

Queenstown Lakes District Council – Further Submission Form 6

Further Submission in support, or in opposition to, submissions on a Proposed Plan Change

Private Plan Change 52

Clause 8 of First Schedule, Resource Management Act 1991

To: Queenstown Lakes District Council
Private Bag 50072
Queenstown

Attention: Planning Policy

1. Submitter details:

Full Name of Further Submitter:	Mount Cardrona Station Limited (“MCS”)
Address for Service:	C/- Brown & Company Planning Group, PO Box 1467, QUEENSTOWN
Email:	office@brownandcompany.co.nz
Contact Person:	J Brown / A Hutton
Phone:	03 4092258

2. Submitter Status

MCS has an interest in the proposal greater than the general public has, for the following reasons:

- MCS promoted Private Plan Change 52;
- MCS owns land affected by relevant original submissions; and
- MCS is directly affected by the submissions.

3. MCS makes the further submissions set out in the following table:

Original Submitter	Submission Number	Support/Oppose	Reasons for Further Submission	I seek the following:
Back Country Quads	52/01/01	SUPPORT	MCS supports opportunities that will promote Cardrona as a year round destination.	Accept submission 52/01/01 (except in relation to particular amendments that MCS supports).
Dr Pippa Kyle	52/02/01	OPPOSE	There is sufficient water supply for the Mt Cardrona Station Special Zone development and wider area, as addressed in the letter prepared by Tom Heller (hydrologist) dated 10 April 2017 . see Attachment A .	Reject submission 52/02/01.
	52/02/02	NEUTRAL	<p>MCS acknowledges that the submitter seeks that both a covenant and a zone rule are implemented to ensure there is a 100m setback to avoid any adverse visual impact.</p> <p>Registered covenants are not appropriate as they are a private contract and can be amended between the parties.</p> <p>Rule 12.22.2.4 already provides that buildings and structures (other than a recycling station and a gas storage facility) are non-complying activities.</p>	No action required.
	52/02/03	SUPPORT IN PART	The submitters seek that Activity Areas 6 and 7b are protected from further development even at later stages and that this is enforced by rules and registered covenants on the titles.	No action required.

Original Submitter	Submission Number	Support/Oppose	Reasons for Further Submission	I seek the following:
			<p>MCS acknowledges the submitters points. MCSSZ rules already address the submitters concerns.</p> <p>Activity Area 6 provides for a small amount of building ancillary to the uses of the zones (such as for recycling, gas storage - any other buildings are non-complying activities).</p> <p>Activity Area 7a provides only for buildings associated with a gondola or approved farm buildings, and any other uses are a non-complying activity.</p> <p>The MCSSZ rules therefore already provide significant protection of these areas from unanticipated development.</p> <p>Registered covenants are not appropriate as they are a private contract and can be amended between the parties.</p>	
	52/02/04	SUPPORT	<p>MCS considers that the sports field can be deleted from the Structure Plan. It is unlikely that formal sports activities requiring a sports field will ever be required in the MCSSZ area.</p> <p>Tennis courts are still a desirable amenity and these could be located in a variety of locations in Activity Area 6, including in the northern corner of the southern Activity Area 6 block.</p> <p>Tennis courts can be provided for in Activity Area 6 by way of a new discretionary activity</p>	<p>Remove the %Sports Field+annotation from Structure Plans A and C and from the Design Guidelines.</p> <p>Add new rule 12.22.2.3(vi)(c) (Discretionary activities, buildings and structures in Activity Area 6):</p> <p><u>(c) Tennis courts</u></p> <p>Add new assessment matter 12.22.5(xxiv):</p> <p><u>xxiv. Discretionary activity – Tennis courts in Activity Area 6:</u></p>

Original Submitter	Submission Number	Support/Oppose	Reasons for Further Submission	I seek the following:
			rule which focusses the assessment on nearby residential amenity (including in relation to noise and lighting) and stormwater management. In relation to the paper road see Submission 52/02/05 below.	<ul style="list-style-type: none"> - <u>Proximity of the courts to neighbouring properties and any adverse effects of noise and lighting on residential amenity;</u> - <u>Whether the location of the tennis courts adversely affects stormwater flow paths and stormwater management</u>
	52/02/05	NEUTRAL	MCS acknowledges and agrees with the submitter's point in relation to the paper road. However, the paper road is outside the plan change area and therefore there is no scope for relief.	No action required.
	52/02/06	SUPPORT IN PART	The Council has a document entitled %Southern Night Sky+ it is similar to the McKenzie District Council's %Night Sky+ document. %Southern Night Sky+ has recently been updated and within the QLDC framework is another matter that Council considers when granting consents. The Design guidelines restrict the type and method of lighting public open space in the Zone. In relation to the part of the submission on registered covenants, such covenants are not appropriate as they are a private contract and can be amended between the parties.	No action required; retain the references to %Southern Light+ in the MCSSZ provisions, and in the Design Guidelines. MCS would also support the participation of an International Dark Sky accreditation if the community wishes to do this. In relation to covenants, no action required.
	52/02/07	SUPPORT	MCS supports the amendments to the species list to ensure that appropriate	Accept submission 52/02/07 and delete <i>Macracarpa</i> as a species in Activity Area 3 and

