the adverse effects of subdivision, use and development within these landscapes.</u>
Objective 3.2.5.3 Direct new subdivision, use or development to occur in those areas which have potential to absorb change without detracting from landscape and visual amenity values.	Support in part	The wording in this objective should be amended to better reflect RMA purpose and terminology. Any unnecessary or ambiguous wording should be deleted.	1. Amend Objective 3.2.5.3 as follows. Direct new <u>Encourage</u> subdivision, use or development to occur in those areas which have potential to absorb change without <u>while recognising the importance of</u> detracting from landscape and visual amenity values.
Objective 3.2.5.5	Support in part	Objective 3.2.5.5 and its allied policies overly emphasise the importance of farming activities and do not recognise that other important natural factors and processes, and human activities, have shaped the landscape character of the District.	1. Amend Objective 3.2.5.5 as follows: <u>Recognise that agricultural land use and other activities that rely on rural resources is are fundamental to the character of our landscapes.</u>

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Policy 3.2.5.5.1	Support in part	These policies overly emphasise the importance of farming activities and do not recognise that other important natural factors and processes, and human activities, have shaped the landscape character of the District.	1. Amend Policy 3.2.5.5.1 as follows: <i>Give preference to farming activity and other activities that rely on rural resources in rural areas except where it conflicts with significant nature conservation values.</i>
Policy 3.2.5.5.2	Support in part	These policies overly emphasise the importance of farming activities and do not recognise that other important natural factors and processes, and human activities, have shaped the landscape character of the District.	1. Amend Policy 3.2.5.5.2 as follows: <i>Recognise that the retention of the character of rural areas is often dependent on the ongoing viability of activities that rely on rural resources and farming and that evolving forms of agricultural and other land uses which may change the landscape are anticipated.</i>
Objective 3.2.6.1 Provide access to housing that is more affordable.	Support in part	This objective needs to be broadened to reflect the current issue of land and housing supply in the district. One of the core issues related to housing affordability is the ability of land supply for that housing (as well as the housing itself).	1. Amend Objective 3.2.6.1 as follows. <i>Maintain and provide access to housing and land supply for housing that is more affordable.</i>
Chapter 6 Landscapes			
Policy 6.3.1.4 That subdivision and development proposals located within the Rural Landscape be assessed against the assessment matters in provisions 21.7.2 and 21.7.3 because subdivision and development is inappropriate in many locations in	Support in part	This policy is opposed as it is inherently contradictory and does not currently reflect RMA purpose and terminology. The policy should not refer to specific assessment matters as the policy should be achievable in its own right. The current wording is also contradictory as it appears to presuppose decision outcomes.	1. Amend Policy 6.3.1.4 as follows. That subdivision and development proposals located within the Rural Landscape <u><i>Classification be located and designed in such a manner that adverse effects on landscape character and visual amenity values are avoided, remedied, or mitigated.</i></u> be assessed against the assessment matters in provisions 21.7.2 and 21.7.3 because subdivision and development is inappropriate in many locations in these

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these landscapes, meaning successful applications will be, on balance, consistent with the assessment matters.			landscapes, meaning successful applications will be, on balance, consistent with the assessment matters.
Policy 6.3.1.6 Enable rural lifestyle living through applying Rural Lifestyle Zone and Rural Residential Zone plan changes in areas where the landscape can accommodate change.	Support in part	This Policy is supported with suggested amendments in order to broaden the applicability of the policy to all types of rural living including a residential activity. It is not appropriate for this policy to refer to plan changes.	1. Amend Policy 6.3.1.6 as follows. <u>Enable rural living through rural living zones in areas where landscape can accommodate change and through carefully considered development applications.</u> lifestyle and residential living through applying Rural Lifestyle Zones and Rural Residential Zones plan changes in areas where the landscape can accommodate change.
Policy 6.3.1.11 Recognise the importance of protecting the landscape character and visual amenity values, particularly as viewed from public places.	Support in part	The wording in this Policy should be amended to better reflect RMA purpose and terminology. This policy sets a higher threshold of protection than provided for in section 6 without justification in the section 32 report.	1. Amend Policy 6.3.1.11 as follows. Recognise the importance of <u>protecting avoiding, remedying, or mitigating adverse effects on</u> landscape character and visual amenity values, particularly as viewed from public places.
Objective 6.3.2 Avoid adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development.	Oppose	Objective 6.3.2 as notified seeks to avoid adverse cumulative effects. This is too strong and may foreclose the opportunity for proposals for which adverse effects can be adequately remedied or mitigated, if not entirely avoided. Such an assessment would be made at the time of the application. The insertion of " <u>remedy or mitigate</u> " into the objective is therefore necessary.	1. Amend Objective 6.3.2 as follows. <u>Avoid, remedy or mitigate</u> adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development.
Policy 6.3.2.2 Allow residential subdivision and development only in locations where the District's	Oppose	Policy 6.3.2.2 should be amended to recognise that there are rural areas that can absorb development, whether in new areas or infill within existing areas, provided that landscape character and visual amenity values are not <i>significantly</i> adversely affected. This wording recognises that the landscape values are one component – albeit	1. Amend Policy 6.3.2.2 as follows: <u>Allow residential subdivision and development only in locations where the District's landscape character and visual amenity</u>

