

**ANNEXURE A – Copy of THL’s Submission**

## Submission on Queenstown Lakes Proposed District Plan

Clause 6 of First Schedule, Resource Management Act 1991  
FORM 5

**To:**  
Submission Team  
Queenstown Lakes District Council  
Private Bag 50072  
QUEENSTOWN 9348

For office use only

**Submission No:**

**Receipt Date:**

### 1. Submitter details:

**Name of Submitter:** Trojan Helmet Limited (Submission 1 Resort Zone and General Submission)

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### 2. This is a submission on the Queenstown Lakes District Proposed District Plan ("Proposed Plan").

### 3. The specific provisions that the submission relates to are:

The entire Proposed Plan, including but not limited to:

- |     |                         |                                     |
|-----|-------------------------|-------------------------------------|
| 3.1 | Proposed New Zone:      | Chapter 45 The Hills Resort Zone    |
| 3.2 | Proposed Planning Maps: | Map 26 (Speargrass Flat, Millbrook) |
| 3.3 | Chapter 3:              | Strategic Direction                 |
| 3.4 | Chapter 6:              | Landscapes                          |
| 3.5 | Chapter 21:             | Rural zone                          |
| 3.6 | Chapter 36:             | Noise                               |

## 4. Submission

### 4.1 The submitter (Trojan Helmet Limited) owns "The Hills Golf Course".

The Hills was designed by John Darby of Darby Partners and opened in 2007 to host the New Zealand Open. It is set in over 500 acres of land across a glacial valley. The layout highlights the dramatic elevation changes and rocky schist outcrops that are a feature of the area.

The championship layout provides a serious challenge for accomplished players while thoughtful and considerate design means that the golf course is equally enjoyable for golfers of all abilities. The beauty of the courses' lakes, waterways and wetland areas are complimented by a stunning array of sculptures made by local and international artists. It has hosted the New Zealand Open four times and the NZ PGA Championship twice. The media coverage for these events and the showcasing of the local environment has contributed to putting New Zealand "on the map" in terms of golfing tourism.

The award winning Club House nestled near the centre of the course was designed by NZ Architect Andrew Patterson, his brief from Michael Hill was to "Design a building that is totally in harmony with the landscape and then give it a presence of religious proportions that stops people in their tracks, and polish it off by making everything function flawlessly".

The championship golf course and the stunning architecture of the Club House set a benchmark for design and for buildings to be integrated into the landscape.

There is now an opportunity to build on the successful and carefully designed golf course and buildings and provide for further development that complements, is in harmony with and further showcases The Hills Golf Course and its surrounds.

Accordingly, the submitter seeks the golf course and its surrounds be rezoned "The Hills Resort Zone" to enable such development.

The proposed Hills Resort Zone includes a bespoke set of District Plan provisions, along with a Structure Plan, for inclusion in the District Plan, the purpose of which is to provide for world class resort facilities, including residential, visitor accommodation, worker accommodation, a small commercial area and art and sculpture, spread throughout the championship golf course. The new zoning also seeks to recognise and provide for consented activities.

The proposed Structure Plan will ensure that this development is appropriately located and well integrated with the golf course and the surrounding landscape.

The proposed District Plan provisions are comprehensive and have, along with the Structure Plan, been carefully considered and drafted to ensure that development is enabled within those areas of the golf course that have the ability to absorb change without giving rise to adverse landscape, visual and other effects, subject to appropriate controls on building design, materials, height, and landscaping.

The proposed Resort Zone also seeks to provide for further opportunities for world class events, like the New Zealand Open for which The Hills is renowned, as well as smaller events such as charity tournaments and other temporary events that showcase the District and contribute to its tourism and the economy. The proposed Resort Zoning provides an opportunity to wrap a specific regulatory framework around these events, to provide certainty around the ability to continue hosting them, while at the same time providing the Council with appropriate control over matters such as traffic management, operations, waste management and sanitation.

The Proposed Resort Zone will result in new employment opportunities in the District. Accordingly, the proposed zone seeks to provide for accommodation for workers in the Zone, thereby avoiding exacerbating the apparent shortage of worker accommodation experienced elsewhere in the District.

