

IN THE MATTER

of the Resource
Management Act 1991

AND

IN THE MATTER

of the Queenstown Lakes
Proposed District Plan

HEARING OF SUBMISSION 502 AND FURTHER SUBMISSION 1254
LODGED BY ALLENBY FARMS LIMITED

Introduction

1. Counsel for Allenby Farms Ltd, Mr Goldsmith and Ms Hill, have today filed a request that hearing of the matters contained in the above submission and further submission be deferred until hearing of map change requests on the grounds that the various matters need to be considered as a whole. The scope of the submission was listed in the memorandum as:
 - a) To amend relevant outstanding natural feature (ONF) and significant natural area (SNA) boundaries;
 - b) To relocate a building restriction area (BRA) presently applying to the submitter's land;
 - c) To extend the area zoned Large Lot Residential; and
 - d) Minor amendments to the rules, policies and objectives for the Rural Zone.
2. Counsel identified that the s.42A Report produced by the Council for the hearings for the Rural Stream recommended various decisions in relation to the submitter's submissions regarding the extent of the SNA and the location and extent of the BRA.

Contents of Submission 502

3. In large part this submission seeks to amend the boundaries of the ONF, SNA and BRA applying to the submitter's land, and replace the Rural Zone in part with Large Lot Residential. The submission also states that it "*seeks to make some minor amendments to the rules, policies and objectives for the Rural Zone to achieve a better alignment between the relevant objectives and policies of the PDP*". The detail of such amendments is not included within the submission.

Contents of Further Submission 1254

4. This further submission supports and opposes various other submissions. Relevant to the Rural Hearing Stream, the further submission opposes submissions which seek to make changes to Chapters 21 (Rural Zone) and 33 (Indigenous Vegetation).

Determination

5. I agree with counsel that it would be more appropriate to consider the various changes to the ONF, SNA, BRA and zoning as a whole as part of hearing submissions on the Planning Maps.
6. In coming to this conclusion I have considered the contents of Chapter 33, which includes a schedule listing each of the SNAs in the District, as shown on the Planning Maps. I have concluded that a distinction can be drawn between a submission seeking to amend the boundary of an SNA and one seeking the complete removal of an SNA. The latter instance requires an amendment to the plan text (the schedule) and an associated amendment to the maps. The former does not seek to amend the text, merely the extent of land shown on the maps affected by the SNA provisions.
7. As I understand the Allenby Farms Ltd submission, no amendment to the text relating to SNA E18C is sought.
8. This conclusion does not, however, mean that those parts of the submission or further submission which apply to the text in Chapters 21 and 33 can be deferred until the mapping hearings. If the submitter wishes to be heard on those matters it will need to appear in Hearing Stream 2 – Rural.
9. I note that the submission suggests that some amendments will be sought to the objectives, policies and rules in Chapter 21. As the submission fails to define what changes are actually sought, I doubt that there is scope for any change to be made.

18 April 2016



Denis Nugent
Hearing Panel Chair