

**ANNEXURE A – Copy of Wild Grass Submission**

**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: Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust

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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. Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust submission is that:**

Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust ("The submitter") owns the land legally described as Lot 2 DP 447241 ("Lot 2") and Lot 3 DP 447241 ("Lot 3"). Lot 2 is 24.4152 hectares in area, while Lot 3 is 3.0749 hectares in area.

Operative District Plan

Under the Operative District Plan, Lot 2 and 3 are located in the Jacks Point Resort Zone ("JPRZ").

Lots 2 and 3 contain the two Lodge Activity Areas which are situated approximately within the south-western corner of the JPRZ as demarcated on Figure 1 of the JPRZ Structure Plan.

The larger Lodge Activity Area is approximately 4.14 hectares in area, while the smaller Lodge Activity is 5300m<sup>2</sup> in area. The total area of both Lodge Activity Areas is 4.67 hectares.

Both of the Lodge Activity Areas are surrounded by the JPRZ Golf Course and Open Space Activity Area and the Tablelands classification. In terms of Figure 1 of the JPRZ Structure Plan, to the north of the Lodge Activity Areas are the Tableland Homesites Activity Areas and in an easterly direction are the remainder of the Activity Areas within the JPRZ.

#### Proposed District Plan

Under the Proposed District Plan, the site is still contained within the JPRZ as illustrated on Planning Map 13 and as governed by Section 41 in this document.

Within the JPRZ Structure Plan, the site is contained within the Lodge Activity Area and the Open Space Landscape Protection/Farming Activity Area ("OSL").

#### Submission Points

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

- 4.1 The continued exclusion of the Lodge Activity Areas from being located within an Outstanding Natural Landscape as illustrated on Planning Map 13.
- 4.2 The continued provision of the Lodge Activity Areas within the JPRZ.
- 4.3 The replacement of the existing JPRZ objective (12.1.4.3) with the proposed JPRZ objective 41.2.1.
- 4.4 The replacement of the existing JPRZ policies with the proposed JPRZ policies that are relevant to the Lodge Activity Areas.
- 4.5 The controlled activity status for buildings (including the addition, alteration or construction of buildings) pursuant to Rule 41.4.3.1 within the Lodge Activity Areas.
- 4.6 The controlled activity status for any tennis court located in the smaller Lodge Activity Area pursuant to Rule 41.4.4.1.
- 4.7 Rule 41.5.12.1 that provides for building height between 5m and 7.5m as a restricted discretionary activity in the Lodge Activity Areas.

- 4.8 Rule 41.5.12.2(h) that provides for a maximum building height of 7.5m in the Lodge Activity Areas.

The submitter further requests:

- 4.9 Expanding the Lodge Activity Area across Lot 3 and Lot 1 DP 447241 (as illustrated in Appendix A and B).
- 4.10 The incorporation of a Lodge Parking Activity Area ("LP") in the extreme eastern area of Lot 2.

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

- 4.10 The restricted discretionary status for the sale of liquor pursuant to Rule 41.4.8 in the Lodge Activity Area. In the Lodge Activity Areas, the sale of liquor should be classified as a controlled activity.
- 4.11 Rule 41.4.9.6 in that residential activities should also be allowed in the Lodge Activity Area, in combination with visitor accommodation activities, restaurants and conference facilities. This rule should also be amended to incorporate 'meeting facilities' as per Rule 12.2.5.1(i)(g) in the Operative District Plan.
- 4.12 The deletion of the earthworks rules 41.5.4.1 and 41.5.4.2 as such relate to the Lodge Activity Area, with the replacement of these rules with the operative earthworks rule 12.2.3.3.
- 4.13 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.

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

- 4.14 The submitter considers that the matters raised in Points 4.1 to 4.8 address the JPRZ provisions that provide certainty in terms of developing the Lodge Activity Areas, while providing sufficient control to the Council in ensuring that any adverse effects are appropriately managed and mitigated.
- 4.15 The proposed expansion of the Lodge Activity Areas are located in the Open Space Landscape Protection/Farming Activity Area in terms of the Structure Plan 41.7. However, the new Lodge Activity Areas are not located in the Lake Shore Landscape Protection Area. These areas are also located in an Outstanding Natural Landscape in terms of Planning Map 13 of the PDP. Through the careful placement of the new Lodge Activity Areas and appropriate controls through the JPRZ provisions in the PDP, development can occur in these locations without adversely affecting the landscape character and visual amenity values of the immediate and wider context. The expanded Lodge Activity Area will be subject to Rules 41.4.9.6 and 41.4.3.1 in particular, and

the other provisions that apply to activities within the Lodge Activity Area (noting the comments in this submission).

4.16 The incorporation of a LP in the extreme eastern area of Lot 2 will provide another parking option in terms of the development of the existing and proposed Lodge Activity Areas. The establishment of parking in the LP will in turn minimise the level of parking required in the more elevated Lodge Activity Areas. The development of the LP can be governed by a slightly amended Rule 41.4.3.1 which can control any built form, infrastructure, earthworks, landscaping and exterior lighting. The existing building height rules that apply to the Lodge Activity Areas will also apply to the LP (plus other applicable provisions). With such controls, there will be the ability to effectively screen and/or mitigate any potential adverse effects from the establishment of the parking facilities.

4.16 The submitter opposes the PDP as it relates to the provision of subdivision as a discretionary activity because:

- It does not promote or give effect to Part 2 of the Act,
- It does not meet section 32 of the Act, and
- It 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 account the costs and benefits.

The submitter consider the section 32 analysis that accompanies Chapter 27 Subdivision & Development provides no evidence that the monitoring of the operative provisions and the controlled activities status for the JPRZ subdivisions 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 submitter considers the proposed discretionary regime for subdivision will impose significant uncertainty and costs on development without any justifiable benefits.

The submitter considers that the existing controlled activity regime for subdivision within the JPRZ has provided an appropriate framework for ensuring good subdivision outcomes. A controlled activity regime enables Council to exercise its control to ensure good design outcomes without creating significant uncertainty and cost to the subdivision and development process within a zone that anticipates a variety of development.

- 5. The submitter seeks the following decision from the Queenstown Lakes District Council:**
- 5.1 That points 4.1 to 4.13 are given effect to by the Council.
- 5.5 The PDP is modified so that the status of subdivision is a controlled activity within the JPRZ (with no minimum allotment size).
- 5.6 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 Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust)

**Date:** 23 October 2015