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landscape character and visual amenity would not be degraded.		a very important component – in the overall determination of applications, and seeks that any potential adverse effects are properly considered in this determination.	<i>would not be degraded significantly adversely affected, recognising that there are parts of the rural areas that can absorb rural living development, provided that the potential adverse effects on the landscape character and visual amenity values are properly considered when determining applications.</i>
6.3.5 Objective - Ensure subdivision and development does not degrade landscape character and diminish visual amenity values of the Rural Landscapes (RLC).	Support in part	Objective 6.3.5 is modified by replacing “degrade” with “avoids, remedies or mitigates adverse effects on” which aligns with section 5(2)(c) of the Act. It also better provides for the different (and in many cases unique) circumstances of any particular development proposal where the adverse effects on landscape character and visual amenity values may, in the broad determination under section 5, not necessarily need to be completely avoided but could be adequately remedied or mitigated. The opportunities for this should be expressed in the policy.	1. Amend Objective 6.3.5 as follows: <i>Enable subdivision and development that degrade <u>avoids, remedies or mitigates adverse effects on</u> landscape character and diminish visual amenity values of the Rural Landscapes (RLC).</i>
Policy 6.3.5.2 Avoid adverse effects from subdivision and development that are: • Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and • Visible from public roads.	Support in part	Policy 6.3.5.2 is modified for the same reasons as above.	1. Amend Policy 6.3.5.2 as follows. <i>Avoid, <u>remedy or mitigate any adverse effects from subdivision and development that are...</u></i>
21 Rural zone			
21.7.2 RLC assessment matters Policy 21.7.2.4 b. the proposed	Support in part	The wording of these assessment matters should be amended to better reflect RMA purpose and terminology. Any criteria which has been repeated multiple times throughout this policy has been deleted as	1. Amend the assessment matters in 21.7.2 as follows: Delete the following from Policy 21.7.2.4;

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<p>development is likely to be visually prominent such that it detracts from private views;</p> <p>Policy 21.7.2.5 development, including access, is located within the parts of the site where they will be least visible from public and private locations;</p> <p>Policy 21.7.2.7 Cumulative effects of development on the landscape: Taking into account whether and to what extent any existing, consented or permitted development (including unimplemented but existing resource consent or zoning) has degraded landscape quality, character, and visual amenity values. The Council shall be satisfied; a. the proposed development will not further degrade landscape quality, character and visual amenity values, with particular regard to situations that would result in a loss of valued quality, character and openness due to the prevalence</p>		<p>it may create ambiguities and skew the weighting of these particular matters for consideration.</p> <p>Policy 21.7.2.7 in particular is unclear and may create inconsistencies with case law and the approach for decision makers to have regard to the future environment, the permitted baseline, and cumulative effects of development. This is not an appropriate policy for a district plan and it should be removed from this section.</p>	<p>AND;</p> <p>b. the proposed development is likely to be visually prominent such that it detracts from private views;</p> <p>AND;</p> <p>Delete the following from Policy 21.7.2.5;</p> <p>development, including access, is located within the parts of the site where they will be least visible from public and private locations;</p> <p>Delete Policy 21.7.2.7;</p>