Original Submitter	Submission Number	Support/Oppose	Reasons for Further Submission	I seek the following:
			species are planted that will survive the climate.	replace with Mountain Beech or a similar species and ensure that only species that are suited to the environment are planted, such as silver tussocks.
	52/02/08	SUPPORT IN PART	<p>MCS supports that the ski area carpark in Activity Area 8c should be sealed and this should be enforceable by amending Rule 12.22.2.3 (vii)(b)</p> <p>MCS acknowledges and agrees with the submitter's point in relation to the ski field access road. The road is outside the MCSSZ and therefore outside of the scope of this plan change.</p>	<p>Accept the submission, and introduce a provision to ensure that the relief is adopted within Activity Area 8c.</p> <p>Modify Rule 12.22.2.3(vii)(b) as follows:</p> <p>(b) <i>In relation to earthworks: sediment control, dust control, site rehabilitation, <u>the sealing of the car park</u>, and landscaping.</i></p> <p>In relation to the Ski Area access road, no action required.</p>
	52/02/09	NEUTRAL	<p>MCS acknowledges the submitters point.</p> <p>It is already a non-complying activity to undertake development or building in Activity Area 1b or the southern neighbourhood before implementation and planting takes place.</p>	No action required.
	52/02/10	SUPPORT	<p>The Design Guidelines are an integral part of the philosophy of the future development to the zone.</p> <p>Rules of the Zone require that subdivisions and development are assessed through the Design Guidelines.</p>	No action required.
Patrick Frengly	52/03/01	SUPPORT	The reasons in support of the plan change as set out in the request and the section 32 evaluation	Accept submission 52/03/01 (except in relation to particular amendments that MCS supports).

Original Submitter	Submission Number	Support/Oppose	Reasons for Further Submission	I seek the following:
	52/03/02	SUPPORT IN PART	<p>See MCS's further submission on Submission 52/02/03 above.</p> <p>MCS acknowledges the submitters points. MCSSZ rules in relation to Activity Areas 6 and 7 already address the submitters concerns.</p>	No action required.
	52/03/03	NEUTRAL	<p>MCS acknowledges that the submitter seeks that both a covenant and a zone rule are implemented to ensure there is a 100m setback to avoid any adverse visual impact.</p> <p>Registered covenants are not appropriate as they are a private contract and can be amended between the parties.</p> <p>Rule 12.22.2.4 already provides that buildings and structures (other than a recycling station and a gas storage facility) are non-complying activities.</p>	No action required.
	52/03/04	SUPPORT IN PART	<p>The Council has a document entitled <i>%Southern Night Sky+</i>; it is similar to the McKenzie District Council's <i>%Night Sky+</i> document.</p> <p><i>%Southern Night Sky+</i> has recently been updated and within the QLDC framework is another matter that Council considers when granting consents. The Design guidelines restrict the type and method of lighting public open space in the Zone.</p>	<p>No action required; retain the references to <i>%Southern Light+</i> in the MCSSZ provisions, and in the Design Guidelines.</p> <p>MCS would also support the participation of an International Dark Sky accreditation if the community wishes to do this.</p> <p>In relation to the paper road, no action required.</p>

