

ANNEXURE A - RCL'S SUBMISSION

Submission on the Proposed Queenstown Lakes District Plan 2015 (Stage 1)

Pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

To: Queenstown Lakes District Council

Address: Sent via email to: services@qldc.govt.nz

Name of submitter: RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks Point Ltd (RCL)

About the submitter: RCL are Australian based residential development companies. RCL has extensive landholdings in Jacks Point including within Hanley Downs and the Jacks Point Village, which it intends to develop over coming years. Combined, it is expected that these areas will enable the development of more than 2000 homes.

RCL is the requestor of Plan Change 44 to the Operative Queenstown Lakes District Plan (Hanley Downs). At the time of writing it was awaiting a Council decision on that Plan Change. RCL considers that the outcome of Plan Change 44 should be instructive as to the appropriateness, scale and intensity of development appropriate for its land and it views extensive reconsideration of these matters as unnecessary and inappropriate. The relief it seeks is largely consistent with that plan change except for minor modifications to bulk and location controls for buildings.

Trade Competition: The submitter cannot gain an advantage in trade competition through this submission.

Submission and decisions sought: The proposed district plan provisions this submission relates to, and the decisions sought, are as set out in the attached table.

Hearings: The submitter wishes to be heard in support of this submission.

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Phone: 03 450 0009

Date: 23rd October 2015

Submission point	Plan Provision	Relief sought (amended wording sought shown in <u>underline</u> strikeout)	Reasons
1	All provisions	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	
2	Section 3.2.5	Delete Section 3.2.5	This section only serves to repeat matters covered in Section 6 of the Proposed Plan. This is inefficient and can be ineffective as large numbers of objectives and policies on similar matters can serve to detract from the importance given to wording within individual policies. The plan can be consolidated by deleting this section (or alternatively incorporating Proposed Section 6 into 3.2.5).
3	Section 6	Delete all objectives and policies in proposed Section 6 and replace with those that already exist in Section 4.2 of the Operative District Plan (while making minor wording amendments such as replacing “visual amenity landscapes” with “rural landscape category”).	<p>The RMA correctly anticipates that a legitimate outcome of a Plan Review is to find that there is no need to amend existing provisions.</p> <p>The landscape objectives and policies were heavily scrutinised by submitters, Council and the Court over several years before the Operative Plan was settled. They set out clear principles for managing development which are appropriate to the local context and the weighting of matters set out in Part 2 of the RMA. They have been applied for many years with practitioners being familiar with how they should be applied. This aids consistent interpretation and raises the risk of inefficiencies if they are changed. RCL agrees with the following statement from page 10 of the s32 assessment on the Strategic Directions Chapter (to the extent that it applies to Section 4.2 of the Plan):</p> <p><i>“Fundamentally, however the landscape provisions in the ODP are considered to function well.”</i></p> <p>By comparison the proposed landscape chapter objectives and policies suffer from the following issues:</p> <ul style="list-style-type: none"> - Long winded and excessive numbers of objectives and policies - Ambiguous wording (e.g. reference to “rural zones”) - Repetition of matters covered in objectives and policies in other chapters - Wording that inappropriately restricts development

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			<ul style="list-style-type: none"> - Excessively elevating landscape matters in areas where they are but one of many valid considerations (for example by not properly distinguishing the distinct tests appropriate for different landscape categories). <p>Overall, it would be significantly more efficient and effective in achieving the purpose of the Act to continue to apply Section 4.2 of the Operative District Plan in Section 6 with no more than minor and inconsequential amendments.</p>
4	Section 27 – Subdivision and Development	Amend the structure of the Subdivision Zone so that it is consistent with other zones, including through using tables and ensuring that all objectives and policies are located at the beginning of the section.	The structure of the proposed Subdivision and Development Section is confusing and difficult to navigate. There is no reason it cannot follow a format consistent with the rest of the proposed Plan.
5	Rule 27.4.2.a	Amend as follows: Subdivision that does not comply with the standards in Part 27.5 and location specific standards in part 27.8. Except within the following zone where any non-compliance shall be a <u>restricted</u> discretionary activity	The added certainty of a restricted discretionary activity is a significant benefit to a landowner and should be provided for in appropriate situations such as this.
6	Rule 27.4.3	Amend as follows: The following shall be Restricted—Discretionary <u>controlled</u> activities: a Subdivision undertaken in accordance with a structure plan or spatial layout plan that is identified in the District Plan. Discretion is restricted to the matters specified in the Location Specific Objectives, Policies and Provisions in Part 27.7.	In situations such as the Jacks Point Zone where there is a structure plan in place, the ability to undertake a controlled activity subdivision reasonable. The certainty is an important commercial benefit for which particular regard should be given. RCL only seeks that controlled activity status exists for the subdivision of sites above 380m ² which it submits is a reasonable expectation.
7	New policy – 27.7.14.2	Add the following:	To achieve the diversity of densities and efficient use of land the Plan seeks, methods to promote the delivery of small lot subdivision subject to