Finally, commercial activities related and ancillary to the purpose of the new zone are sought to be enabled, to ensure the needs of residents and visitors to the resort can be met.

The proposed Hills Resort Zone has been comprehensively assessed as to its appropriateness by a range of experts. Their assessments, in summary, are that:

**Landscape:** the proposed zoning, in conjunction with the controls contained in the proposed District Plan provisions and the Structure Plan, will not give rise to adverse effects on landscape character and amenity, or to adverse visual effects. With the proposed controls in place, the development enabled by the new zoning is appropriate for the environment within which it is located and will ensure its special landscape characteristics are maintained.

**Traffic:** the surrounding roading network can accommodate the increase in traffic that will arise as a result of development enabled by the rezoning, and accessways to the new zone can be appropriately and safely designed.

**Natural Hazards:** the proposed zone is not subject to any natural hazard risk.

**Servicing and Infrastructure:** the development enabled by the rezoning can be appropriately serviced, and infrastructure is/can be made available/appropriately designed in terms of water supply, wastewater and stormwater.

**Noise:** Noise associated with temporary events (e.g. golf tournaments such as the NZ Open), including helicopter activities, can be appropriately managed so as not to give rise to adverse noise and amenity effects.

**Contamination:** The site does not present any risk to human health and is suitable residential activity.

**Planning:** the proposed rezoning is more appropriate than the current rural zoning because:

- It better reflects the current uses and appropriately provides for future uses of The Hills Golf Course;
- It appropriately enables events such as the NZ Open, which contribute significantly to the District's tourism and economy;
- It will ensure landscape values associated with the site are appropriately recognised and maintained;
- It is appropriate in terms of section 32 and the Purpose of the Resource Management Act (Act)

To provide further detail as to the above, the following information and reports are **attached** to and form part of this submission:

- A plan showing the land to which this submission relates, and which the submitter seeks be rezoned Hills Resort Zone as **Annexure A**
- The Proposed Structure Plan for The Hills Resort Zone as **Annexure B**
- The Proposed District Plan provisions that will apply in The Hills Resort Zone as **Annexure C**
- A Section 32 evaluation "The Hills Resort Zone" prepared by Brown & Company Group, dated October 2015 as **Annexure D**
- The Hills Resort Zone, Master Planning report, prepared by Darby Partners, Dated 21 October 2015 as **Annexure E**
- The Hills, Structure Plan Resort Zone for The Hills, Assessment of Landscape and Visual effects, Prepared by Boffa Miskell, Dated October 2015 as **Annexure F**

- The Hills Rezoning, Helicopter Noise Assessment, Prepared by Marshall Day Acoustics, 12 October 2015 as **Annexure G**
- The Hills Resort Zone, Transportation Assessment Report, Prepared by Traffic Design Group, dated October 2015 as **Annexure H**
- The Hills Golf Course Land, Infrastructure Feasibility. Prepared by Hadley Consultants Limited, dated 21 October 2015 as **Annexure I**
- Hills Golf Course Land (including McDonnell Road Land) and Hogans Gully Land, Natural Hazard Assessment, Prepared by Hadley Consultants Limited, dated 21 October 2015 as **Annexure J**
- The Hills Special Zone Submission, Preliminary and Detailed Site Investigations, Prepared by Davis Consulting Limited, Dated 21/10/2015 as **Annexure K**

Accordingly, the Submitter seeks its land be rezoned as outlined above.

- 4.2 An alternative and much less preferred way of addressing the Submitter's concerns is to amend the Proposed Plan to appropriately recognise and provide for the existing golf course and its associated and ongoing development in the Rural zone, and for resort style development to be enabled on the land identified in Annexure A.

The amendments required to achieve this alternative and less preferred relief are set out below, along with reasons. Consequential changes would also be required to the rules that would continue to apply to the land under the notified rural zoning.