Original Submitter	Submission Number	Support/Oppose	Reasons for Further Submission	I seek the following:
			<p>In relation to the paper road, MCS acknowledges and agrees with the submitter's point.</p> <p>However, the paper road is outside the plan change area and therefore there is no scope for relief.</p>	
	52/03/05	SUPPORT	<p>MCS considers that the sports field can be deleted from the Structure Plan. It is unlikely that formal sports activities requiring a sports field will ever be required in the MCSSZ area.</p> <p>Tennis courts are still a desirable amenity and these could be located in a variety of locations in Activity Area 6, including in the northern corner of the southern Activity Area 6 block.</p> <p>Tennis courts can be provided for in Activity Area 6 by way of a new discretionary activity rule which focusses the assessment on nearby residential amenity (including in relation to noise and lighting) and stormwater management.</p> <p>In relation to the paper road see Submission 52/02/05 below.</p>	<p>Remove the %Sports Field+annotation from Structure Plans A and C and from the Design Guidelines.</p> <p>Add new rule 12.22.2.3(vi)(c) (Discretionary activities, buildings and structures in Activity Area 6):</p> <p><u>(c) Tennis courts</u></p> <p>Add new assessment matter 12.22.5(xxiv):</p> <p><u>xxiv. Discretionary activity – Tennis courts in Activity Area 6:</u></p> <ul style="list-style-type: none"> - <u>Proximity of the courts to neighbouring properties and any adverse effects of noise and lighting on residential amenity;</u> - <u>Whether the location of the tennis courts adversely affects stormwater flow paths and stormwater management</u>
	52/03/06	NEUTRAL	<p>MCS acknowledges and agrees with the submitter's point in relation to the paper road.</p>	No action required.

Original Submitter	Submission Number	Support/Oppose	Reasons for Further Submission	I seek the following:
			However, the paper road is outside the plan change area and therefore there is no scope for relief.	
	52/03/07	SUPPORT	<p>Noxious weed and pest control is controlled by the Regional Council, however MCS is aware that as custodians of the land every effort will be made to ensure that weed and pest control is undertaken regularly throughout the Zone, and by the homeowners association.</p> <p>Pest management is an integral part of the Homestead Gully Management Plan which is required by Rule 12.22.4.2 (ix).</p> <p>Weed control will also be undertaken as part of the management of the golf course.</p>	No action required.
	52/03/08	SUPPORT	MCS supports the amendment of species to ensure that appropriate species are used that will survive the climate.	Accept submission 52/02/07 by deleting <i>Macracarpa</i> as a species in Activity Area 3 and replace with Mountain Beech or a similar species and ensure that only species that are suited to the environment are planted. This should be included in Part 2 (Page 2-20) of the Design Guidelines.
	52/03/09	SUPPORT IN PART	<p>MCS supports that the ski area carpark in Activity Area 8c should be sealed and this should be enforceable by amending Rule 12.22.2.3 (vii)(b)</p> <p>MCS acknowledges and agrees with the submitter's point in relation to the ski field access road. The road is outside the MCSSZ and therefore outside of the scope of this plan change.</p>	<p>Accept the submission, and introduce a provision to ensure that the relief is adopted within Activity Area 8c.</p> <p>Modify Rule 12.22.2.3(vii)(b) as follows:</p> <p>(b) <i>In relation to earthworks: sediment control, dust control, site rehabilitation, <u>the sealing of the car park</u>, and landscaping.</i></p>

Original Submitter	Submission Number	Support/Oppose	Reasons for Further Submission	I seek the following:
				In relation to the Ski Area access road, no action required.
Roberts Family Trust	52/04/01	SUPPORT	Supports the plan change for the reasons	Accept submission 52/04/01 (except in relation to particular amendments that MCS supports).
Ian Leslie and Toni Rasmussen	52/05/01	SUPPORT IN PART	MCS supports certain modifications to the plan change provisions in response to the submitter's points, as addressed below.	Accept submission 52/05/01 (except in relation to particular amendments that MCS supports).
	52/05/02	NEUTRAL	<p>MCS acknowledges that the submitter seeks that both a covenant and a zone rule are implemented to ensure there is a 100m setback to avoid any adverse visual impact.</p> <p>Registered covenants are not appropriate as they are a private contract and can be amended between the parties.</p> <p>Rule 12.22.2.4 already provides that buildings and structures (other than a recycling station and a gas storage facility) are non-complying activities.</p>	No action required.
	52/05/03	NEUTRAL	<p>Rule 12.22.2.4 already provides that buildings and structures (other than a recycling station and a gas storage facility) are non-complying activities.</p> <p>It is appropriate that small scale buildings to provide for community assets are provided for</p>	No action required.
	52/05/04	OPPOSE	Community infrastructure is provided for and will locate where it is most optimal in relation to other activities.	Reject submission 52/05/04