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		Anticipate and provide for lots which breach the minimum lot size standard subject to appropriate design controls being in place.	appropriate and comprehensive design controls should be included in locations such as Hanley Downs.
8	27.7.14.7	Delete the following: Within the R(HD) A – E Activity Areas, ensure cul-de-sacs are straight (± 15 degrees).	While the principle of avoiding cul-de-sacs other than those that are short and straight is supported, given the extensive matters of control / discretion available to Council, this rule is unnecessary.
9	27.7.14.8	Delete the following: In the Hanley Downs areas where subdivision of land within any Residential Activity Area results in allotments less than 550m² in area: b The extent to which such sites are configured: <ul style="list-style-type: none"> • with good street frontage. • to enable sunlight to existing and future residential units. • To achieve an appropriate level of privacy between homes. c The extent to which parking, access and landscaping are configured in a manner which: <ul style="list-style-type: none"> • minimises the dominance of driveways at the street edge. • provides for efficient use of the land. • maximises pedestrian and vehicular safety. • addresses nuisance effects such as from vehicle lights. d The extent to which subdivision design satisfies: <ul style="list-style-type: none"> • public and private spaces are clearly demarcated, and ownership and management arrangements are proposed to 	These matters are covered adequately elsewhere. They can be deleted in the interests of achieving a briefer Plan.

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		<p>appropriately manage spaces in common ownership.</p> <ul style="list-style-type: none"> Whether design parameters are required to be secured through an appropriate legal mechanism. These are height, building mass, window sizes and locations, building setbacks, fence heights, locations and transparency, building materials and landscaping. 	
10	Rule 27.7.15	<p>Amend as follows</p> <p>Within the R(HD) Activity Area, the creation of sites sized between 380m² or smaller and 550m², without limiting any other matters of discretion that apply to subdivision for that site, particular regard shall be had to the following matters and whether they shall be given effect to by imposing appropriate legal mechanism of controls over:</p> <ul style="list-style-type: none"> • Building setbacks from boundaries. • Location and heights of garages and other accessory buildings. • Height limitations for parts of buildings, including recession plane requirements. • Window locations. • Building coverage. • Roadside fence heights. 	<p>The extra matters of discretion need only apply to sites of 380m² or smaller where the discretionary minimum lot size is breached. It is on sites smaller than this where the need for particular attention to design matters arises, and where standard residential controls can be excessively constraining.</p>
11	Objectives and policies: 27.2.1.1, 27.2.1.2,	Delete	<p>The Subdivision Chapter is in need of a significant overhaul. With approximately 60 objectives and policies proposed the inefficiencies of preparing AEEs which assess each of these has not been adequately assessed in the S32 report. Such an approach is also ineffective. The overall weight of</p>

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	27.2.1.4, 27.2.1.5, 27.2.1.6, 27.2.2, 27.2.2.6, 27.2.2.8, 27.2.3.2, 27.2.4, 27.2.4.2, 27.2.4.3; 27.2.4.4, 27.2.4.5, 27.2.4.6, 27.2.5, 27.2.5.3, 27.2.5.5, 27.2.5.8, 27.2.5.10, 27.2.5.11, 27.2.5.14, 27.2.5.17, 27.2.5.18, 27.2.6, 27.2.6.1, 27.2.6.2, 27.2.7, 27.2.7.2, 27.2.8.		<p>each objective and policy is reduced due to the large number that need to be assessed.</p> <p>Many of the listed objectives and policies which this submission seeks to delete are seen as:</p> <ul style="list-style-type: none"> - superfluous, duplicating matters listed in other policies or objectives or addressing details that are unnecessary to cover (such as the Council’s development contribution policy which is administered outside of the District Plan and may be amended during the life of the Plan); or - inappropriately prescriptive, which can inhibit flexibility and stifle innovative design; or - unclearly phrased; or - inappropriately phrased (such as the lack of apparent distinction between objectives and policies and detailed references to methods) - Reference to the subdivision guideline is inappropriate as that document provides visual examples of poor subdivision layouts
12	27.1.1.7 27.2.1.7 27.2.4.1 27.2.5.1 27.2.5.7	Retain as notified	