#### 4.2.1 Chapter 3: Strategic Direction

##### 4.2.1.1 Goals, objectives and policies:

- (a) The Submitter **SUPPORTS** and **OPPOSES** the goals, objectives and policies in Chapter 3.2 of the Proposed Plan, and seeks the following amendments, or similar:

**Objective 3.2.1.4** *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.*

**3.2.5 Goal** ***Our distinctive landscapes are protected from inappropriate development.***

**Objective 3.2.5.2** *Minimise the adverse landscape effects of subdivision, use or development in specified Rural Landscapes. 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,*

**Policies 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.*

**3.2.5.2.2** ***Avoid, remedy or mitigate the adverse effects of subdivision, use and development within these landscapes.***

*Policies 3.2.5.4.2 Provide for rural living opportunities in appropriate locations.*

*Objective 3.2.5.5 Recognise that agricultural land use **and other activities that rely on rural resources** is **are** fundamental to the character of our landscapes.*

*Policies 3.2.5.5.1 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.*

*3.2.5.5.2 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.*

(b) The reasons for the submission include:

*General Reasons:*

- (i) As notified the Proposed Plan does not strike an appropriate balance between accepting the inevitability of growth and how landscape values should be managed in the face of this growth. Rather, the Proposed Plan is weighted too far in the direction of protection of all landscapes, and this will frustrate appropriate development proposals.
- (ii) Growth impacts on other resource management issues facing the District. One of the most important of these (alongside managing natural conservation values, managing urban amenity values, and servicing growth with utilities and road access) is managing the District's landscape values. It is inevitable that growth will affect landscape values. This inevitability should be accepted, and the Proposed Plan should focus on how the effects can be appropriately managed so that adverse effects are avoided, remedied or mitigated and future generations can continue to enjoy the values that attract growth.
- (iii) Further, the notified Proposed Plan over-emphasises the importance of farming activities. Farming is one method for utilising rural resources, but its long term economic opportunities, in many rural parts of the District, are very uncertain. The value of rates in many cases means that the farming incomes need to be high to meet those costs as well as to provide an income for the farmer. There are very few farmers that derive their income entirely from farming, particularly within the Wakatipu Basin.
- (iv) Other activities that require a rural location, such as rural residential and rural lifestyle uses, and golf courses, may better provide economic wellbeing for landowners and the wider community in the face of rapid growth, and therefore should also be enabled and should be on at least an equal footing with farming, depending on location and managing potential adverse effects on landscape and other values.
- (v) The District Plan regime should balance protection **and** use and development of all resources, taking into account particularly Sections 6(b) (the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development); 7(c) (the maintenance and enhancement of amenity values) and 7(f) (the maintenance and enhancement of the quality

of the environment) is the most appropriate regime to achieve the purpose of the Act.

*Specific Reasons:*

- (vi) 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.
- (vii) The proposed amendments address this by acknowledging that, along with farming, other activities that rely on rural resources are fundamental to landscape character.
- (viii) The proposed amendments to Objective 3.2.5.2 and Policy 3.2.5.2.1 are appropriate for the following reasons:
  - (a) The use of the term “minimise” in the objective is too broad and could disenable otherwise legitimate development proposals. The proposed words “*recognise ... values and manage the adverse effects ... on these values*” more clearly sets out that, in any specific proposal (whether a plan change or resource consent) the landscape and visual amenity values must be recognised (which, in practice, would be by way of thorough assessment) and then adverse effects on such values must be managed. This means that adverse effects must be avoided, remedied or mitigated, as is the duty under section 5 of the Act.
  - (b) The splitting of Policy 3.2.5.1 into two policies 3.2.5.2.1 and 3.2.5.2.2 better separates the two distinct purposes which are:
    - to identify the relevant landscapes; and
    - to set out the intent of the District Plan for those landscapes.
  - (c) Further it better aligns the policy with the parent objective, which is to manage the adverse effects of subdivision and development on the relevant values.
  - (d) Adverse effects should be “*avoided, remedied or mitigated*”, rather than “*minimised*”, and this 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.
- (ix) Policy 3.2.5.4.2 is supported because it correctly identifies that some parts of the District have capacity to absorb change without detracting from landscape and visual amenity values, whether by way of zone or consent, but that residential development in rural areas needs to be carefully managed to avoid, remedy or mitigate potential adverse effects on landscape character and visual amenity values.
- (c) The submission points above are examined further and in more detail in the subsequent parts of this submission, in relation to Chapters 6 (Landscapes) and 21 (Rural Zone).