Original Submitter	Submission Number	Support/Oppose	Reasons for Further Submission	I seek the following:
	52/05/05	SUPPORT	<p>MCS considers that the sports field can be deleted from the Structure Plan. It is unlikely that formal sports activities requiring a sports field will ever be required in the MCSSZ area.</p> <p>Tennis courts are still a desirable amenity and these could be located in a variety of locations in Activity Area 6, including in the northern corner of the southern Activity Area 6 block.</p> <p>Tennis courts can be provided for in Activity Area 6 by way of a new discretionary activity rule which focusses the assessment on nearby residential amenity (including in relation to noise and lighting) and stormwater management.</p> <p>In relation to the paper road see Submission 52/02/05 above.</p>	<p>Remove the %Sports Field+annotation from Structure Plans A and C and from the Design Guidelines.</p> <p>Add new rule 12.22.2.3(vi)(c) (Discretionary activities, buildings and structures in Activity Area 6):</p> <p><u>(c) Tennis courts</u></p> <p>Add new assessment matter 12.22.5(xxiv):</p> <p><u>xxiv. Discretionary activity – Tennis courts in Activity Area 6:</u></p> <ul style="list-style-type: none"> - <u>Proximity of the courts to neighbouring properties and any adverse effects of noise and lighting on residential amenity;</u> - <u>Whether the location of the tennis courts adversely affects stormwater flow paths and stormwater management</u>
	52/05/06	OPPOSE	There is sufficient water supply for the Mt Cardrona Station Special Zone development and wider area, as addressed in the letter prepared by Tom Heller (hydrologist) dated 10 April 2017 . see Attachment A .	Reject submission 52/02/06.
Cardrona Alpine Resort	52/06/01	SUPPORT	The reasons in support of the plan change as set out in the request and the section 32 evaluation	Accept submission 52/06/01 (except in relation to particular amendments that MCS supports).
	52/06/02	SUPPORT	The reasons in support of Activity Area 8c are set out in the request and the section 32 evaluation	Accept submission 52/06/02

Original Submitter	Submission Number	Support/Oppose	Reasons for Further Submission	I seek the following:
	52/06/03	SUPPORT	The reasons in support of the plan change as set out in the request and the section 32 evaluation	No action required.
	52/06/04	OPPOSE	Section 22 of the Operative District Plan controls all earthworks apart from earthworks in special zones. As these contain their own earthworks rules, the amendment proposed would mean that there are no earthworks rules in the Mt Cardrona Special Zone.	Reject submission 52/06/04.
	52/06/05	SUPPORT	Sensible to correct minor inconsistencies in the labelling of activity areas	Accept submission 52/06/05
	52/06/06	SUPPORT	MCS supports the inclusion of %complementary commercial services+as the built form is limited by site and zone standards	Accept submission 52/06/06
Heritage New Zealand Pouhere Taonga	52/07/01	SUPPORT	The reasons in support of the plan change as set out in the request and the section 32 evaluation	Accept submission 52/07/01
	52/07/02	SUPPORT	The proposed amendments provide more appropriate rules in relation to the Walter Little water race	Accept submission 52/07/02
	52/07/03	SUPPORT	Rule 12.22.2.2(vii) is necessary and appropriate	Accept submission 52/07/03
	52/07/04	SUPPORT	Rule 12.22.4.2(x) is necessary and appropriate	Accept submission 52/07/04
	52/07/05	SUPPORT	Rule 12.22.5(i) is necessary and appropriate	Accept submission 52/07/05

Original Submitter	Submission Number	Support/Oppose	Reasons for Further Submission	I seek the following:
	52/07/06	SUPPORT	The inclusion of provisions to protect the chaff storage platform, both as an addition to the Inventory of Protected Features and as an amendment to Rule 12.22.4.2(x) is necessary and appropriate	Accept submission 52/07/06
Hil and Mario Kiesow	52/09/01	SUPPORT	The reasons in support of the plan change as set out in the request and the section 32 evaluation	Accept submission 52/09/01 (except in relation to particular amendments that MCS supports).
	52/09/02	NEUTRAL	<p>MCS acknowledges that the submitter seeks that both a covenant and a zone rule are implemented to ensure there is a 100m setback to avoid any adverse visual impact.</p> <p>Registered covenants are not appropriate as they are a private contract and can be amended between the parties.</p> <p>Rule 12.22.2.4 already provides that buildings and structures (other than a recycling station and a gas storage facility) are non-complying activities.</p>	No action required.
	52/09/03	SUPPORT	<p>MCS considers that the sports field can be deleted from the Structure Plan. It is unlikely that formal sports activities requiring a sports field will ever be required in the MCSSZ area.</p> <p>Tennis courts are still a desirable amenity and these could be located in a variety of locations in Activity Area 6, including in the northern corner of the southern Activity Area 6 block.</p>	<p>Remove the %Sports Field+annotation from Structure Plans A and C and from the Design Guidelines.</p> <p>Add new rule 12.22.2.3(vi)(c) (Discretionary activities, buildings and structures in Activity Area 6):</p> <p><u>(c) Tennis courts</u></p> <p>Add new assessment matter 12.22.5(xxiv):</p>

