

Appendix B – a copy of the Appellant's submission and further submissions

**SUBMISSION ON THE PROPOSED QUEENSTOWN LAKES DISTRICT PLAN
UNDER CLAUSE 6 OF THE FIRST SCHEDULE TO
THE RESOURCE MANAGEMENT ACT 1991**

To: Queenstown Lakes District Council
Private Bag 50072
QUEENSTOWN 9348

Submitter: Glencoe Station Limited
C/- Boffa Miskell Ltd
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CHRISTCHURCH

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Glencoe Station Ltd ("**GSL**") makes the submissions on Stage 2 of the Proposed Queenstown Lakes District Plan ("PDP") set out in the **attached** document.

GSL confirms its submission does not relate to trade competition or the effects of trade competition.

GSL would like to be heard in support of its submission.

If other persons make a similar submission then GSL would consider presenting joint evidence at the time of the hearing.



Chris Ferguson

For and behalf of Glencoe Station Limited

23rd day of February 2018

OUTLINE OF SUBMISSION

This submission has been structured under the following headings:

Section A: Overview

Section B: Reasons for, and matters raised in, submission

Section C: Specific Submissions to the Proposed Queenstown Lakes District Plan

SECTION A: OVERVIEW

1. Glencoe Station Ltd, through a related entity Glencoe Land Development Company Ltd, owns land on Glencoe Road.
2. The reasons for this submission is outlined in Section B with the specific relief being contained within Section C.

SECTION B: REASONS FOR, AND MATTERS RAISED IN, SUBMISSION

Scope and Extent of the Wakatipu Basin Rural Amenity Zone

3. The WBRAZ is defined by those parts of the Wakatipu Basin not containing any outstanding natural landscape or features. The extent of the outstanding natural landscapes and features are however matters addressed within mapping hearings on stage 1 of the PDP. Decisions on the hearings for the relevant Stage 1 PDP mapping hearings have not yet been issued. In the case of the GSL land, which sites outside of the WBRAZ, it could fall within this Zone depending on the outcome of the Stage 1 PDP decisions.
4. GSL are generally opposed to the method by which boundaries for the zone have been established and the assessment methodology for establishing the Landscape Character Units, and associated descriptions and conclusion on ability to absorb change. GSL submit that it is flawed to assume that the boundary of the outstanding natural landscapes or features would not change and thereby restricted the assessment to an area that is not settled.
5. The relief sought in the GSL submission is to delete the WBRAZ and to undertake another landscape study to ensure that discretion is not limited to the currently unsettled landscape lines and that any subsequent assessment apply a more rigorous, repeatable methodology to characterise landscape units and determine ability to absorb change.

Visitor Accommodation

6. GSL opposes the addition of any further rules within the rural zone having the effect of regulating the effects of short term stays for paying visitors and guests.
7. GSL submits that the effects of short term stays within the rural zones do not justify the proposed restrictions for the following reasons:
 - a) This zone contributes comparatively little to the housing stock across the District and enabling this form of accommodation has much less impact on the availability houses to provide for residential accommodation;
 - b) Housing within rural area is less affordable than housing within the urban areas and any reduction to residential capacity within these areas through short term accommodation would have little impact on the affordability of housing within the District;

- c) Based on the analysis provided in support of the changes to the PDP by Infometrics¹, the majority of short term accommodation is occurring within urban areas of the District²;
 - d) There are no effects based reason that has been identified as justifying the proposed change in rules; and
 - e) Short stay visitor stays within residential units and residential flats provides for the economic wellbeing of people and communities without adversely affecting the environmental qualities of the rural environment
8. GSL submits that if there are any wider effects of short term visitor stays (beyond the availability of houses for residential activity), the rural zone has capacity to absorb and avoid such adverse effects due to the generous nature of open space, distances between neighbours and the ability to provide for car parking and services.
9. The relief sought in the submission by GSL is to delete the changes to Chapter 21 Rural Zone introduced through the stage 2 proposals notified by the Council.

Consequential Relief

10. GSL seeks to make any similar, alternative and/or consequential relief that may be necessary or appropriate to address the matters raised in this submission or the specific relief requested in this submission.