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<p>of residential or non-farming activity within the Rural Landscape.</p> <p>b. where in the case resource consent may be granted to the proposed development but it represents a threshold to which the landscape could absorb any further development, whether any further cumulative adverse effects would be avoided by way of imposing a covenant, consent notice or other legal instrument that maintains open space.</p>			
22 Rural Lifestyle Zone/ Rural Residential Zone			
Zone purpose	Support in part	<p>The following additions are recommended in the zone purpose to recognise the primary purpose of this Zone.</p> <p>The purpose is also amended to reflect that an increased density providing for more than one dwelling per building platform will support the provision of rural living opportunities</p>	<p><u>Add the following to the Zone purpose:</u></p> <p><u>The provision of housing and land supply for housing in these zones recognises the significant growth and development pressures on accommodation in the District. Efficient and effective use of land in these zones for rural living will be encouraged.</u></p>
Rural Lifestyle (zone purpose)	Support in part	The following is amended for the rural lifestyle zone purpose, for the same reasoning as identified above.	<p>The Rural Lifestyle Zone provides for rural living opportunities, having a development density of one residential <u>dwelling platform</u> unit per hectare. With an overall density of one residential unit per two hectares across a</p>

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			<u>subdivision.</u>
Objective 22.2.1	Support in part	The objective is worded in the form of a policy and should instead be amended as aspirational outcome to be achieved. Use of the word "avoid" creates too stringent a test and does not enable implementation of policies intended to enable rural living.	Amend Objective 22.2.1 as follows: Maintain and enhance <u>The district's landscape quality, character and visual amenity values are maintained and enhanced while enabling rural living opportunities in areas that can avoid detracting from absorb development within those landscapes are enabled</u>
Objective 22.2.2	Support in part	The objective is worded in the form of a policy and should instead be amended as aspirational outcome to be achieved.	Amend Objective 22.2.2 as follows: Ensure the <u>Within the rural residential and rural lifestyle zones, predominant land uses are rural, residential and where appropriate, visitor and community activities.</u>
Policy 22.2.2.2 Any development, including subdivision located on the periphery of residential and township areas, shall avoid undermining the integrity of the urban rural edge and where applicable, the urban growth boundaries.	Oppose	This policy is unclear as the integrity of the urban rural edge is not defined or explained. Moreover the edge of the rural / rural residential zones is arbitrarily placed and does not provide for recognition of particular property boundaries and landscape values.	Delete Policy 22.2.2.2
New policy 22.2.2.2	Support	The following new policy is proposed to replace this policy to recognise the significant growth and development pressures being faced in the District and seeks to give effect to the higher order provisions in the Proposed Plan which relate to the efficient and effective use of land zoned for residential purposes.	<u>Encourage the efficient and effective use of land zoned for rural living purposes.</u>
Rule 22.5.1 All buildings,	Support in part	The permitted building materials and colours are supported in part, in particular rules 22.5.1.2 and 22.5.1.3 restricting the maximum reflectance	1. Amend Rule 22.5.1 Building Materials and Colours as follows: <i>All buildings, including any</i>