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	27.2.8.1 27.2.8.2		
13	22.2.1 27.2.1.3 27.2.2.3 27.2.4.7 27.2.5.2 27.2.5.4 27.2.5.9 27.2.5.13 27.2.5.16 27.2.7.1	<p>Amend, add new policies and reorder to provide a distinction between those that are applicable in the District generally and those that are applicable only to subdivisions of an urban nature. An exhaustive list to replace the objectives and policies in 27.2 should be as follows:</p> <p>27.2.1 Objective – <u>The formative role of S-subdivision will in creating e quality environments that ensures the District is a desirable place to live, visit, work and play is recognised through attention to design and servicing needs.</u></p> <p>27.2.1.3 Require that allotments are a suitable size and shape, and are able to be serviced and developed to <u>for</u> the anticipated land use of the applicable zone.</p> <p>27.2.1.7 Recognise there will be certain subdivision activities, such as boundary adjustments, that are undertaken only for ownership purposes and will not require the provision of services.</p> <p>27.2.2.3 <u>Locate</u> Open spaces and reserves are located in appropriate locations having regard to topography, accessibility, use and ease of maintenance, and are a <u>practicable sizes</u> for their intended use.</p> <p>27.2.2.7 Encourage innovative subdivision design that responds to the local context, climate, landforms and opportunities for views or shelter.</p> <p>Policies 27.2.4.1 Enhance biodiversity, riparian and amenity values by incorporating existing and planned waterways and vegetation into the design of subdivision, transport corridors and open spaces.</p>	<p>The amendments would see objectives and policies worded more succinctly and appropriately address relevant matters. Distinguishing those objectives and policies that apply in urban situations versus those that apply more generally would also help clarify the intent of the Plan.</p>

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		<p>New policy: <u>Recognise and account for the effects subdivision can have on heritage items and protected features, archaeological sites and Maori culture and traditions in relation to ancestral lands, water, sites, wahi tapu and other taonga.</u></p> <p>27.2.4.7 Encourage initiatives to protect and enhance landscape, vegetation and indigenous biodiversity</p> <p>27.2.5.1 Integrate subdivision roading with the existing road networks in an efficient manner that reflects expected traffic levels and the provision for safe and convenient walking and cycling.</p> <p>27.2.5.2 Ensure safe and efficient pedestrian, cycle and vehicular access <u>along roads and to</u> is provided to all lots created by subdivision and to all developments.</p> <p>27.2.5.4 <u>Encourage</u> the design of subdivision and roading networks to recognise <u>and accommodate pre-existing</u> topographical features <u>where this will not compromise design outcomes and the efficient use of land to ensure the physical and visual effects of subdivision and roading are minimised.</u></p> <p>27.2.5.7 Ensure water supplies are of a sufficient capacity, including fire fighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.</p> <p>27.2.5.9 Encourage, <u>where practical</u>, initiatives to reduce water demand and water use, such as roof rain water capture and use and greywater recycling.</p> <p>New policy <u>Manage stormwater to provide for public safety and where opportunities exist to maintain and enhance water quality</u></p>	

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		<p>27.2.5.13 Treating and disposing of sewage is provided for in a manner that is consistent with <u>maintains</u> public health and avoids or mitigates adverse effects on the environment.</p> <p><u>New policy – When connecting to Council reticulated infrastructure ensure that there is sufficient capacity for the proposed development or that necessary upgrades can be reasonably expected to be undertaken.</u></p> <p>27.2.5.16 To e Ensure adequate provision is made for the supply and installation of reticulated energy, including street lighting, and communication facilities while: • Providing flexibility to cater for advances in telecommunication and computer media technology, particularly in remote locations and <u>• Ensure the method of reticulation is appropriate for the having regard to effects on visual amenity values of the area by generally requiring services are underground;</u></p> <p><u>New policy:</u> Have regard to the design, location and direction of lighting to avoid <u>provide for public safety and reduce</u> upward light spill, recognising the night sky as an element that contributes to the District's sense of place;</p> <p>27.2.6.2 <u>To govern requirements for developers to meet or contribute to</u> the costs of the provision of new services ontributions <u>using powers available under the Local Government Act</u> will be in accordance with Council's 10 Year Plan Development Contributions Policy.</p> <p>Policies 27.2.7.1 Create esplanades reserves or strips where opportunities exist, particularly <u>where they would provide nature conservation, natural character, natural hazard mitigation, infrastructural or recreational benefits.</u> the subdivision is of large-scale or has an impact on the District's landscape. In particular,</p>	