Original Submitter	Submission Number	Support/Oppose	Reasons for Further Submission	I seek the following:
			<p>Tennis courts can be provided for in Activity Area 6 by way of a new discretionary activity rule which focusses the assessment on nearby residential amenity (including in relation to noise and lighting) and stormwater management.</p> <p>In relation to the paper road see Submission 52/02/05 below.</p>	<p><u>xxiv. Discretionary activity – Tennis courts in Activity Area 6:</u></p> <ul style="list-style-type: none"> - <u>Proximity of the courts to neighbouring properties and any adverse effects of noise and lighting on residential amenity;</u> - <u>Whether the location of the tennis courts adversely affects stormwater flow paths and stormwater management</u>
	59/09/04	NEUTRAL	<p>MCS acknowledges and agrees with the submitter's point in relation to the paper road.</p> <p>However, the paper road is outside the plan change area and therefore there is no scope for relief.</p>	No action required.
	52/09/05	OPPOSE	There is sufficient water supply for the Mt Cardrona Station Special Zone development and wider area, as addressed in the letter prepared by Tom Heller (hydrologist) dated 10 April 2017 . see Attachment A .	Reject submission 52/02/01.
	52/09/05	SUPPORT IN PART	<p>The Council has a document entitled %Southern Night Sky+; it is similar to the McKenzie District Council's %Night Sky+ document.</p> <p>%Southern Night Sky+ has recently been updated and within the QLDC framework is another matter that Council considers when granting consents. The Design guidelines restrict the type and method of lighting public open space in the Zone.</p>	<p>No action required; retain the references to %Southern Light+ in the MCSSZ provisions, and in the Design Guidelines.</p> <p>MCS would also support the participation of an International Dark Sky accreditation if the main valley residents and businesses wish to do this.</p>

Original Submitter	Submission Number	Support/Oppose	Reasons for Further Submission	I seek the following:
Cardrona Valley Residents and Ratepayers Society Incorporated	52/10/01	SUPPORT	MCS supports opportunities that will promote Cardrona as a year-round destination.	Accept submission 52/10/01 (except in relation to particular amendments that MCS supports).

5. MCS DOES wish to be heard in support of this further submission.

6. If others make a similar submission, MCS WILL consider presenting a joint case with them at the hearing.

Signed:



J Brown / A Hutton

Dated: 1 May 2017

ATTACHMENT A

Mt Cardrona Station Ltd
C/- Spencers Chartered Accountants
Level 6, 12 Viaduct Harbour Avenue
Auckland 1010

10 April 2017
Environmental Associates Ltd
Our Ref: EA00161
Your Ref:

Attention: Mr Chris Morton

Dear Sir,

**Technical Response to Submissions, Re – Queenstown Lakes District
Council Plan Change 52, Mount Cardrona Station**

The following technical response is in relation to submissions on Plan Change 52, concerning water take and use by Mount Cardrona Station.

Mount Cardrona Station holds consent (water permit 2009.191) which authorises two points of take, namely, Pringles Creek and the Cardrona River. Water is authorised to be taken from a combination of Pringles Creek (until the residual flow condition limit is reached), and from the Cardrona River main stem. Water may be drawn from either source, or both sources concurrently.

At any time the residual flow limit is reached in Pringles Creek, all water would be drawn from the Cardrona River, as there is no requirement for a residual flow condition restricting abstraction from the river. The residual flow set for Pringles Creek as a condition of consent 2009.191, ensures protection of in-stream values and additional uses, such as potable water supplies taken under permitted activity rules within the Regional Plan: Water for Otago.

The Otago Regional Council 2009.191 consent for Mount Cardrona Station Zone Development Plan water, allows up to 393,105 cubic metres per annum of primary allocation, to be taken for irrigation, commercial and communal domestic supply. The Condition 3 of consent 2009.191 specifically provides for the residual flow of 15 litres per second to be maintained in Pringles Creek immediately below the point of take (when 2009.191 is being exercised from Pringles Creek). The consent is not required to be renewed until March 2030.

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10 April 2017
Environmental Associates Ltd
Our Ref: EA00161
Your Ref:

The rate and volume of water available, as authorised by existing consent 2009.191, is sufficient for both community-development and golf course irrigation needs, as envisaged under the Plan Change. Mt Cardrona Station is able to fully comply with all Otago Regional Council conditions of the water permit to take water for its ongoing requirements.

Yours faithfully
Tom Heller
Director: Water & Environmental



Environmental Associates Ltd
Email: theller@vodafone.net.nz