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<p>including any structure larger than 5m², new, relocated, altered, reclad or repainted, are subject to the following in order to ensure they are visually recessive within the surrounding landscape:</p> <p>Exterior colours of buildings:</p> <p>22.5.1.1 All exterior surfaces shall be coloured in the range of black, browns, greens or greys;</p> <p>22.5.1.2 Pre-painted steel, and all roofs shall have a reflectance value not greater than 20%;</p> <p>22.5.1.3 Surface finishes shall have a reflectance value of not greater than 30%.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Whether the building would be visually prominent, especially in the context of the wider landscape, rural environment and as viewed from neighbouring properties. • Whether the proposed colour is appropriate given the existence of established screening or in the case of alterations, if the proposed colour is already 		<p>values of surfaces ad roofs are opposed. These rules are unduly restrictive to allow for the building of innovative materials such as solar panels and other green technologies.</p> <p>It is unclear whether the rule will capture materials that have no applied finishes such as locally sourced stacked stone, untreated wood, and unpainted concrete. This concern applies equally to the proposed standards relating to roof and walls colours. In terms of external finishes, this standard should be amended to relate to any material with or without any applied finish so as to capture the spectrum of possible material and colour combinations. Locally sourced stacked stone, such as schist, constructed in any number of ways (dry stacked, bagged, rendered, etc) may depending on light conditions fail to meet the very low reflectance standard of 30% for exterior finishes. The natural variation in this natural materials colour and types of construction techniques makes it very hard to determine such a value. However it is a material with a long associated tradition of use for building in central Otago and regarded as being a material that would contribute to a high quality finish. On that basis, this submission seeks to amend Rule 22.5.1 to ensure both the roof and external surfaces standards capture natural or manufactured materials that are treated or untreated together with an exemption relating to locally sourced stone (e.g. Schist).</p> <p>The rules are also contradictory to the higher level objectives and policies of this chapter and the strategic direction chapter which relate to the provision of a diverse supply of housing types, and other incentives for 'eco' home building.</p>	<p><i>structure larger than 5m², new, relocated, altered, reclad or repainted, are subject to the following in order to ensure they are visually recessive within the surrounding landscape:</i></p> <p><u><i>The Exterior colours of all buildings materials (treated, untreated, natural or manufactured, with or with any applied finish) shall be:</i></u></p> <p>22.5.1.1 All exterior surfaces shall be coloured in the range of black, browns, greens or greys;</p> <p>22.5.1.2 Pre-painted steel, and all roofs shall have a reflectance value not greater than 20% for roofs;</p> <p>22.5.1.3 Surface finishes shall have a reflectance value of not greater than 30% for all other external surfaces. Except that this rule shall not apply to any locally sourced stone (e.g. schist)</p> <p><u><i>These rules do not apply to any material or surface colours used inside any building.</i></u></p> <p><i>Discretion is restricted to all of the following:</i></p> <ul style="list-style-type: none"> • <i>Whether the building would be visually prominent, especially in the context of the wider landscape, rural environment and as viewed from neighbouring properties.</i> • <i>Whether the proposed colour is appropriate given the existence of established screening or in the case of alterations, if the proposed colour is already present on a long established building.</i> <p>• <i>The size and height of the building where the subject colours would be applied.</i></p>

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<p>present on a long established building.</p> <ul style="list-style-type: none"> The size and height of the building where the subject colours would be applied. 			
<p>Rule 22.5.3</p> <p>The maximum size of any building shall be 500m².</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> Visual dominance. The effect on open space, rural character and amenity. Effects on views and outlook from neighbouring properties. Building design and reasons for the size. 	Oppose	<p>The Building size limitation of 500m² should be removed. There is no justification for limiting the size of buildings in this zone to half of what is provided for in a building platform, being 1000m²</p> <p>The effects of building a 500m² home as opposed to a 1000m² are similar. The visual dominance will not be adequately controlled through this rule as it will encourage higher home builds in many places.</p> <p>This rule is also contradictory to Objective 3.2.6.2 to <i>Ensure a mix of housing opportunities</i>.</p> <p>There is no justification in terms of sustainable management for this limitation. And there has been no alternative considered to this rule- the alternative suggested only related to providing for less development controls in the form of permitting a higher range of colours.</p>	1. Delete Rule 22.5.3
<p>Rule 22.5.12.1</p> <p>One residential Unit located within each building platform</p>	Oppose	<p>There is no justification for the limitation of one unit per building platform. As noted above the size of building platforms in this zone is large, and could provide for more innovative design of more than one dwelling within a building platform identified.</p> <p>This rule is contradictory to Objective 3.2.6.1 to <i>Ensure a mix of housing opportunities</i>. It is also contradictory to higher level objectives and policies relating to the provision of housing and land supply for housing, including policy 22.2.1.3 (rural lifestyle).</p> <p>No section 32 analysis has been undertaken in relation to these rules- the only alternative considered was to emulate the 'general rural lifestyle zone'. There is no justification for limiting density to one dwelling per building platform, where the maximum building platform is double the maximum building size. The provision for two dwellings within a building platform will be a more efficient and effective use of resources, as</p>	<p>1. Amend Rule 22.5.12.12 as follows:</p> <p>One Two residential Units located within each building platform</p>

