

Appendix D - A copy of the Appellant's submission and further submissions;

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSED PLAN UNDER CLAUSE 6 OF THE
FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991**

TO: QUEENSTOWN LAKES DISTRICT COUNCIL

SUBMISSION ON: QLDC Proposed District Plan

NAME: Universal Developments Limited

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1. Universal Developments Limited ("Universal") is a development company based in Wanaka.
2. It could not gain an advantage in trade competition through this submission.
3. The specific provisions of the proposed plan that this submission relates to are:
 - (a) Chapter 8 Medium Density Residential.
 - (b) Chapter 27 Subdivision.
 - (c) Chapter 6 Outstanding Natural Landscape lines/ maps/ Chapter 21 Rural.

4. The submission is:

Medium Density Residential

- (a) Universal supports the identified areas of Medium Density Residential Zone for the District and the identified need for more intensive and creative housing solutions across the District. The provisions of the proposed Medium Density Residential Zone generally meet the purpose of the Act, providing for the community's social and economic wellbeing.
- (b) Universal generally supports the objectives in Chapter 8, but has some concerns about the policies and seeks their amendment or deletion, as follows:
 - (i) Universal opposes Policy 8.2.11.1 which proposes that intensification not occur until adequate water supply services are available to service a development. This policy is unnecessary. Any future resource consent application will be required to provide a connection to reticulated water that is in accordance with Council's engineering standards. This policy serves no useful purpose.
 - (ii) Universal opposes Policy 8.2.11.2. which proposes a stormwater network design be provided that utilises on-site treatment and storage/

dispersal approaches and avoids impact on the State Highway network. Such a prescriptive policy limits the choice of stormwater design/innovation/options. All stormwater should be available to a developer of land, subject to a chosen option being approved by Council.

- (iii) Universal opposes that part of Policy 8.2.13.1, which proposes that new or altered residential and other noise sensitive buildings within 80m of the State Highways should be designed to meet internal sound levels of AS/NZ 2107:2000. This distance is not supported by robust assessment.

Subdivision

- (c) Universal opposes the Discretionary Activity status for subdivision. This creates uncertainty for those wishing to develop land, with significant potential costs that are not outweighed by associated benefits. It is an open-ended process that could result in inconsistent decision-making across Council with no sure improvement of urban/ residential design outcomes. If urban design concerns are at the heart of Council's proposal to make changes to the activity status for subdivision, Universal suggests those concerns be addressed more clearly through the plan controls for Controlled or Restricted Discretionary activities.

Outstanding Landscape Lines

- (d) Part 6.2 of the proposed plan records that "Landscapes have been categorised into three classifications within the Rural Zone". Policy 6.3.1.1 records that the District's Outstanding Natural Landscapes and Outstanding Natural Features are identified on the planning maps. However, the ONL lines illustrated in the proposed district planning maps not only feature in the Rural zone but also Residential and other zones. The existence of the ONL lines within areas of zoning that is not rural is inconsistent with the overall thrust of the objectives and policies of Chapter 6, which direct the recognition of landscape classifications in the Rural zone.

5. Universal seeks the following decision from the local authority:

- (a) Confirm the existing Medium Density Residential zone provisions and zones identified on the planning maps, subject to the following changes:
 - (i) Delete Policy 8.2.11.1.
 - (ii) Delete Policy 8.2.11.2.
 - (iii) Amend Policy 8.2.13.1, so that "80m" is replaced by "15m".
- (b) Amend Rule 27.4.1 and its associated objectives and policies so that subdivision is a Controlled Activity or a Restricted Discretionary Activity and, if deemed necessary, add design controls to the Controlled or Restricted Discretionary Activity rules that will ensure good urban design outcomes.
- (c) Amend the proposed district planning maps so that ONL lines are only shown on land that is to be zoned Rural.
- (d) Any additional or consequential relief to give effect to this submission.

6. Universal does wish to be heard in support of its submission.

7. If others make a similar submission Universal would be prepared to consider presenting a joint case with them at any hearing.



Andrew Lovelock, solicitor and agent for submitters

DATED 20 October 2015

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FURTHER SUBMISSION ON THE
 QUEENSTOWN LAKES DISTRICT COUNCIL
 PROPOSED DISTRICT PLAN

SUBMITTER DETAILS:

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THIS IS A FURTHER SUBMISSION on the Queenstown Lakes District Council Proposed District Plan.

