

# Submission - Form 5

## Plan Change 51

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To: Queenstown Lakes District Council

Submission on: Plan Change 51 - Peninsula Bay North

Submission by: Jason + Samantha Parrant

Date: 1/28/2016

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I ~~do~~ / don't (delete one) wish to be heard in support of this submission.

I ~~would~~ / wouldn't (delete one) consider presenting a joint case with parties of similar interest.

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### Specific Provisions

This submission relates to the whole of Plan Change 51 particular any provisions that allow residential development of the Open Space Zone or reduce the values or access to the Open Space Zone.

### Land Subject of this application

The area in question provides outstanding views over the lake and great opportunities to walk and ride through open grass spaces interlinked with trails through natural kanuka stands. It is relatively unique compared to other areas of the track and reserve network as it is open flowing track with amazing views that transition from the Clutha River outlet with views to the north and Stevenson's Arm of Lake Wanaka opening out to the views to the west of Treble Cone and Black Peak.

The tracks and open ridgeline feel remote and natural and are separated from the residential development of Peninsula Bay by the natural topography. The boundary of the urban development is at the base of a nature moderate slope and tracks and trails are located further to the north on the higher ground and avoid proximity to the houses ensuring privacy for residences and a nice experience for trail users.

The land in question is different in character from the already developed areas of peninsula bay in that it extends well into the area identified as ONL, it includes an open and elevated ridge top and it contains a significant amount of natural vegetation.

I value the ability to access through this area and the experience it provides me being a sense of awe of the view, an escape from the busyness of built up areas, the sense of remoteness and the opportunity for physical activity and recreation.

### **Open Space Zone - Section 20 - QLDC District Plan**

The current zone over the area of land subject to this plan change is Open Space Zone - Landscape Protection.

The purpose of this zone as started in the District Plan is to

#### **20.1.1 Purpose of Zone**

The purpose of the Open Space Zone is to protect landscape values, natural character and informal open space of the area. It is intended to keep such areas in a natural state and free of buildings and structures. Such areas may however, be utilised for types of passive recreation that do not require intrusive buildings or structures, such as walking, running and biking.

This zone is absolutely clear and unambiguous with regard to intent and purpose and prohibits all residential development and promotes public access and recreation.

The purpose of this zone is supported only by the continued protection of these areas from all residential development. The proposed plan change is completely opposed to the purpose and policies of this zone. Approval of this plan change could in no possible way advance the outcomes sort by the Open Space Zone.

### **Conclusion**

This Open Space was specifically set aside during the development of Peninsula Bay to avoid sensitive areas of the land, provide recreation opportunities and offset the loss of openness created by large scale residential development.

I believe that the approval of Plan Change 51 would completely undermine the very intent of zoning this land Open Space -Landscape Protection and remove the offset or mitigation that was considered necessary for the approval of the residential development of Peninsula Bay.

### **Relief Sort**

I urge the consent authority to uphold the provisions of the underlying plan change and Open Space Zoning of the site and reject Plan Change 51 in its entirety.

I request that this open space zone land be vested in Council as reserve as was intended.

### **Signature**

Signature (to be signed for or on behalf of submitter) \*\*




\*\* If this form is being completed on-line you may not be able, or required, to sign this form.

## Submission - Form 5 Plan Change 51

**To:** QLDC

**Submission on:** Plan Change 51 – Peninsula Bay North

**Submission by:** Aspiring Tracks Network

**Date:** Thursday, 28 January 2016

A member of the ATN would **like to speak** at the hearing.

ATN would consider presenting a **joint case** with parties of similar interest.

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### **The specific parts of the proposed plan, plan change or variation your submission is about**

Aspiring Tracks Network (ATN) is made up of five community stakeholders – Bike Wanaka, Department of Conservation, Lake Wanaka Tourism, Queenstown Lakes District Council and Upper Clutha Tracks Trust. Together with other community input we developed a 10-year strategy for the Upper Clutha Tracks Network.

ATN's vision is:

*Upper Clutha Tracks Network reflects the needs of a connected and active local and visitor community and provides a viable alternative to vehicle transport. The tracks network provides recreation and economic opportunities for all in our stunning environment.*

The Upper Clutha Tracks Network Strategy 2015-25, created by the group, guides their collective work. Two of the four guiding principles of this vision are to:

1. Enable recreation opportunities for all walkers, bikers and horse riders on Upper Clutha tracks.
2. Manage, develop and maintain Upper Clutha tracks.

