

Form 5

Submission on a Publicly Notified Proposal for Policy Statement or Plan

Clause 6 of First Schedule, Resource Management Act 1991

To: **Queenstown Lakes District Council (“the Council”)**

Name of Submitter: **Cardrona Cattle Company Limited (“the Submitter”)**

Introduction:

1. Stage 3 of the Proposed Queenstown Lakes District Plan (“**PDP**”) was notified on 19 September 2019 and “proposes a number of new zonings, mapping annotations and variations and amendments to land and provisions decided through Stages 1 and 2 of the PDP”.¹
2. The submitter has an interest in the PDP as a whole, and as such, this submission relates to the PDP in its entirety, including those chapters listed in the public notice.
3. The submitter could not gain an advantage in trade competition through this submission.
4. The submitter has particular interest in Chapter 18A – General Industrial Zone, and Planning Map 13.
5. The properties subject to this submission are located at Victoria Flats, in Gibbston, between Nevis Bluff and the Victoria Bridge. The sites include those legally described as follows, and as generally identified in a map in Figure 1 below:
 - a. Lot 2 DP 420346 and Lot 8 DP 402448 as held in CFR 477524;
 - b. Section 32 Blk II Kawarau SD as held in CFR OT14B/1179; and
 - c. Pt Lot 3 DP 303681 as held in CFR 410584.

¹ <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Proposed-District-Plan/PDP-Stage-3/1909.2019-PDPS3-Mountain-Scene-Notice.pdf>

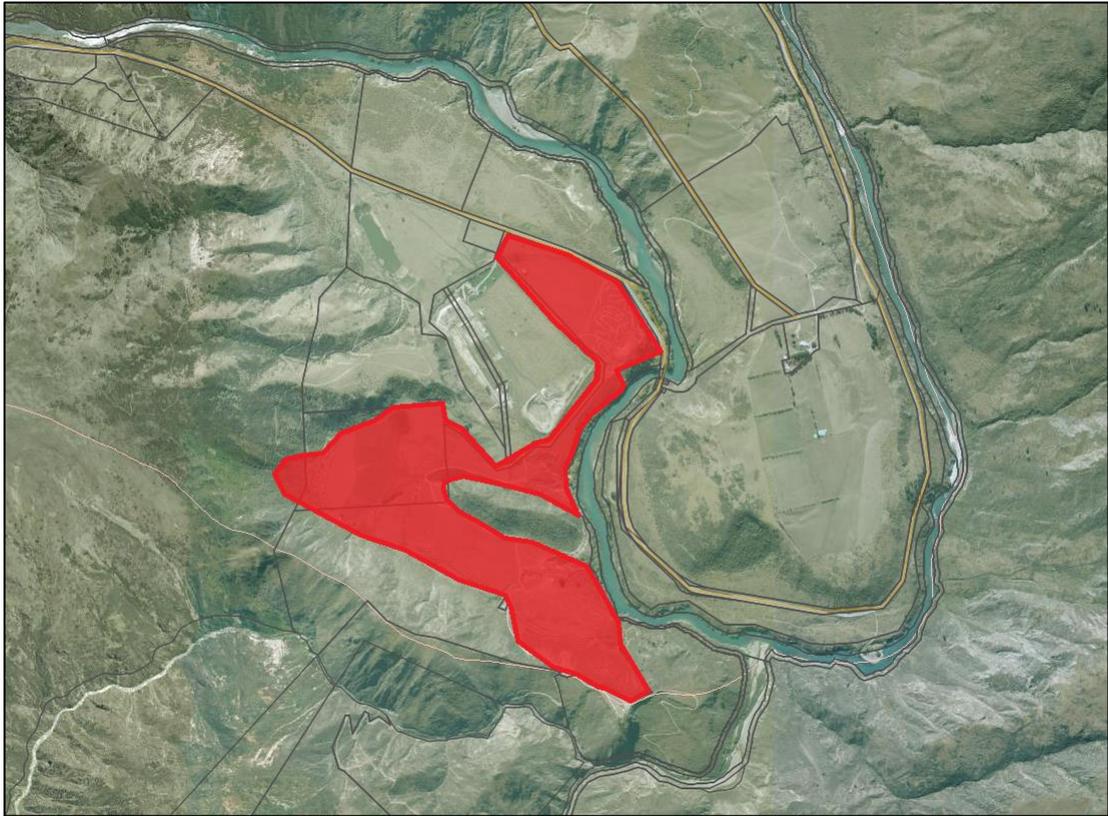


Figure 1: General Location of Properties

Overall Issues:

6. The submitter **opposes** Chapter 18A – General Industrial Zone and Planning Map 13, in the form notified, and **opposes** the properties listed in this submission being retained as Rural and Gibbston Character Zone on Planning Map 13, for the following reasons:
 - a. It does not accord with, or assist the territorial authority to carry out its functions to achieve the purpose for the Resource Management Act 1991 (“**RMA**”);
 - b. It does not meet section 32 of the RMA;
 - c. It does not promote the sustainable management of natural and physical resources, nor does it enable the social, economic and cultural well-being of the community;
 - d. It does not meet the reasonably foreseeable needs of future generations;
 - e. It does not represent integrated management or sound resource management practice;

- f. It does not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means;
 - g. It will not implement and/or give effect to the objectives, policies, and other provisions of the PDP and the other relevant planning instruments, including the Regional Policy Statement; and
 - h. It is inconsistent with Part 2 of the RMA and ultimately does not achieve its purpose.
7. The submitter considers that the purpose of the RMA would be best achieved by rezoning the properties Industrial General (or other appropriate zoning), with location specific and consequential changes to those provisions of the PDP to give effect to the issues raised in this submission.

Outline of Submission:

- 8. The section 32 reports states that parties interested in industrial land have not had a clear opportunity to pursue this through the plan review process to date given the lack of a notified industrial chapter and the Council intends to assess submissions seeking industrial land on their merits.
- 9. The reason for the submission includes, but is not limited to, the following:

Need for Industrial Land

- a. Insufficient provision for industrial land has been made within Stage 3 of the PDP. There is a demonstrated need to provide for more industrial land within the Wakatipu Ward. The zoning of the submitters land for such purposes is a solution to meet industrial demand in the short, medium and long term.
- b. Under the National Policy Statement – Urban Development Capacity (“**NPS-UDC**”) high growth councils are required to assess their growth futures and the commercially feasible capacity enabled under their District plans to ensure that future growth can be provided for. Once triggered as being a high or medium-growth “urban area” within a district the application of these policies is not restricted to the boundaries of the urban area itself and therefore can apply district-wide.
- c. The shortfall outcome for urban industrial zone sufficiency in the Wakatipu Ward was a key area of concern for future planning decisions identified in the Business Development Capacity Assessment 2017 (“**BDCA**”) and is where the report’s recommendations are focused - to provide additional industrial zoned areas that enable industrial activity within the ward.

Existing Environment

- d. Given existing and consented land uses in Victoria Flats, the landscape character and landscape values of the locality, the properties are most appropriately afforded a zone that provides for a range of industrial and light commercial uses.
- e. Key features in the locale include:
 - i. SH6 which provides the key arterial in and out of Queenstown.
 - ii. Victoria Flats Road, a local road that provides legal access through the site.
 - iii. Nevis Bluff to the west which topographically defines the eastern segment of the Gibbston Valley.
 - iv. The Kawarau River which runs generally parallel to SH6.
 - v. Victoria Bridge to the east which provides access over the Kawarau River.
 - vi. The Victoria Flats landfill which borders the western boundary of the property. This landfill is designated (Designation 76)² and was established in 1999 and currently accepts commercial waste (and is not accessible for general public waste).
 - vii. The Wakatipu Gun Club to the west of the landfill.³
 - viii. "Oxbow" commercial recreation jetboating, 4x4 driving and shooting facility (currently under construction) further west past the Gun Club.⁴
 - ix. Various commercial recreation 4x4 driving activities from Off Road Adventures (throughout Wentworth Station).⁵
 - x. The large quarry (Rock Supplies NZ) on the northern side of SH6.
 - xi. AJ Hackett Bungy further to the south of the property.
 - xii. Various walking/mountain biking tracks leading southwest to Mt Mason and Mt Rosa beyond.
- f. This locale is ideally suited for an industrial use as sought.
- g. The properties are located within the Gibbston Character Zone and Rural Zone under the Operative and Proposed District Plans. Part of the site is located within Designation 76 as a buffer area from the district landfill.
- h. The Environment Court found in C180/99 that the Gibbston flats are an outstanding landscape, but *not an outstanding natural landscape*. Map 13 however locates part of the properties within an ONL by virtue of them being zoned rural. That area of the properties that is zoned

