

## Details of submitter565

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<b>Organisation:</b>	J M Martin
<b>Behalf of:</b>	Southern Planning Group

## 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: J M Martin

Address for Service: J M Martin  
C/- Southern Planning Group  
PO Box 1081  
Queenstown 9348

Attention: Scott Freeman  
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**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. J M Martin ("the submitter") submission is that:**

The submitter owns the following properties:

- Lot 1 DP 320468 (4.3156 hectares)
- Lot 2 DP 320468 (3.2324 hectares)
- Lot 4 DP 22585 (4.2838 hectares)

These properties are located off the Arrowtown-Lake Hayes Road, in close proximity to the intersection of this road and Lake Hayes-Arrow Junction Highway.

Under the Operative District Plan, the submitters land is contained within the Rural General Zone. In terms of the Proposed District Plan ("PDP"), the submitters land is contained in the Rural Zone as illustrated on Planning Map 30.

The submitter in part **opposes** the PDP to the following extent:

- The imposition of the Objectives, Policies, Methods and Zoning of the Rural Zone upon the submitter's land.

The submitter **requests** that the PDP be amended to incorporate the following:

- The introduction of the Rural Lifestyle Zone on the submitters land, and the nearby land located in the blue hatched area indicated on the plan contained within Appendix A.

If the Rural Lifestyle Zone is imposed on the submitters land (and other land indicated in Appendix A), then the submitter **supports** the following PDP provisions:

- Policy 3.2.5.4.2 that provides for rural living opportunities in appropriate locations.
- Policy 6.3.1.6 that seeks to enable rural living through applying Rural Lifestyle Zone and Rural Residential Zone plan changes in areas where the landscape can accommodate such change.

If the Rural Lifestyle Zone is imposed on the submitters land (and other land indicated in Appendix A), then the submitter **opposes** the following PDP provisions:

- The PDP objectives, policies and rules that inform and support the rule framework requiring a discretionary regime for the establishment of a new building platform within the Rural Lifestyle Zone (Rule 22.4.3.3) and non-complying activity consent to construct a dwelling not located within a building platform (Rule 22.4.1).
- The PDP objectives, policies and rules that inform and support the rule framework for residential density requiring an average of one dwelling per 2 hectares (Rule 22.5.12.2 & 22.5.12.3).
- The PDP objectives, policies, rules, the QLDC Land Development and Subdivision Code of Practice and the QLDC Subdivision Design

Guidelines that informs and supports Rule 27.4.1 making all subdivision activities discretionary.

If the Rural Zone is maintained on the submitters land (and other land indicated in Appendix A), then the submitter **opposes** the following PDP provisions:

- Objective 3.2.5.2 which seeks to minimise the adverse landscape effects of subdivision, use or development in specified Rural Landscapes. This objective should provide the flexibility of avoiding, remedying or mitigating adverse effects in the specified Rural Landscapes.
- Objective 3.2.5.4 which seeks to recognise there is a finite capacity for residential activity in rural areas if the qualities of our landscape are to be maintained. This objective is very broad and difficult to quantify.
- Objective 6.3.1 which states that the District contains and values Outstanding Natural Features, Outstanding Natural Landscapes, and Rural Landscapes that require protection from inappropriate subdivision and development. This objective should provide the flexibility of avoiding, remedying or mitigating adverse effects in all landscapes.
- Objective 6.3.2 and the policies that give effect to this objective, when dealing with cumulative effects.
- Policy 6.3.5.2 which seeks to avoid adverse effects from subdivision and development. This policy should be amended so there is flexibility of avoiding, remedying or mitigating adverse effects in the specified Rural Landscapes.
- Policy 6.3.5.4 which seeks to avoid planting and screening, particularly along roads and boundaries, which in turn could degrade openness where such openness is an important part of the landscape quality or character. Planting and screening is often an effective mitigation method that avoids adverse effects of subdivision and development within the rural zone.