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		<p>Council will encourage esplanades where they:</p> <ul style="list-style-type: none"> • are important for public access or recreation, would link with existing or planned trails, walkways or cycleways, or would create an opportunity for public access; • have high actual or potential value with regard to the maintenance of indigenous biodiversity; • comprise significant indigenous vegetation or significant habitats of indigenous fauna; • are considered to comprise an integral part of an outstanding natural feature or landscape; • would benefit from protection, in order to safeguard the life supporting capacity of the adjacent lake and river; • would not put an inappropriate burden on Council, in terms of future maintenance costs or issues relating to natural hazards affecting the land. <p>Policies 27.2.8.1 Enable minor cross-lease and unit title subdivision of existing units without the need to obtain resource consent where there is no potential for adverse effects associated with the change in boundary location.</p> <p>27.2.8.2 Ensure boundary adjustment, cross-lease and unit title subdivisions are appropriate with regard to:</p> <ul style="list-style-type: none"> • The location of the proposed boundaries; • In rural areas, the location of boundaries with regard to approved residential building platforms, existing buildings, and vegetation patterns and existing or proposed accesses; • Boundary treatment; • Easements for access and services. <p><u>Subdivision in urban areas:</u></p> <p>27.2.2.1 Ensure subdivision design provides a high level of amenity for future residents by <u>Encourage</u> Aligning roads and allotments to</p>	

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		<p>align in a manner that <u>maximises</u> sunlight access.</p> <p>27.2.2.2 Ensure subdivision design maximises the opportunity for buildings to front the road.</p> <p>27.2.2.4 Subdivision will have good and integrated connections and accessibility to existing and planned areas of <u>Design subdivisions to achieve connectivity between employment locations,</u> community facilities, services, <u>recreation facilities trails,</u> public transport and adjoining neighbourhoods.</p> <p>27.2.2.5 Encourage <u>Subdivision design will provide for safe walking and cycling and discourage vehicle dependence through safe connections that reduce vehicle dependence between and within neighbourhoods the subdivision.</u></p> <p>27.2.2.9 Encourage informal surveillance for <u>Promote safety by ensuring through overlooking of open spaces and transport corridors from are visible and overlooked by adjacent sites and dwellings and effective lighting.</u></p> <p>27.2.3 Objective – Recognise the potential of small scale and infill subdivision while acknowledging that <u>in such instances</u> the opportunities to undertake comprehensive design are limited. <i>[and renumber this as a policy]</i></p>	
14	Policy 28.3.1.2 Objective 28.3.2 Policy 28.3.2.2 Policy 28.3.2.3	Reconsider the extensive number of hazard related policies, remove unnecessary tautology and ensure they are focused on significant natural hazards only.	There are widespread areas in identified on Council’s hazard database as being subject to at least some natural hazard risk (for example the lowest risk categories of liquefaction risk). It would be inefficient and unjustified for all resource consents in such locations to be required to assess natural hazard risks. A more practical approach is to focus on the avoidance or mitigation of

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			significant natural hazard risk.
15	36.5.3 Noise	Amend the assessment locations to include the Village Activity Area	It is appropriate that noise limits apply to this part of the Zone.
16	41.1 Zone Purpose	Delete	Given there is little if any weight can be given to zone purposes it would be more efficient to remove this section. The objectives and policies should provide sufficient direction on the intention of the zone.
17	Policy 41.2.1.13	Amend as follows: Recognise the Residential (Hanley Downs) Activity Area <u>and Jacks Point Village</u> as being appropriate to accommodate residential development at a greater scale and intensity than elsewhere in the zone.	The recognition of the role and development capacity of the Residential (Hanley Downs) Activity Area is supported. Similar recognition should be provided to the Jacks Point Village which is also intended to accommodate intensive residential development.
18	New Rule 41.4.3.6	Add the following (<u>restricted discretionary status</u>): <u>Within the Open Space Community and Recreation Activity Area, any building.</u> <u>Discretion is limited to:</u> <ul style="list-style-type: none"> - <u>the location and external appearance of buildings with respect to the effect of visual and landscape values of the area,</u> - <u>hazard avoidance and mitigation measures,</u> - <u>effects on safety and health arising from nearby activities,</u> - <u>Infrastructure and servicing.</u> - <u>Associated earthworks and landscaping.</u> - <u>Access and parking.</u> - <u>Bulk and location.</u> - <u>Exterior lighting.</u> 	RCL considers that development should be enabled within this proposed activity area subject to considering the matters listed.