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		well as giving better effect to the overarching objectives and policies as noted above.	
Rule 22.5.12.2 On sites less than 2ha there shall be only one residential unit	Oppose	For the reasons identified above in respect of rule 22.5.12.2, there is no justification as to why two dwellings could not be constructed within one building platform. This rule has not been adequately considered in the section 32 report, nor have alternatives to provide for more than one unit been considered.	1. Amend Rule 22.5.12.12 as follows: On sites less than 2ha there <i>shall be only one residential building platform.</i>
Rule 22.5.12.3. On sites equal to or greater than 2 hectares there shall be no more than one residential unit per two hectares on average. For the purpose of calculating any average, any allotment greater than 4 hectares, including the balance, is deemed to be 4 hectares.	Oppose	There is no justification for the requirement for a 2 hectare average in this zone. This restriction does not meet the purpose of the RMA as it is not an efficient and effective use of land within the rural lifestyle zone which is established for rural living purposes and is a scarce land resource. This rule is contradictory to Objective 3.2.6.1 to <i>Ensure a mix of housing opportunities</i> . It is also contradictory to higher level objectives and policies relating to the provision of housing and land supply for housing, including policy 22.2.1.3 (Rural Lifestyle). The section 32 analysis does not adequately consider alternatives to the 2ha average rule- the only alternative considered was to emulate the 'general rural lifestyle zone'. The 2ha average is not considered in terms of the economic costs and benefits of utilising this residential land, as is required. The 2ha average rule should be reduced to a 1ha average. Reduction of the average would provide for a greater density and the most efficient and effective use of resources in this zone. This will allow for a range of flexible planning outcomes as an average size for subdivision anticipates that some lots may suitably be less than 1ha and some may be more, for example in light of topography and other natural characteristics of the land.	1. Delete Rule 22.5.12.3; or 2. Amend Rule 22.5.12.3 as follows: On sites equal to or greater than 2 hectares there shall be no more than <i>one residential building platform per hectare</i> on average. For the purpose of calculating any average, any allotment greater than <u>2</u> hectares, including the balance, is deemed to be <u>2</u> hectares.

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		In the alternative, if a 1ha average is not accepted, a minimum lot size of 1ha in the subdivision chapter should replace the need for this rule, and this rule be deleted.	
27 Subdivision and development chapter			
Chapter 27	Oppose	The difference in approach to subdivision between the Operative District Plan and the Proposed Plan is so significant that it is difficult to propose appropriate relief because a comprehensive re-write of the subdivision provisions is necessary to address the concerns raised in this submission. As a consequence of that difficulty, the primary relief requested in this submission is for the new Chapter 27 to be discarded and replaced by the existing Chapter 15 of the Operative District Plan. However it is recognised that the concerns raised in this submission could be addressed in a number of different ways provided that the primary status of subdivision in all zones (other than the Rural zone) reverts to controlled activity status. Therefore this submission seeks, by way of alternative relief, any outcome in the spectrum between the Operative District Plan Chapter 15 and the notified Proposed Plan Chapter 27 which achieves that primary controlled activity status outcome in an appropriate manner. This approach is deliberately being taken in this submission to provide scope and jurisdiction for a range of possible outcomes which would achieve the primary controlled activity status outcome being requested.	1. Delete Chapter 27 and replace with the Queenstown Lakes District Council Operative District Plan -Chapter 15.
Chapter 27 (alternative submission)			
Rule 27.4.1 All subdivision activities are discretionary activities, except other stated	Oppose	Rule 27.4.1 is opposed for the general reasons expressed above. Changes are sought to this rule to ensure subdivision that complies with the relevant standards remains as a controlled activity.	1. Amend Rule 27.4.1, as follows: <i>All subdivision activities are discretionary controlled activities, except as otherwise stated:</i> <i>Council's control is limited to:</i> <ul style="list-style-type: none"> • <i>Lot sizes, averages and dimensions</i> • <i>Subdivision design</i> • <i>Property access</i> • <i>Esplanade</i>