#### 4.2.2 Chapter 6: Landscapes

#### 4.2.2.1 Chapter 6.1 – Purpose and 6.2 – Values

- (a) The Submitter **OPPOSES** the goals, objectives and policies in Chapter 3.2, and seeks amendments, or similar:

##### 6.2 Values

...

*Some rural areas, particularly those closer to Queenstown and Wanaka town centres and within parts of the Wakatipu Basin, have an established pattern of housing on smaller landholdings. The landscape character of these areas has been modified by vehicle accesses, earthworks and vegetation planting for amenity, screening and shelter, which have reduced the open character exhibited by larger scale farming activities.*

*While acknowledging these rural areas have established housing, a substantial amount of subdivision and development has been approved in these areas and the landscape values of these areas are vulnerable to degradation from further subdivision and development. It is realised that rural lifestyle development has a finite capacity if the District's distinctive rural landscape values are to be sustained.*

**However, rural living can be enabled in certain locations if landscape character and visual amenity values are not unduly compromised.**

- (b) The reasons for the submission include:
- (i) The vision statement as notified recognises the finite capacity of the rural resources to absorb new rural lifestyle and rural residential development, but needs to also recognise that there are rural areas that can absorb development, whether in new areas or infill within existing areas, provided that the potential adverse effects on the landscape character and visual amenity values are properly considered when determining applications.
  - (ii) Further subdivision within some areas should not be forbidden or necessarily discouraged. Rather, the focus should be on accepting that there will be pressure on the rural resources to absorb new development and to focus the assessment on such matters as specific location within the topography, boundaries, access, landscaping, colours and materials of buildings, and visibility from other areas.

#### 4.2.2.2 Objectives and policies

- (a) The Submitter **OPPOSES** Objective 6.3.1 and Policies 6.3.1.1 – 6.3.1.4, and seeks the following amendments, or similar:

**6.3.1 Objective** ***The District contains and values Outstanding Natural Features, Outstanding Natural Landscapes, and Rural Landscapes that require protection from inappropriate subdivision and development and Rural Landscapes where the adverse effects of subdivision and development are appropriately managed.***

**Policies** **6.3.1.1** *Identify the District's Outstanding Natural Landscapes and Outstanding Natural Features on the Planning Maps.*

**6.3.1.2** *Classify the Rural Zoned landscapes in the District as:*

- Outstanding Natural Feature (ONF)



- Outstanding Natural Landscape (ONL)
- Rural Landscape Classification (RLC)

**6.3.1.3** *That subdivision and development proposals located within the Outstanding Natural Landscape, or an Outstanding Natural Feature, ~~be assessed against the assessment matters in provisions 21.7.1 and 21.7.3 because subdivision and development is~~ are inappropriate in almost all locations, meaning successful applications will be exceptional cases.*

**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 these landscapes, meaning successful applications will be, on balance, consistent with the assessment matters. That subdivision and development proposals within the Rural Landscape Classification are located and designed in such a manner that adverse effects on landscape character and visual amenity values are avoided, remedied or mitigated.~~*

**6.3.1.5** *Avoid urban subdivision and development in the Rural Zones.*

**6.3.1.6** *Enable rural lifestyle living through applying Rural Lifestyle Zone and Rural Residential Zone zones ~~plan changes~~ in areas where the landscape can accommodate change, and carefully considered applications for subdivision and development for rural living.*

- (b) The reasons for the submission include:
- (i) Objective 6.3.1 should only apply the term “*inappropriate*” to landscapes that are protected through section 6(b) of the Act, i.e. Outstanding Natural Landscapes and Outstanding Natural Features. The term “*inappropriate*” cannot be applied to the Rural Landscape Classification for the following reasons:
    - (a) It is contrary to Section 6(b) of the Act;
    - (b) It is contrary to the relevant objectives and policies in the Strategic Direction Chapter, including Objective 3.2.5.2 and 3.2.5.3 and their allied policies.
  - (ii) The basic mechanics of the rules that serve these objectives and policies require that proposals are assessed against the assessment matters. The policies should not state that proposals will be assessed against the assessment matters; the wording in Policies 6.3.1.3 and 6.3.1.4 is redundant.
  - (iii) The revised wording of Policies 6.3.1.4 and 6.3.1.6 is appropriate for the following reasons:
    - (a) For Policy 6.3.1.4:

- The reason in (ii) above in relation to the assessment matters; and
  - To ensure that the “*inappropriate*” test of Section 6(b) of the Act does not apply to subdivision and development within landscapes that are not outstanding, and
- (b) For Policies 6.3.1.4 and 6.3.1.6: Adverse effects should be “*avoided, remedied or mitigated*” 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.
- (c) The Submitter **OPPOSES** Objective 6.3.2 and Policies 6.3.2.1 – 6.3.2.5, and seeks the following amendments, or similar:

**6.3.2 Objective** ***Avoid, remedy or mitigate adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development.***

- Policies*
- 6.3.2.1** *Acknowledge that subdivision and development in the rural zones, specifically residential development, has a finite capacity if the District’s landscape quality, character and amenity values are to be sustained.*
- 6.3.2.2** *Allow residential subdivision and development only in locations where the District’s landscape character and visual amenity 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.*
- 6.3.2.3** *Recognise that proposals for residential subdivision or development in the Rural Zone that seek support from existing and consented subdivision or development have potential for adverse cumulative effects-, particularly where the subdivision and development would constitute sprawl along roads.*
- 6.3.2.4** *Have particular regard to the potential adverse effects on landscape character and visual amenity values from infill within areas with existing rural lifestyle development or where further subdivision and development would constitute sprawl along roads.*
- 6.3.2.5** *Ensure incremental changes from subdivision and development do not degrade landscape quality, or character ~~or openness~~ as a result of activities associated with mitigation of the visual effects of proposed development such as screening planting, mounding and earthworks.*

- (d) The reasons for the submission include:
- (i) 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 “*remedy or mitigate*” into the objective is therefore necessary.
  - (ii) 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 *significantly* adversely affected. This wording recognises that the landscape values are one component in the overall determination of applications, and seeks that any potential adverse effects are properly considered in this determination.
  - (ii) Policy 6.3.2.5 is should be amended by deleting reference to “openness”. The Environment Court has repeatedly identified that “openness” is not a factor except in relation to outstanding landscapes.
- (e) The Submitter **SUPPORTS and OPPOSES** Objective 6.3.4 and Policies 6.3.4.1 – 6.3.4.3, and seeks the following amendments, or similar:

**6.3.4 Objective *Protect, maintain or enhance the District's Outstanding Natural Landscapes (ONL).***

*Policies*      **6.3.4.1** *Avoid subdivision and development that would ~~degrade~~ **adversely affect** the important qualities of the landscape character and amenity, particularly where there is no or little capacity to absorb change.*

**6.3.4.2** *Recognise that large parts of the District's Outstanding Natural Landscapes include working farms and accept that viable farming involves activities which may modify the landscape, providing the quality and character of the Outstanding Natural Landscape is not adversely affected.*

**6.3.4.3** *Have regard to adverse effects on landscape character, and visual amenity values as viewed from public places, with emphasis on views from formed roads.*

**6.3.4.4** *Have regard to the adverse effects from subdivision and development on the open landscape character where it is open at present.*

- (f) The reasons for the submission include:
- (i) The outstanding natural landscapes of the District are in many cases iconic and contribute to the District's identity, and their ongoing protection, maintenance and enhancement is generally necessary and supported.
  - (ii) Given the spatial scale of the ONLs and the varied topography, they have some limited capacity to absorb development and adverse effects of development should be avoided. The words “*adversely affect*” in Policy 6.3.4.1 are preferable to the term “*degrade*”. “*Degrade*” is too absolute,

whereas “adversely affect” in this context promotes assessment of whether any actual or potential effects are or could be adverse.

- (iii) The openness of a landscape may be an issue in ONLs, but not in non-outstanding landscapes. This has been confirmed many times by the Environment Court. The new Policy 6.3.4.4 is therefore appropriate under Objective 6.3.4 and is relocated from Policy 6.3.5.6.
- (g) The Submitter **OPPOSES** Objective 6.3.5 and Policies 6.3.5.1 – 6.3.5.6, and seeks the following amendments, or similar:

**6.3.5 Objective** *Ensure subdivision and development does not degrade avoids, remedies or mitigates adverse effects on landscape character and diminish visual amenity values of the Rural Landscapes (RLC).*