The Open Space area pertaining to PC51 is currently appreciated and used by many as a recreation area for walking and cycling and of significant importance to the walking/cycling track network. The existing mountain bike network, which was designed by professionals, is of particular value. We are concerned that the proposed changes / new track development will significantly limit recreational access and use.

### **Whether you support or oppose these provisions or have a neutral stance, whether you want amendments to the provisions, and your reasons why**

This submission remains silent on the overall decision on the proposed development as it is outside of the group's mandate and leaves the organisations that contribute to the ATN to represent their individual views. ATN disagree with the current layout and lack of detail of the development and accompanying tracks shown in appendix C - Landscape Plan.

The ATN's concerns are in ensuring that the Upper Clutha Track Network remains intact. Should PC51 proceed, the following recommended alterations to the proposed development are to ensure that any changes to the recreational area and track network *improve recreational opportunities*. The development must then be carried out at an agreed high standard and that the management and maintenance of these tracks must also have been considered and provided for.

As it is currently detailed, PC51 will not achieve its vision to *enable development ... whilst providing for ... improved passive recreation on the balance of the Open Space zoned land between the Peninsula Bay development and Lake Wanaka*.

PC51's recommended option 3 proposal (Annexure A - S32 Report, p.19) transfers part of the Open Space to low density residential. As a result, the recreation options in the Open Space area are confined and reduced. The s32 Report (p.12) states that the 'human activity here is less (although there are informal cycling and walking tracks)'. ATN take issue with the implication that this area is only lightly used and want to highlight that the area behind the land proposed for development is an area of consistent recreational use all year round. Walkers in particular were not always confined to formal (constructed) tracks and also follow informal tracks found in this area.

The proposed option 3 relies on the remaining area of Open Space to be used as a recreation area. The values of the Open Space zone highlight the need for this land to receive 'improved passive recreation'. These must be retained.

On the 22<sup>nd</sup> of December 2015, Infinity engaged with ATN and **we agreed on five changes to the proposal** which are detailed below. Accompanying correspondence between the two groups can be supplied if required.

1. Redesign the development layout, to move the proposed car park to an alternate location so it is more visible and beside the existing walking track. Space for a directory board with map (consistent with other ATN/Bike Wanaka maps) could be added to the carpark area. The preferred location is shown as the number 1 in the accompanying documents labelled ATN\_map 1.
2. A new bike track will be constructed, shown as number 2 on in ATN\_map1, leading from the new proposed carpark (1), to Venus Landing shown as (A). Venus Landing (also shown in the bottom left crn of ATN\_map 2) is an important part of the mountain bike network. It is important to highlight that walkers and mountain bikers do not mix well. The new track should be a grade 2 track (QLDC Track Design Standards and Specifications) to be wide enough to provide for both walkers and cyclist.
3. The track shown as 'mountain bike track – single dirt track' on ATN\_map1 from Venus Landing heading north-east, is a mix of proposed new and existing track. The part of the track that is new must be shown as 'new' on the development plans. The new track will be constructed in partnership with Bike Wanaka and as an 'easy option' mountain bike track. 'Easy option' means that it can be used by a broad range of mountain biking abilities. All existing mountain bike tracks will not be altered.
4. A car park will be constructed at the end of Bull Ridge (number 3 on the ATN\_map1) which will improve the usability of the new walking track (dark blue) which had not been provided for previously.
5. Design at the point where the walking and biking tracks cross near the lookout will be undertaken to minimise/avoid conflict between users (e.g. – ensure good visibility, signage and speed restriction for bikers).

In addition to the above conditions agreed with Infinity, ATN would like a number of additional suggestions included, should the plan change proceed. This is to ensure that the remaining Open Space next to PC51 receives 'improved passive recreation' as envisioned by PC51 and as indicated by the Open Space zoning.