- Policy 6.3.5.6 which states that regard should be had to the adverse effects from subdivision and development on the open landscape character where it is open at present. This policy in effect is seeking to maintain open space in the rural zone, irrespective of the landscape classification.
- Objective 21.2.9 and Policies 21.2.9.1 and 21.2.9.2 which seek to avoid or limit commercial activities in the Rural Zone as there is no Section 32 evidence that quantifies this policy approach.

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

- 4.1 Based on the characteristics of the submitters land, the located contained in Appendix A, and the general patchwork of residential development along the eastern side of the Arrowtown-Lake Hayes Road between the Lake Hayes-Arrow Junction Highway and Hogans Gully Road, the submitter considers it appropriate that the Rural Lifestyle Zone is imposed on the land contained within Appendix A (and possibly further north).
- 4.2 The provisions within the Rural Lifestyle Zone are preventive in terms of seeking land use consent for either a residential dwelling or building platform. The Rural Lifestyle Zone provides for rural living, and such should be enabled through a land use consent process as well as subdivision.
- 4.3 The submitters oppose the average density of 2 hectares within the Rural Lifestyle Zone as there is no rational for an average of 2 hectares and no landscape or other benefits from requiring an average.
- 4.4 An average density requirement of 2 hectares:
  - does not promote or give effect to Part 2 of the Act,
  - does not meet section 32 of the Act, and
  - is not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into accounts the costs and benefits.

- 4.5 The 2 hectares average is considered to:
- represent an inefficient use of a scarce land resource,
  - have insignificant landscape benefits given the process for identifying the zoning has considered the potential landscape effects,
  - create administration inefficiencies as the average is difficult to administer and keep track of, and
  - have no rational planning basis.

4.6 The Section 32 analysis that accompanies Chapter 27 Subdivision & Development provides no evidence that monitoring of the operative provisions and the controlled activities status for Rural Lifestyle subdivision has been ineffective or inefficient. The benefits and costs of the effects of the proposed provisions referred to above have not been appropriately assessed or quantified in accordance with section 32, nor have they been assessed with regards to their suitability for giving effect to the relevant objectives and policies. The proposed discretionary regime for subdivision will impose significant uncertainty and costs on development without any justifiable benefits.

4.7 The proposed objectives and policies that apply to the Rural Zone listed above will have the effect of making resource consent process under the Rural General Zone more uncertain, and overall, more difficult.

**5 The submitter seeks the following decision from the Queenstown Lakes District Council:**

- 5.1 That the land contained within Appendix A is fully contained within the Rural Lifestyle Zone.
- 5.2 The deletion and/or amendment of the PDP provisions listed as listed above.
- 5.3 The PDP is modified to delete the requirement for an average density and/or lot size of 2 hectares within the Rural Lifestyle Zone.
- 5.4 Any consequential relief or alternative amendments to objectives and provisions to give effect to the matters raised in this submission.