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19	Rule 41.4.6.1	<p>Amend as follows:</p> <p>Within the R(HD) A – E and R(HD-SH) 1 Activity Areas, <u>two or more residential units on a site at a density exceeding any residential activity which results in either:</u></p> <p style="padding-left: 40px;">three or more attached residential units; or a density of more than one residential unit per 380 m² of net site area.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • External appearance. • Access and car parking. • Associated earthworks. • Landscaping. <p>Except that this rule shall not apply to:</p> <p style="padding-left: 40px;">A single residential unit on any site contained within a separate computer freehold register.</p> <p style="padding-left: 40px;">Residential units located on sites smaller than 550m² created pursuant to subdivision.</p>	This rule can be simplified in the manner suggested. It is unlikely that attached units would not exceed a density of 380m ² per site, so this part of the rule is unnecessary.
20	Rule 41.4.9.1	<p>Delete:</p> <p>Residential Activities Area (R) – the use of this area is restricted to residential activities.</p> <p>(at least as it applies to the Hanley Downs part of the Zone)</p>	Because other activities regulated have a specified activity status this rule is unnecessary and could confuse administration of the Plan.
21	New rule 41.4.9.18	<p>Add as follows:</p> <p style="padding-left: 40px;"><u>Open Space Community and Recreation (OSCR) – the</u></p>	<p>Note also the amendment to the Structure Plan sought.</p> <p>RCL owns the bulk of this proposed activity area along with some land owned</p>

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		<p><u>use of this area is restricted to recreation amenities (including commercial recreation), playgrounds, landscaping, pedestrian and cycle trails, lighting, community activities, farming, stormwater retention, and underground services.</u></p>	<p>by QLDC. This is a large parcel of land which is considered to have the potential to absorb some future development. RCL seeks flexibility for future uses of the land which would benefit the community at large, subject to standards controlling development set out in other rules.</p>
22	41.5.2.9	<p>Delete:</p> <p>Except as provided for in (41.5.2.6) above, any native vegetation required to be planted within this Zone shall:</p> <p style="padding-left: 40px;">Include species appropriate to the ecosystems of the area being planted.</p> <p style="padding-left: 40px;">Be capable of reaching 80% canopy closure for the ecosystem type being planted.</p> <p style="padding-left: 40px;">Have eradicated any invasive plant pests the time of planting.</p> <p style="padding-left: 40px;">Be maintained, with any plants that die or are diseased replaced.</p> <p>Discretion is restricted to any effects on nature conservation values.</p>	<p>RCL is concerned about the practicality of this rule as it applies to the areas it owns and proposes to develop. It appears to be at odds with residential development and would prescribe outcomes that may be impractical or unsuitable for the intended uses of sites.</p>
23	41.5.3.3	<p>Delete:</p> <p>Open Spaces are shown indicatively, with their exact location and parameters to be established through the subdivision process. Development prior to such subdivision occurring, which would preclude the creation of these open spaces, shall be deemed to be</p>	<p>This rule can be deleted and open spaces added to the structure plan as requested below, thereby aiding the efficient administration of the Plan.</p>