6. Relating to point 1 above, re the relocation of the carpark, it would be advantageous to the long-term use of this Open Space Area to have a toilet located on the carpark. We recommend that Infinity arrange with Queenstown Lakes District Council to either provide for the infrastructure so that a toilet could be easily retrofitted to the carpark in the future, or that Infinity include the construction of a toilet in the plan.
7. In addition to points 2 and 3, the design of these tracks must be carried out by a professional track engineer and built by paid experienced track builders. The track should be delivered (design, development to completion) in partnership with those community groups who have experience and expertise in this space (e.g. Bike Wanaka).
8. In addition to point 4, ATN recommend that a footpath be constructed on the north-north eastern side of Infinity Drive to connect the new carpark with the two entrances to the proposed new 'walking track' and viewpoint (dark blue on ATN\_map1). These 'linkages' are important as a function of Open Space Areas (QLDC District Plan vol.1, chpt 4.4.1.ii.f), not simply to provide for active and passive use.
9. The new 'walking track' (dark blue on ATN\_map1) is recommended to be 1.5m wide rather than 1m wide as indicated. This is to ensure that multiple users can pass by each other on the track.
10. The addition and construction of a suitable grade walking track to link Peninsular Bay to Wanaka Lakefront (labelled B in ATN\_map1). The purpose of this Plan Change is for *...improved passive recreation... between the Peninsula Bay development and Lake Wanaka*. A function of the area to be retained as Open Space is to provide for waterfront access (QLDC District Plan vol.1, chpt 4.4.1.ii.e). A track to the Wanaka Lake shoreline is also important to the function of the Open Space in *creating linkages*. It is preferable that an 'easy option' mountain bike track is constructed that allows for riders to link Peninsular Bay with the Wanaka lake-edge.

### **The decision you would like the council to make**

Should this plan change proceed, in order for it to be successful, ATN would like the panel to incorporate points 1-10 above into the proposal plan and that they be embedded within the decision.

### **Your full name, address, telephone and fax numbers, and email address (or the name and address of your agent if you have employed someone to act for you).**

Dr Ella Lawton (Chair, Aspiring Tracks Network)  
3 Maggie's Way, Wanaka 9305  
021 735 981  
[ella.lawton@qldc.govt.nz](mailto:ella.lawton@qldc.govt.nz)

**Signature**



**Date**

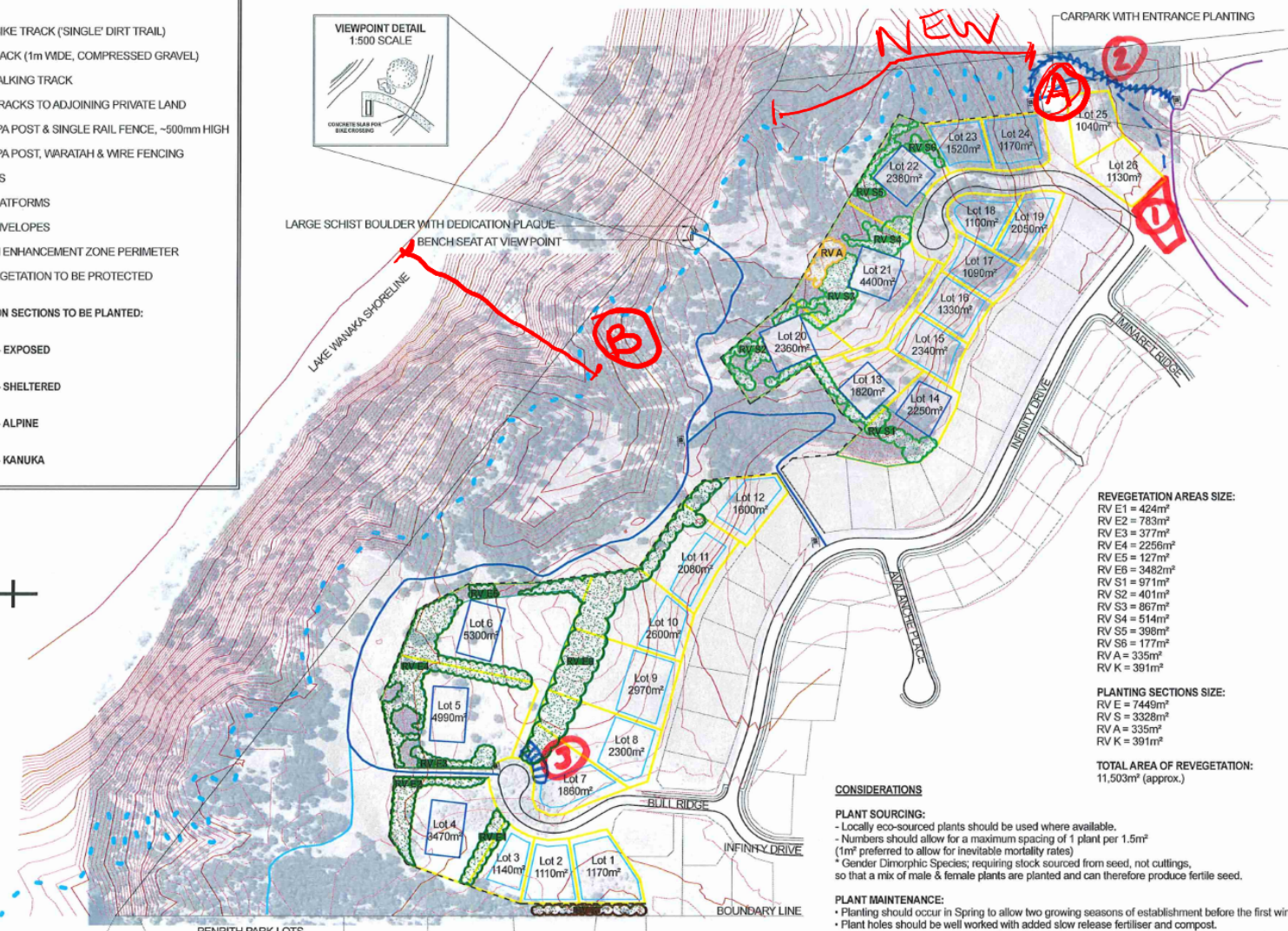
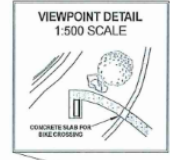
28<sup>th</sup> January, 2015