Universal has an interest in the proposal that is greater than the interest that the general public has. Universal lodged an original submission on the Proposed Plan.

Universal notes that there are very few submissions opposing the creation of the Medium Density Residential Zone on their property adjacent to SH6. However there are number of submissions that refer to other proposed Medium Density Residential Zones. Any change to the Medium Density Residential Zone provisions due to submissions on other areas has the potential to affect areas never intended to be the subject of submissions.

Universal considers that ‘non-contentious’ Medium Density Residential Zones should be treated as discrete from other highly contested areas where further changes to provisions may give rise to unintended consequences.

1. Universal opposes the following submissions:
 - (a) Submission 8:
 - (i) The particular parts opposed are:
 - (1) Those parts that seek the removal of the proposed Medium Density Residential Zone and retention of Rural Zoning on land between Frankton Ladies Mile Highway and the Quail Rise Zone.
 - (2) Universal considers the land is best utilised as Medium Density Residential Zone due to its location and the surrounding zones. Medium Density Residential Zoning is appropriate for the area.
 - (ii) Universal seeks that those parts of the submission described above be disallowed:

- (b) Submission 145:
- (i) The particular parts opposed are:
 - (1) Those parts that seek subdivision in Outstanding Natural Landscapes and Outstanding Natural Features have a Non-Complying Activity status rather than a Discretionary Activity status.
 - (2) An activity status change to non-complying is unduly restrictive for land within the Medium Density Zone.
 - (3) The submission suggests non-complying activity status is more appropriate for subdivision and development within Outstanding Natural Landscapes and Outstanding Natural Features. It requests that the Section 32 Landscape Valuation Report is rewritten to discuss the costs and benefits associated with the option of residential subdivision and development becoming non-complying versus discretionary. A non-complying activity status in the ONL and ONF areas is not appropriate nor necessary.
 - (ii) Universal seeks those parts of the submission described above be disallowed:
- (c) Submission 408:
- (i) The particular parts opposed are:
 - (1) Those parts that seek amendments to Policies 8.2.11.1 and 8.2.11.2.
 - (2) Universal's original submission sought both policies were deleted from the Plan. It considers Policy 8.2.11.1 serves no useful purpose and that Policy 8.2.11.2 is unduly restrictive. This position remains. Consequently neither policy needs to be amended and both policies should be deleted.
 - (ii) Universal seeks that those parts of the submission described above be disallowed:
- (d) Submission 717:
- (i) The entire submission is opposed.
 - (1) The submission and its Annexure B seek the rezoning of land adjacent to SH6 as Business Mixed Use Zone or Industrial. This is strongly opposed by Universal who consider the most appropriate zoning for the land is the Medium Density Residential Zone in the Proposed Plan.
 - (2) The submission seeks alternative relief to provide more mixed use activity in the Medium Density Residential Zone than is currently provided for. Relief is also sought to protect the submitters lawfully established business from reverse

Council's control is limited to:

- Lot sizes, averages and dimensions
- Subdivision design
- Property access
- Esplanade provision
- Natural hazards
- Fire fighting water supply
- Water supply
- Stormwater disposal
- Sewage treatment and disposal
- Energy supply and telecommunications
- Open space and recreation
- Easements
- The nature, scale and adequacy of environmental protection measures associated with earthworks

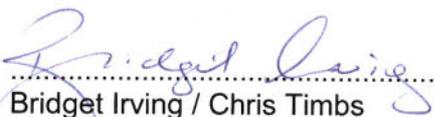
All subdivision activities in the Rural Zone are Discretionary activities.

2. *Amend the relevant subdivision objectives and policies as appropriate so that they inform and achieve the controlled activity status subdivision described above."*

- (2) It is considered the proposed rule is appropriate for subdivision activity. The Rule achieves a balance between enabling development while at the same time providing a framework for appropriate matters to be addressed as part of consent.

- (ii) Universal seeks those parts of the submission described above be allowed:

3. Universal wishes to be heard in support of this submission.
4. Universal considers presenting a joint case with others presenting similar submissions.


 Bridget Irving / Chris Timbs
 Solicitors for Universal Developments Limited

Date: 17 December 2015

cc.

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