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		<p style="text-align: center;">contrary to this rule.</p>													
24	41.5.4.1	<p>Amend as follows:</p> <table border="1" data-bbox="450 416 1115 1161"> <thead> <tr> <th data-bbox="456 416 822 483">Activity Area</th> <th data-bbox="826 416 1108 483">Maximum Volume</th> <th data-bbox="1113 416 1115 483">Total</th> </tr> </thead> <tbody> <tr> <td data-bbox="456 486 822 786">Residential Activity Areas Village Village Homestead Bay Open Space Horticulture Open Space Residential Open Space Foreshore Farm Buildings and Craft Activity Area Boating Facilities Area</td> <td data-bbox="826 486 1108 786">500 m³</td> <td data-bbox="1113 486 1115 786"></td> </tr> <tr> <td data-bbox="456 790 822 991">Open Space Landscape Open Space Amenity <u>Open Space Community and Recreation</u> Farm Preserve 1 and 2 Homesite</td> <td data-bbox="826 790 1108 991">1,000 m³</td> <td data-bbox="1113 790 1115 991"></td> </tr> <tr> <td data-bbox="456 994 822 1161">Open Space Golf Education Education Innovation Campus Lodge</td> <td data-bbox="826 994 1108 1161">No maximum</td> <td data-bbox="1113 994 1115 1161"></td> </tr> </tbody> </table>	Activity Area	Maximum Volume	Total	Residential Activity Areas Village Village Homestead Bay Open Space Horticulture Open Space Residential Open Space Foreshore Farm Buildings and Craft Activity Area Boating Facilities Area	500 m ³		Open Space Landscape Open Space Amenity <u>Open Space Community and Recreation</u> Farm Preserve 1 and 2 Homesite	1,000 m ³		Open Space Golf Education Education Innovation Campus Lodge	No maximum		The earthworks rules sought for this part of the zone would be appropriate given its characteristics.
Activity Area	Maximum Volume	Total													
Residential Activity Areas Village Village Homestead Bay Open Space Horticulture Open Space Residential Open Space Foreshore Farm Buildings and Craft Activity Area Boating Facilities Area	500 m ³														
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Open Space Golf Education Education Innovation Campus Lodge	No maximum														
25	41.5.4.2	<p>Height of cut and fill and slope</p> <p>OSL, OSG, OSA, <u>OSCR</u>, FP-1 and 2, HS, E, EIC and L Activity Areas:</p> <ul style="list-style-type: none"> No road, track or access way shall have an upslope cut or batter greater than 1 metre in height, measured vertically. 	The earthworks rules sought for this part of the zone would be appropriate given its characteristics.												

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		<ul style="list-style-type: none"> All cuts and batters shall be laid back such that their angle from the horizontal is no more than 65 degrees. The maximum height of any fill shall not exceed 2 metres. 	
26	41.5.5.1	Buildings or structures shall be set back a minimum of 20m from the zone boundary, except this rule shall not apply to the Boating Facilities (BFA) Activity Area <u>and the Open Space Community and Recreation (OSCR)</u>	There may be areas within 20m of the zone boundary within this activity area suitable for buildings. It is unnecessary to prevent or discourage such outcomes in the Plan when discretion is retained to consider the appropriateness of buildings in due course.
27	41.5.5.2	Buildings for all activities, except for buildings located on sites smaller than 550m ² and created pursuant to subdivision, <u>and except for buildings in the Hanley Downs Residential Activity Area, the Hanley Downs State Highway Activity Area and the Village Activity Area shall be subject to the following internal setback rules:</u> Two setbacks of 4.5m, with all remaining setbacks of 2m; or One setback of 6m, one setback of 3.5m and all other setbacks of 2m;	RCL submits that there is an opportunity to simplify this method with subsequent changes set out below.
28	41.5.5.4	In the Residential (Hanley Downs) Activity Area, <u>the Hanley Downs State Highway Activity Area and the Village Activity Area:</u> For commercial activities, community activities and visitor accommodation, buildings shall be set back at least 3 m from any road boundary. For all other activities, except for residential activities on sites smaller than 550m² and created by subdivision, buildings shall be set back 4.5m	This rule can be simplified using rules proposed. Side yards provide little usable space and in the interests of efficient use of land it is appropriate that side yard set backs be limited to 1m.

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		<p style="text-align: center;">from any road boundary</p> <p style="text-align: center;"><u>Road boundary setback: 3m.</u> <u>All other boundaries: 1m.</u></p> <p style="text-align: center;"><u>The following exceptions to this rule shall apply:</u></p> <ul style="list-style-type: none"> - <u>Accessory buildings for residential activities may be located within the set back distances, where they do not exceed 7.5m in length, there are no windows or openings (other than for carports) along any walls within 1.5m of an internal boundary, and comply with rules for Building Height and Recession Plane.</u> - <u>No set back is required where a wall is shared at a boundary</u> 	
29	41.5.7.2	<p>Delete:</p> <p>In the R(HD) and R(HD-SH) Activity Areas, except for sites smaller than 550m² and created by subdivision, fences located within a setback from a road shall be no higher than 1.2m in height, except that a fence of up to 1.8 m in height may be erected within the road setback for a maximum of 1/2 of the length of the road boundary of the site.</p>	While RCL agrees that controlling fence heights within front yards can be appropriate to promote neighbourhood amenity and safety, it is more efficient to deal with this matter via consent notices, private covenants or design review processes.
30	41.5.12.2	<p>The maximum height of buildings shall be:</p> <p>Village (V) Activity Areas 10m</p> <p>Farm buildings 10m</p> <p>Residential (R) Activity Areas 8m</p> <p>Farm Buildings and Craft (FBA) Activity Area 8m</p> <p>Farm Preserve (FP-1) and (FP-2) Activity Areas 8m</p> <p>Education Precinct (E) and Education Innovation Campus (EIC) Activity Areas 10m</p> <p>Open Space Golf (OSG) Activity Area 8m</p>	