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			<p><u>provision</u></p> <ul style="list-style-type: none"> • <u>Natural hazards</u> • <u>Fire fighting water supply</u> • <u>Water supply</u> • <u>Stormwater disposal</u> • <u>Sewage treatment and disposal</u> • <u>Energy supply and telecommunication</u> • <u>Open space and recreation</u> • <u>Easements</u> • <u>The nature, scale and adequacy of environmental protection measures associated with earthworks</u> <p><u>All subdivision activities in the Rural Zone are Discretionary activities.</u></p>
27 Subdivision - alternative relief			
Chapter 27	Oppose	Chapter 27 is opposed for the reasons described above.	Amend Chapter 27 in such a manner, incorporating any combination of the objectives, policies and rules of the Operative District Plan Chapter 15 and the Proposed Plan Chapter 27, as is considered appropriate provided that the default subdivision consent status (if minimum standards are met) is controlled activity status.
New Rule 27.5.5 Boundary Adjustments	N/A	A new rule is sought to be inserted to enable boundary adjustments to be undertaken as a controlled activity. Boundary adjustments within the rural lifestyle zone and it is effective and efficient to retain a separate rule to enable this form of subdivision.	Insert new Rule 27.5.5 Boundary adjustments, as follows: <u>Where there are two or more existing lots which have separate Certificates of Title, new lots may be created by subdivision for the purpose of an adjustment of the boundaries between the existing lots, provided:</u>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <u>underlined italics</u> and deleted text shown as italics strike through]
			<p>(i) the building platform is retained.</p> <p>(ii) no additional separately saleable lots are created.</p> <p>(iii) the areas of the resultant lots comply with the minimum lot size requirement for the zone.</p>
<p>Rule 27.5.1 – rural lifestyle minimum lot area</p> <p>One hectare providing the average lot size is not less than 2 hectares.</p> <p>For the purpose of calculating any average, any allotment greater than 4 hectares, including the balance, is deemed to be 4 hectares.</p>	Oppose	<p>For the reasons identified above in relation to rule 22.5.12.3, there is no justification for the requirement for a 2 hectare average in this zone. This restriction does not meet the purpose of the RMA in that it is not an efficient and effective use of land within the rural lifestyle zone which is established for rural living purposes.</p> <p>This will create inconsistencies across the zone as future subdivision occurs on larger lots, but slightly smaller lots will not be able to achieve the same outcomes. The land in this Zone is capable of further intensification and development and is already identified as providing for rural living opportunities. A greater density than the 2ha average will provide for a better planning outcome through the effective use of resources and will give effect to the higher order policies and objectives in the Proposed Plan such as the provision of housing and land supply for housing, including policy 22.2.1.3 (Rural Lifestyle)</p> <p>The section 32 analysis does not adequately consider alternatives to the 2ha average rule- the only alternative considered was to emulate the 'general rural lifestyle zone'. Moreover the 2ha average is not considered in terms of the economic costs and benefits of utilising this residential land, as is required.</p> <p>The 2ha average rule should be reduced to a 1ha average.</p> <p>In the alternative, if a 1ha average is not accepted, a minimum lot size of 1ha in the subdivision chapter should replace the need for this rule, and this rule be deleted.</p>	<p>1. Amend Rule 27.5.1 as follows:</p> <p>One hectare providing the average lot size is not less than 2 hectares.</p> <p>For the purpose of calculating any average, any allotment greater than 4 hectares, including the balance, is deemed to be 4 hectares.</p> <p><u>An average lot size of not less than 1 hectare.</u></p> <p><u>For the purpose of calculating any average, any allotment greater than 2 hectares, including the balance, is deemed to be 2 hectares.</u></p> <p>OR:</p> <p>2. 1. Amend Rule 27.5.1 as follows:</p> <p><u>One hectare</u></p>