¹ Infometrics, "Measuring the scale and scope of Airbnb in Queenstown-Lakes District" (November 2017)

² Section 6, *ibid*

SECTION C: SPECIFIC SUBMISSIONS TO THE PROPOSED QUEENSTOWN LAKES DISTRICT PLAN (STAGE 2 TOPICS)

Specific Provision	Submission	Decisions Sought [New text shown <i><u>underlined bold italics</u></i> and deleted text shown as <i>italic strike-through</i>]
Visitor Accommodation		
Definition of “Visitor Accommodation”	<p>Oppose</p> <p>The Visitor Accommodation variation proposes to amend the definition of Visitor Accommodation to exclude residential units and residential flats from that definition and is coupled with the introduction of an additional definition of Residential Visitor Accommodation, which is designed to capture short term stays of guests not exceeding 90 within a residential unit or a residential flat.</p> <p>The standards proposed to be applied to the Rural Zone will mean that any Residential Unit used for short term visitor accommodation and falling within the definition Residential Visitor Accommodation will become a non-complying activity where it exceeds the specified standards for up to 3 lets not exceeding a total of 28 nights per year and the two vehicle trip trigger.</p> <p>GSL are concerned about the change to the definition of Visitor Accommodation, coupled with the new definition of Residential Visitor Accommodation and the application of standards to areas of the Rural Zone that have been consented to provide for visitor accommodation. The combined changes would result in short stay visitor accommodation of houses consented for visitor accommodation becoming a non-complying activity.</p> <p>GSL submits that such an outcome is perverse when a dwelling could be erected for visitor accommodation purposes. GSL submits that dual use of a dwelling already consented for visitor</p>	<p>Reinstate the definition of Visitor Accommodations as to include any residential unit or residential flat.</p>

Specific Provision	Submission	Decisions Sought [New text shown <i><u>underlined bold italics</u></i> and deleted text shown as <i>italic strike-through</i>]
	<p>accommodation is a practical outcome providing an efficient utilisation of the land resource and ultimately having the flexibility to adapt over time.</p> <p>On this basis, GSL seeks to delete the proposed additions to the definition of Visitor Accommodation excluding the use of a residential unit or residential flat.</p>	
Rule 21.4.37 Residential Visitor Accommodation	<p>Oppose</p> <p>GSL oppose the addition of a new permitted activity standard, based on the new and amended definitions of Residential Visitor Accommodation and Homestays within the Rural Zone. GSL seeks to delete this rule.</p>	Delete Rule 21.4.37
Rule 21.5.53 Standards for Residential Visitor Accommodation	<p>Oppose</p> <p>GSL opposes the addition of standards relating to the use of Residential units or Residential Flats for short term guest stays within the Rural Zone for the reasons expressed within Section B above. GSL seeks to delete this standard.</p>	Delete Rule 21.5.53
Rule 21.5.54 Standards for Homestays	<p>Oppose</p> <p>GSL opposes the addition of standards relating to the use of Residential units or Residential Flats for short term guest stays within the Rural Zone for the reasons expressed within Section B above. GSL seeks to delete this standard</p>	Delete Rule 21.5.54

GSL opposes the Wakatipu Basin Variation Chapter 24, the Wakatipu Basin Rural Amenity zone and associated changes to Chapter 27 and maps, the Visitor Accommodation Variation and associated new and modified definitions if the deficiencies identified in this submission are not addressed, and seeks that this Variation and associated maps be declined in the event the deficiencies are not addressed

GSL seeks any other consequential or other changes / relief as necessary or appropriate in order address the issues raised in this submission

**FURTHER SUBMISSION ON THE PROPOSED QUEENSTOWN LAKES DISTRICT PLAN
UNDER CLAUSE EIGHT OF THE FIRST SCHEDULE TO
THE RESOURCE MANAGEMENT ACT 1991**

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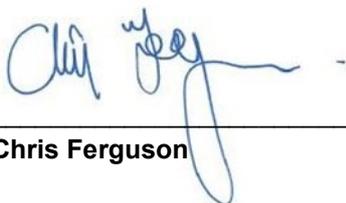
Glencoe Station Limited ("**GSL**") makes further submissions on the Proposed Queenstown Lakes District Plan as set out in the **attached** document.

GSL confirms it is a person who is representing a relevant aspect of the public interest, and has an interest in the proposal that is greater than the interest the general public has (it is affected by the content of a submission).

GSL wishes to be heard in support of its further submission.

If other persons make a similar further submission then GSL would consider presenting joint evidence at the time of the hearing.