**Policies** **6.3.5.1** *Allow subdivision and development only where it will not degrade landscape quality or character, or diminish the visual amenity values identified for any Rural Landscape.*

**6.3.5.2** *Avoid, remedy or mitigate any 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.*

**6.3.5.3** *Avoid planting and screening, particularly along roads and boundaries, which would degrade adversely affect openness views where such openness views are is an important part to the appreciation of the landscape quality or character.*

**6.3.5.4** *Encourage any landscaping to be sustainable and consistent with the established character of the area.*

**6.3.5.5** *Encourage development to utilise shared accesses and infrastructure, to locate within the parts of the site where they will be least visible, and have the least disruption to the landform and rural character.*

~~**6.3.5.6** *Have regard to the adverse effects from subdivision and development on the open landscape character where it is open at present.*~~

- (h) The reasons for the submission include:

- (i) 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.

- (ii) Policy 6.3.5.2 is modified for the same reasons as in (i) above.
- (iii) Policy 6.3.5.3 is modified by deleting references to “openness”, as the Environment Court has confirmed that that is not an issue in non-outstanding landscapes and replacing with “views” where such views “are important to the appreciation of the landscape quality of character”. This then invites specific analysis of the views, whether open or not, in the particular circumstances of any proposal.
- (iv) Policy 6.3.5.6 is deleted from this part of the Proposed Plan and shifted to where it is relevant under outstanding natural landscapes, under Objective 6.3.4.
- (i) The Submitter **SUPPORTS** Objective 6.3.8 and its allied policy for the following reasons:
  - (i) The District’s landscapes provide the opportunities for tourism and therefore must be sustained.

#### 4.2.3 Chapter 21: Rural Zone

##### 4.2.3.1 Zone Purpose 21.1 and objectives 21.2.1 and associated policies

- (a) The Submitter **OPPOSES** these provisions but seeks modifications as follows:

#### 21.1 Zone Purpose

*The purpose of the Rural zone is to enable farming activities **and other activities that rely on rural resources** while protecting, maintaining and enhancing landscape values, nature conservation values, the soil and water resource and rural amenity.*

*A wide range of productive activities occur in the Rural Zone and because the majority of the District’s distinctive landscapes comprising open spaces, lakes and rivers with high visual quality and cultural value are located in the Rural Zone, there also exists **a wide range of the desire for rural living, recreation, commercial and tourism activities and the desire for further opportunities for these activities.***

...

**21.2.1 Objective** *Enable farming, permitted **other activities that require a rural location and established activities while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.***

**Policies** **21.2.1.1** *Enable farming **and other activities that require a rural location and other established** activities while protecting, maintaining and enhancing the values of indigenous biodiversity, ecosystem services, recreational values, the landscape and surface of lakes and rivers and their margins.*

**21.2.1.2** *Provide for Farm Buildings ~~associated with larger landholdings~~ where the location, scale and colour of the buildings will not adversely affect landscape values.*

**21.2.1.4** *Minimise ~~the~~ dust, visual, noise and odour effects of activities **on** ~~by requiring facilities to locate a~~*

~~greater distance from~~ formed roads, neighbouring properties, waterbodies and zones that are likely to contain residential and commercial activity.

**21.2.1.6** Avoid, mitigate, remedy or off-set adverse cumulative impacts on ecosystem services and nature conservation values.

- (b) The reasons for the modifications sought include:
- (i) The Zone Purpose, Objective 21.2.1 and Policy 21.2.1.1 over-emphasise the importance of farming activities and do not recognise that many other activities require a rural location because they rely on rural resources. The Hills Golf Course is an example of this. The proposed modifications remedy this by enabling, along with farming, other activities that rely on rural resources.
  - (ii) Farming is one method for utilising rural resources, but its long term economic future, in many rural parts of the District, is uncertain. Other activities that require a rural location, such as commercial recreation activities, may better provide economic wellbeing for landowners and the wider community and therefore should also be enabled and should be on at least an equal footing with farming.
  - (iii) Because of their over-emphasis on farming, these provisions are inconsistent with other provisions that directly promote diversification of the use of rural resources. Examples of other such provisions are:
    - 21.1 – Zone Purpose: second and third paragraphs;
    - Objective 21.2.10 and allied policies, regarding diversification of farms (subject to the modifications in Part 3.3.2 below).
  - (iv) Policy 21.2.1.2 should be amended to avoid confusion of what a “larger landholding” may be perceived to be (it is not a defined term in the PDP). Farm buildings to be provided for on rural zoned sites of any size.
  - (v) Policy 21.2.1.4 is attempting to control reverse sensitivity effects, however the phrase “locate a greater distance...” provides no certainty of intent or outcome.
  - (vi) Policy 21.2.1.6 does not align well with the RMA. “Ecosystems services” is defined within the PDP, however further nature conservation values are not defined within the PDP and should be clarified.