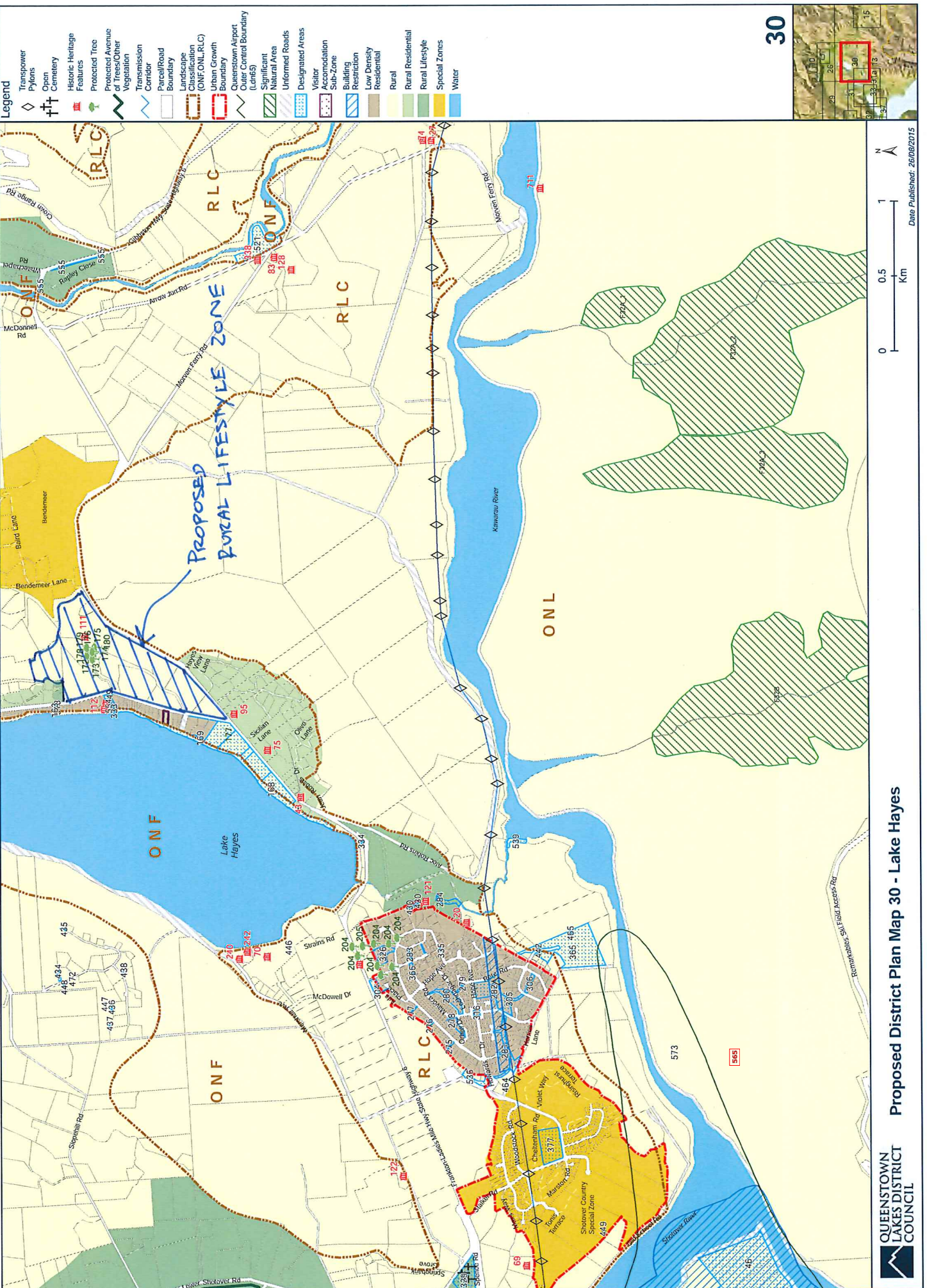
- 6 The submitter wishes to be heard in support of their submission.
- 7 If others make a similar submission the submitter will consider presenting a joint case with them at a hearing.



**Signature**.....  
(Scott Freeman on behalf of J M Martin)

**Date:** 23 October 2015





- Legend**
- ◇ Transpower Pylons
  - ⊕ Open Cemetery
  - Historic Heritage Features
  - Protected Tree
  - Protected Avenue of Trees/Other Vegetation
  - Transmission Corridor
  - Parcel/Road Boundary
  - Landscape Classification (ONF/ONL/RLC)
  - Urban Growth Boundary
  - Queenstown Airport Outer Control Boundary (Leites)
  - Significant Natural Area
  - Unformed Roads
  - Designated Areas
  - Visitor Accommodation Sub-Zone
  - Building Restriction
  - Low Density Residential
  - Rural Residential
  - Rural Lifestyle
  - Special Zones
  - Water