A copy of this further submission has been served on the original submitters to which this further submission relates.



Chris Ferguson

For and behalf of Glencoe Station Limited

27th day of April 2018

FURTHER SUBMISSIONS

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support/opposition are:
<p>#2376 –Darby Planning LP</p>	<p><i>Chapter 24</i></p>	<p>Support</p>	<p>The relief sought by the Submitter regarding Chapter 24 is supported as follows:</p> <ul style="list-style-type: none"> • In the first instance, to withdraw Chapter 24 and associated changes from the PDP and undertake a thorough landscape study; • If the WBRAZ is retained, to amend the objectives, policies and rules of Chapters 24, 27, 3 and 6 so as to more accurately reflect the landscape qualities of the Basin, and to recognise and provide for reasonable development, commercial activities, and existing land use rights. <p>The submission is supported because GSL shares the Submitters general concerns on the WBRAZ Variation regarding;</p> <ul style="list-style-type: none"> • The timing and inefficiency of the DPR process for stages 1 and 2, which has resulted in unnecessary costs, delays and uncertainty for land owners and business owners; • The development of the Variation based on the WBLUS, which lacks specificity, objectivity and thorough landscaping analysis; • The method by which boundaries for and within the WBRAZ have been established, the assessment methodology for establishing LCUs, and the associated conclusions on the ability to absorb change. • The inability of the WRBAZ Variation to recognise and provide for reasonable development, commercial activities, and existing land use rights in the Basin.
	<p><i>Chapter 21 Visitor Accommodation Variation</i></p>	<p>Support</p>	<p>The relief sought by the Submitter to delete changes to Chapter 21 in relation to visitor accommodation in the WBRAZ/Rural zones is supported.</p> <p>GSL shares the Submitter's concerns regarding further visitor accommodation restrictions within the WBRAZ/Rural zones and agrees that the effects of short term visitor accommodation within rural zones do not justify the proposed restrictions because:</p>

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support/opposition are:
			<ul style="list-style-type: none"> • The rural zone contributes comparatively little to housing stock across the district, therefore visitor accommodation in rural areas has little impact on availability of houses for residential living; • As rural housing is generally more expensive than urban housing, a reduction in residential capacity in the rural zone has little impact on housing affordability across the district; • The majority of short term accommodation is in urban areas; • Visitor accommodation in rural residences provides for the economic wellbeing of people and communities without having adverse effects on the rural environment.
#2487 - BSTGT Limited	<i>Chapter 24; Chapter 25; Chapter 27; Map 13D</i>	Support	<p>The relief sought by the submitters to amend Chapter 24 and LCU 20 (Crown Terrace) is supported insofar as this is consistent with the Submitter's original submission. In particular, these amendments are supported for the intention to recognise diversification of rural land for commercial recreation, tourism, rural living, and related activities.</p> <p>The relief opposing standards on the basis as being too restrictive are supported given these do not reflect the long established development regime as it evolved under the Operative Plan.</p> <p>Specific amendments in respect of LCU 20 are supported as this part of the variation precludes further appropriate development on the Crown Terrace land. The relief sought to amend the ONL boundaries and consequently the zoning inside or outside of those boundaries is supported. It is arbitrary to have mapped the Basin Variation according to ONL boundaries which are yet to be determined through the hearing process.</p>
#2530- Crown Range Holdings Limited	<i>Chapter 24; Chapter 25; Chapter 27; Map 13D</i>	Support	<p>The relief sought to oppose the Variation and ensure a design lead approach are supported, particularly the intention to permit a range of activities subject to design controls through a default permitted activity status.</p>
#2449 - Morven Ferry Limited	<i>Chapter 24, chapters 3, 6, 27</i>	Support	<p>The relief sought to amend chapters 3 and 6 as a consequence of amendments to the chapter 24 variation are supported so as to ensure that higher order provisions in the plan are aligned with lower order chapters, and</p>

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support/opposition are:
			<p>that the entire plan is considered in the round, as the review was anticipated to achieve.</p> <p>Appendices 1 and 2 of the submission set out various amendments to the chapter 24 provisions, including objectives, policies, rules and standards. These amendments are generally supported so as to recognised and provide for rural living and development within Precinct Zones, and to provide for development within those areas identified as having ability to absorb change in particular landscape classification units. Amendments to chapter 27 are supported to provide for a default controlled activity subdivision regime, subject to standards.</p>