² RM970116

³ RM120089

⁴ RM171193

⁵ RM060342

Gibbston Character is precluded from the ONL classification under the PDP. Development of the property can be constrained to the valley floor such that landscape values in the wider area can be maintained and protected.

Transportation

- i. Access to the properties will not adversely impact on the State Highway and its functioning.
- j. The key transportation issue with this proposal is catering for site generated traffic turning into and out of Victoria Flats Road.
- k. Any traffic related effects of the proposal are able to be suitably mitigated through the adoption of standard intersection upgrade designs such that road capacity and road safety is able to be maintained.

Services

- l. The property can be readily serviced by local infrastructure, such as water, sewer, telecommunications, electricity and stormwater.

Reverse Sensitivity

- m. In the context of the land uses expected for the Zone, the use of the land for primarily industrial land uses presents a lower level of risk of complaints and disturbance. Industrial activities through their very nature have the potential to create noise, odour, heavy traffic movements and other nuisance effects. Such activities would be ideal to coexist with the landfill operation. Notably, the landfill has stringent operational requirements that needs to be adhered with (including for odour) and we consider that if the operation is within its designation requirements, risks arising from reverse sensitivity are low.
- n. Industrial zones within the district are often located near or adjacent sensitive receiving environments (such as residential or rural residential zones) where the activities operating at the periphery of industrial zoned land may adversely affect the level of amenity within the adjoining zone. The properties referred to in this submission are isolated from these sensitive receiving environments which would therefore enable industrial activities to operate without the potential for reverse sensitivity effects from these receiving environments

Planning Provisions

10. Without limiting the generality of this submission, the following changes are sought to the Industrial General provisions as it relates to the Industrial Zone at Victoria Flat:

- a. Removal of all prohibitive activities.
- b. Provision included for custodial residential living and workers accommodation.
- c. Buildings are controlled activities in respect of landscaping, external appearance, location of offices and showrooms, and visual impact.
- d. Outdoor storage areas located within any street scene setback are controlled activities in respect of landscaping, screening, appearance and visual impact.
- e. Retail sales are limited to goods manufactured on the site, and ancillary products up to 20% of the gross floor area, or are otherwise non-complying.
- f. Visitor accommodation is non-complying.
- g. Buildings are to be set back 10m from SH6 and 2m from all other boundaries.
- h. 80% maximum site coverage.
- i. Maximum building height of 10m.
- j. Adherence to noise standards measured at any point outside of the zone.
- k. No minimum allotment size for subdivision.
- l. All necessary refinements are made to the objectives and policies of the Zone.

11. Altering the zone as requested will:

- a. Meet the requirements of section 32 and represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means;
- b. Enable the social, economic and cultural well-being of the community;
- c. Meet the reasonably foreseeable needs of future generations; and
- d. Promote the sustainable management of natural and physical resources, will be consistent with Part 2 of the RMA and ultimately achieve its purpose.

Relief sought:

12. The submitter requests the following decision:

- a. Planning Map 13 is amended to reflect the properties being zoned Industrial General, with location specific and consequential changes to those provisions of the PDP to give effect to the issues raised in this submission; and
- b. Any other additional or consequential relief to the PDP, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in this submission; including any other appropriate zoning and provisions.

13. The suggested revisions do not limit the generality of the reasons for the submission.

14. The submitter wishes to be heard in support of its submission.

15. If others make similar submissions, the submitter will consider presenting a joint case at any hearing.



Signed on behalf of the Cardrona Cattle Company Limited

18 November 2019

Date

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