Submission point	Plan Provision	Relief sought (amended wording sought shown in <u>underline</u> strikeout)	Reasons
		Lodge (L) Activity Areas 7.5m Homesite Activity Area 5m All other buildings and structures (excluding temporary filming towers erected during an event and for no more than 7 days either side of an event <u>and buildings in the OSCR</u>). 4m	
31	New rule after 41.5.12.2	Restricted Discretionary to breach: <u>The maximum height of buildings in the Open Space Community and Recreation Activity Area (OSCR) shall be 10m</u> <u>Discretion shall be limited to effects on landscape and visual amenity values and safety</u>	Within this area RCL considers that the Plan should not need to prescribe a maximum height limit but allow proposals to be considered on their merits. This may allow activities to locate in the area that may struggle to find other suitable locations. Such height may prove appropriate given mitigating factors such as the low site coverage proposed.
32	41.5.12.4	Delete as follows: Within the R(HD) and R(HD-SH) Activity Areas: In addition to the maximum height of buildings above, within all R(HD) Activity Areas, except for: <ul style="list-style-type: none"> — Sites smaller than 550m² created by subdivision. — A medium density residential development consented under Rule 41.4.6 no part of any building shall protrude through a recession line inclined towards the site at an angle of 45° and commencing at 2.5m above ground level at any given point along any internal site boundary. Except that: A gable or dormer may encroach beyond the recession lines where it is: <ul style="list-style-type: none"> no greater than 1m in height and width measured parallel to the nearest adjacent boundary no greater than 1m in depth measured horizontally at 90 degrees to 	RCL is concerned that recession planes can promote poor built form outcomes and limit the efficient use of sites. It seeks that these rules be either deleted or amended to address its concerns and promote for best practice in low and medium density residential development.

Submission point	Plan Provision	Relief sought (amended wording sought shown in <u>underline</u> strikeout)	Reasons
		<p>the nearest adjacent boundary. A recession line restriction shall not apply to accessory buildings nor common walls shared at a boundary and parts of buildings that do not extend beyond the length of that wall.</p> <p>Or provide for recession planes that are less restrictive of built form.</p>	
33	41.5.15.2	<p>Amend as follows:</p> <p>On any site within the EIC, R(HD), R(HD-SH), buildings shall not exceed a maximum building coverage of 50%, except:</p> <p>Residential activity consented under Rule 41.4.6 medium density residential housing, where a maximum site coverage of 70% shall apply;</p> <p>Any non-residential activity consented under Rule 41.4.7 where a maximum site coverage of 70% shall apply;</p> <p>This rule shall not apply to sites smaller than 55380m² created by subdivision.</p>	<p>For consistency purposes the additional site coverage enabled is best to apply on sites of 380m² or smaller. It is on these sites that RCL considers additional design controls should be considered at the time of subdivision which can provide for the appropriate consideration of site coverage controls depending on the site characteristics and suite of controls proposed.</p>
34	New 41.5.15.4	<p>Add new rule as follows (Restricted Discretionary to Breach):</p> <p><u>Within the Open Space Community and Recreation Activity Area the maximum site coverage shall be 10%</u></p> <p><u>Discretion is restricted to effects on landscape and visual amenity values.</u></p>	<p>It is appropriate that any buildings in this part of the Zone retain a low site coverage.</p>