<p>Planning Map 30</p>			
<p>Map 30 Lake Hayes</p>	Oppose	<p>The location of the ONL boundary on this map is opposed.</p> <p>Parts of the Site contained within the ONL cannot be reasonably considered as an Outstanding Natural Landscape, and are not</p>	<p>1. Amend Map 30 as follows;</p> <p>Relocate the ONL as identified on the attached Map at Appendix 1.</p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <u>underlined italics</u> and deleted text shown as <i>italics strike-through</i>]									
		assumed, as under an ONL classification, to be an 'open and natural landscape of minimal modification, natural plant patterns and indigenous species devoid of structures'.										
Map 30 Lake Hayes	Oppose	<p>The Rural zoning of this Site is opposed for the following reasons:</p> <p>This Site cannot give effect to the objectives and policies of the rural zone which are focussed on the rural character and in particular supporting farming and other agricultural activities. The Site is not capable of economically viable farming and as such is not appropriately categorised as rural.</p> <p>Rezoning the Site as Rural Lifestyle would enable the most efficient and effective use of resources and would give effect to the purpose of sustainable management. Rezoning this land will acknowledge the particular characteristics of this area and the surrounding zones which are already affected by residential development. There are a number of identified building platforms and existing houses which characterises this area as a rural living area.</p>	<p>1. Amend Map 30 to:</p> <p>Rezone Site identified on the attached map (identified in green) at Appendix 1 as Rural Lifestyle.</p>									
New provisions		<p>The following new provisions are proposed for the area identified above to be rezoned as Rural Lifestyle</p> <table border="1" data-bbox="523 1335 1417 2119"> <thead> <tr> <th data-bbox="523 1335 671 1368">Table 7</th> <th data-bbox="671 1335 1110 1368">Rural Lifestyle (Ladies Mile sub zone)</th> <th data-bbox="1110 1335 1417 1368">Non-compliance status</th> </tr> </thead> <tbody> <tr> <td data-bbox="523 1368 671 1529">22.5.39</td> <td data-bbox="671 1368 1110 1529"> Building restriction area: No buildings shall be located within 100m of State Highway 6 </td> <td data-bbox="1110 1368 1417 1529">NC</td> </tr> <tr> <td data-bbox="523 1529 671 2119">22.5.39.1</td> <td data-bbox="671 1529 1110 2119"> Any application for consent shall be accompanied by a landscaping plan which shows the species, number, and location of all plantings to be established, and shall include details of the proposed timeframes for all such plantings and a maintenance programme. The landscape plan shall ensure that: <ul style="list-style-type: none"> • The border of the 100m setback building restriction area shall be planted to create a visual screen between SH 6 and any residential unit. • Any existing trees within the 100m building restriction area </td> <td data-bbox="1110 1529 1417 2119">NC</td> </tr> </tbody> </table>		Table 7	Rural Lifestyle (Ladies Mile sub zone)	Non-compliance status	22.5.39	Building restriction area: No buildings shall be located within 100m of State Highway 6	NC	22.5.39.1	Any application for consent shall be accompanied by a landscaping plan which shows the species, number, and location of all plantings to be established, and shall include details of the proposed timeframes for all such plantings and a maintenance programme. The landscape plan shall ensure that: <ul style="list-style-type: none"> • The border of the 100m setback building restriction area shall be planted to create a visual screen between SH 6 and any residential unit. • Any existing trees within the 100m building restriction area 	NC
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Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as <i>italics</i> strike-through]
		shall be removed to enhance views from SH6	
		<p>These suggested provisions recognise the ability of this land to absorb future development and subdivision, while providing for a large buffer zone between residential activity and the State Highway.</p> <p>Relief sought:</p> <p><i>Insert Table 7 above into the Rural Lifestyle Chapter (Ladies Mile Subzone)</i></p>	