#### 4.2.3.2 Objective 21.2.10 and associated policies relating to the potential for diversification of farms

- (a) The Submitter **SUPPORTS** and **OPPOSES** the objective and policies and seeks modifications as follows.

**21.2.10 Objective** Recognise the potential for diversification of rural activities (including farming activities) farms that utilises support the sustainability of the natural or and physical resources of farms rural areas and supports the sustainability of farming activities.

**Policies** **21.2.10.1** Encourage revenue producing activities that can support the long term sustainability of farms in the rural areas of the district.

**21.2.10.2** *Ensure that revenue producing activities utilise natural and physical resources (including buildings) in a way that maintains and enhances landscape quality, character, rural amenity, and natural values.*

**21.2.10.3** *Recognise that the establishment of complementary activities such as commercial recreation or visitor accommodation located within farms may enable landscape values to be sustained in the longer term. Such positive effects should be taken into account in the assessment of any resource consent applications.*

- (b) The reasons for the support and amendments are:
- (i) The notified wording of these provisions follows on from the higher order provisions in Chapter 3 and in Objective 21.2.1 and its allied policies, as discussed in parts 3.2 and 3.4.1 of this submission. In many parts of the District farming is not an economically sustainable activity, and it may remain that way for the foreseeable future.
  - (ii) The modifications seek to ensure that the sustainability applies to the natural and physical resources of the rural areas and is not exclusively about the sustainability of "farming". Farming is one of many activities that utilise those natural and physical resources.
  - (iii) The Hills Golf Course is not farmed at present but contributes to the visual amenity of the surrounding area.

4.3. Consequential changes to the rules that apply in the chapters of the PDP addressed in the above submission points may be required to give effect to the modifications to the objectives and policies sought.

4.4. The Submitter considers that without the amendments detailed in this submission the Proposed Plan:

- (a) will not promote the sustainable management of natural and physical resources;
- (b) will not provide for the efficient use and development of natural and physical resources;
- (c) is otherwise inconsistent with the relevant provisions of the Resource Management Act 1991, including the purposes and principles of Part 2 of the Act; and
- (d) does not result in the most appropriate plan provisions in terms of section 32 of the Act.

**5. Trojan Helmet Limited seeks the following decision from the Queenstown Lakes District Council:**

- (a) That the land identified in **Annexure A** be rezoned Hills Resort Zone, and the Structure Plan in **Annexure B** and District Plan Provisions in **Annexure C** be included in the Proposed Plan and apply to the new zone; or
- (b) As a less preferred relief, that the Proposed Plan be amended to appropriately recognise and provide for the existing golf course at The Hills and its associated and ongoing development in the Rural zone, and for resort style development on the land identified in

Annexure A to be enabled, by making the amendments set out in Part 4 of this submission, including any similar and/or consequential amendments; or

(c) That the Proposed Plan be amended in a similar or such other way as may be appropriate to address the matters raised in this submission; and

(d) Any consequential decisions required to address the matters raised in this submission.

Trojan Helmet Limited **DOES** wish to be heard in support of this submission.

If others make a similar submission Trojan Helmet Limited will consider presenting a joint case with them at a hearing.

Signature of Submitter



A A Hutton  
*Authorised to sign on behalf of Trojan Helmet Limited*

Date: 23 October 2015

Telephone: 03 409 2258 / 021 529745

**Notes to person making submission:**

If you make your submission by electronic means, the email address from which you send the submission will be treated as an address for service.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6 (4) of Schedule 1 of the Resource Management Act 1991.

**The submitter could NOT gain an advantage in trade competition through this submission**