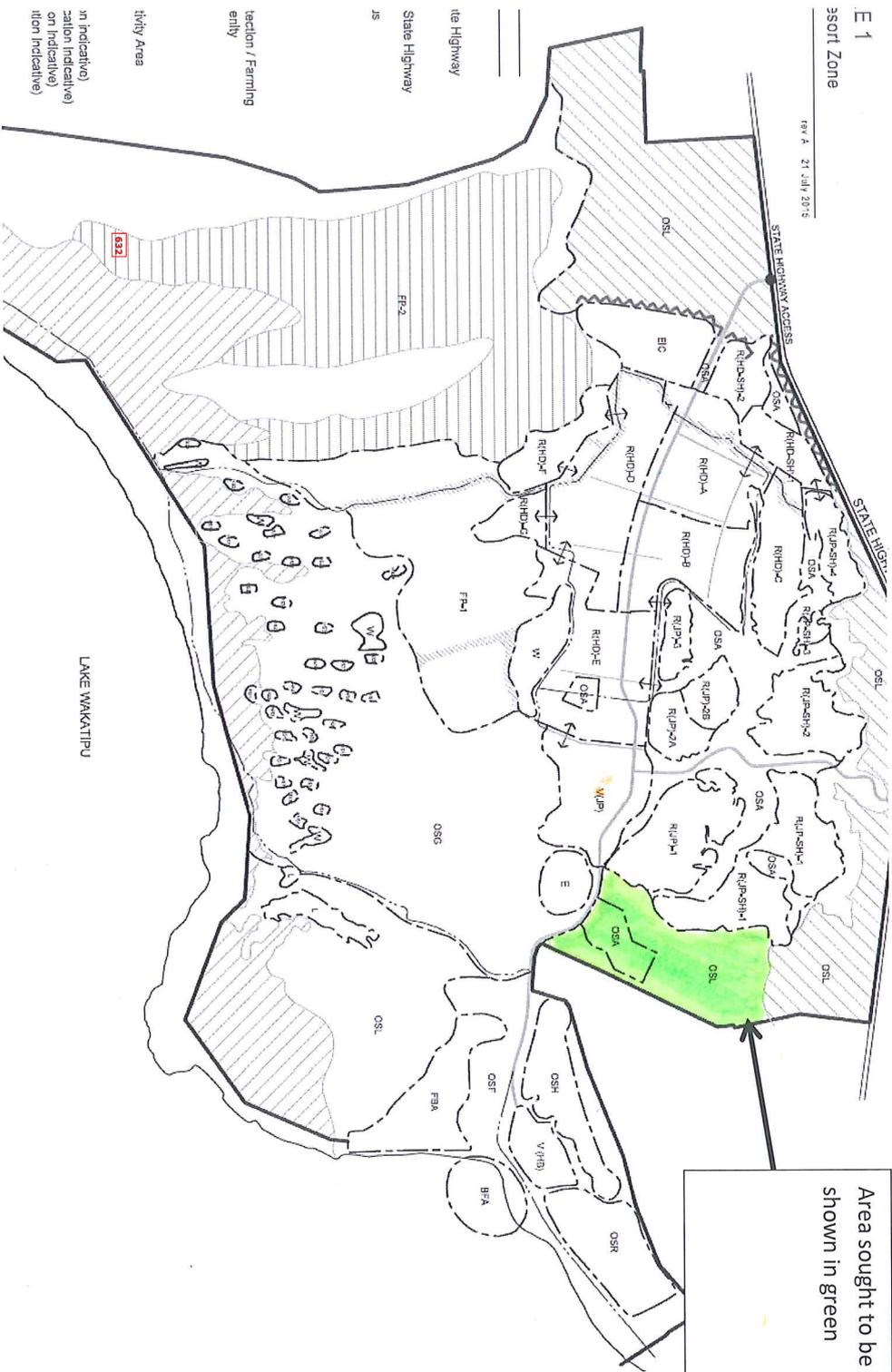
Submission point	Plan Provision	Relief sought (amended wording sought shown in <u>underline</u> strikeout)	Reasons
	Jacks Point Structure Plan	Amend the structure plan to show the areas in attachment 1 to this submission as OSA and to show the area highlighted green in attachment 2 as OSCR.	<p>RCL has undertaken work to identify the appropriate extent of the OSA areas meaning these can be identified with more certainty, promoting efficient administration of the Plan.</p> <p>RCL owns the bulk of this proposed OSCR Activity Area along with some land owned by QLDC. This is a large parcel of land which is considered to have the potential to absorb some future development. RCL seeks flexibility for future uses of the land which would benefit the community at large, subject to standards controlling development set out in other rules.</p>
35	Section 41	Retain all provisions in Section 41 not otherwise submitted upon in this submission as notified.	
36	Designation 567	Reduce the area of the designation to the extent of the Aurura substation easement being that part marked "G" on the title for Lot 12 DP 364700	It is not reasonable for the entire Lot 12 DP 364700 to be designated for this purpose given the extent of Aurora's interests and easement. This is assumed to be an error which RCL seeks be rectified.

Attachment 2

E 1

Sport Zone

REV A 21 JULY 2015



Area sought to be rezoned OSR shown in green

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State Highway

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LAKE WAKATIPU

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