7. Further grounds for the submission points outlined in the above table are that:

- The section 32 evaluation does not establish that the provisions of the Proposed Plan addressed in this submission are most appropriate to achieve the purpose of the RMA. And the evaluation does not adequately assess alternative provisions, such as those proposed in this submission.

8. I wish to be heard in support of my submission.

9. I will consider presenting a joint case with others presenting similar submissions.

 23/10/15

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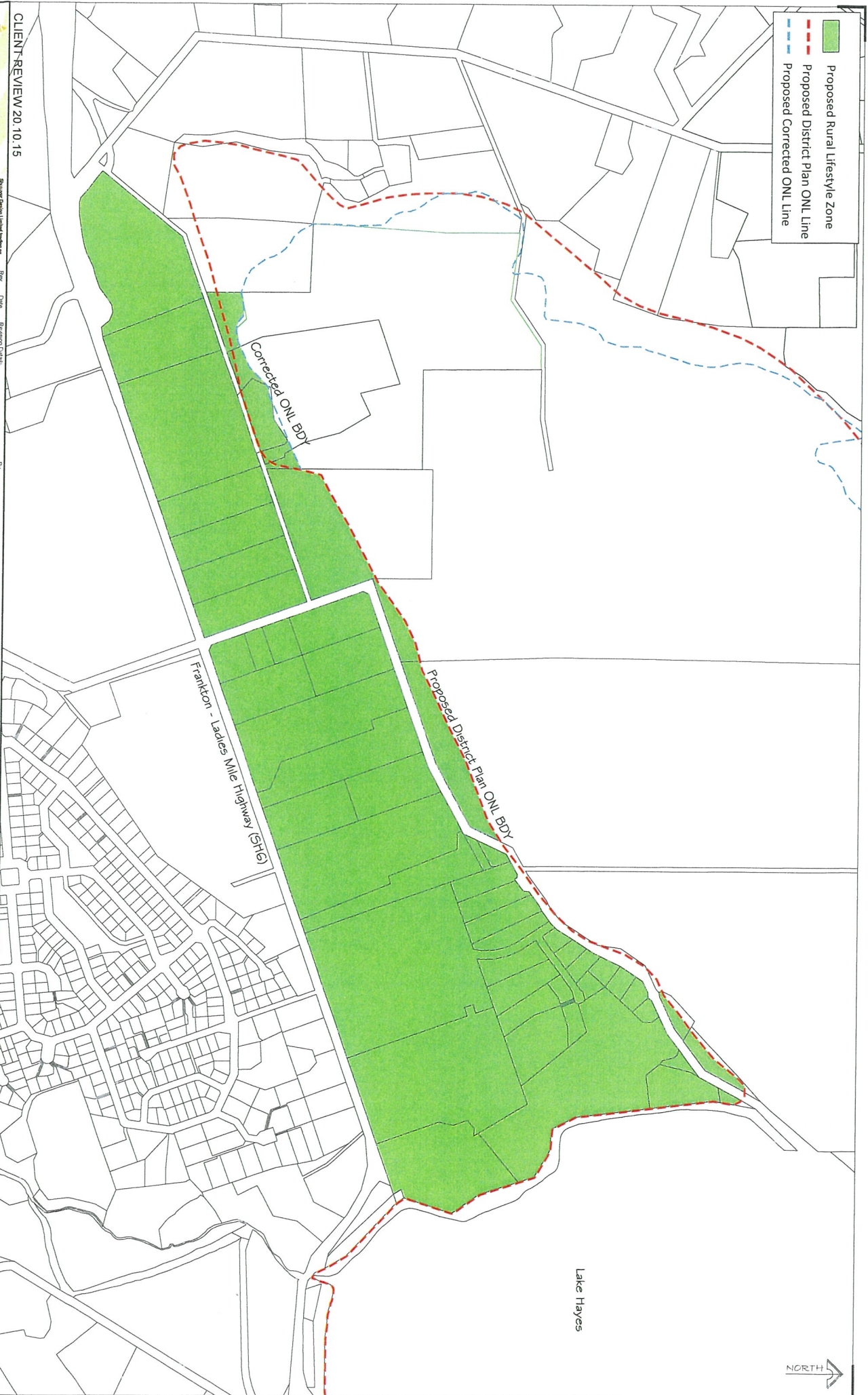
By their duly authorised agents
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Appendix 1- Proposed zoning and ONL amended

Proposed Rural Lifestyle Zone
 Proposed District Plan ONL Line
 Proposed Corrected ONL Line



CLIENT REVIEW 20.10.15

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S:\0851\2001\2224\2224_05_Ladies Mile.dwg Printed: 23/10/2015
 Drawn: RMB
 Checked: RMB
 Date: 01/01/14
 Scale: 1:4000 @ A1
 1:8000 @ A3
 M: Nic 2000 & MSL

**PROPOSED ZONING
LADIES MILE QUEENSTOWN**

Shalle 5 - Ladies Mile