**LEGEND**

- MOUNTAIN BIKE TRACK (SINGLE' DIRT TRAIL)
- WALKING TRACK (1m WIDE, COMPRESSED GRAVEL)
- EXISTING WALKING TRACK
- INFORMAL TRACKS TO ADJOINING PRIVATE LAND
- MACROCARPA POST & SINGLE RAIL FENCE, ~500mm HIGH
- - - MACROCARPA POST, WARATAH & WIRE FENCING
- TRACK SIGNS
- BUILDING PLATFORMS
- BUILDING ENVELOPES
- VEGETATION ENHANCEMENT ZONE PERIMETER
- EXISTING VEGETATION TO BE PROTECTED

**REVEGETATION SECTIONS TO BE PLANTED:**

- SECTION 'E' - EXPOSED
- SECTION 'S' - SHELTERED
- SECTION 'A' - ALPINE
- SECTION 'K' - KANUKA



LARGE SCHIST BOULDER WITH DEDICATION PLAQUE  
BENCH SEAT AT VIEWPOINT

LAKE WANAKA SHORELINE

CARPARK WITH ENTRANCE PLANTING

**REVEGETATION AREAS SIZE:**  
 RV E1 = 424m<sup>2</sup>  
 RV E2 = 783m<sup>2</sup>  
 RV E3 = 377m<sup>2</sup>  
 RV E4 = 2256m<sup>2</sup>  
 RV E5 = 127m<sup>2</sup>  
 RV E6 = 3482m<sup>2</sup>  
 RV S1 = 971m<sup>2</sup>  
 RV S2 = 401m<sup>2</sup>  
 RV S3 = 867m<sup>2</sup>  
 RV S4 = 514m<sup>2</sup>  
 RV S5 = 398m<sup>2</sup>  
 RV S6 = 177m<sup>2</sup>  
 RV A = 335m<sup>2</sup>  
 RV K = 391m<sup>2</sup>

**PLANTING SECTIONS SIZE:**  
 RV E = 7449m<sup>2</sup>  
 RV S = 3328m<sup>2</sup>  
 RV A = 335m<sup>2</sup>  
 RV K = 391m<sup>2</sup>

**TOTAL AREA OF REVEGETATION:**  
11,503m<sup>2</sup> (approx.)

**CONSIDERATIONS**

**PLANT SOURCING:**

- Locally eco-sourced plants should be used where available.
- Numbers should allow for a maximum spacing of 1 plant per 1.5m<sup>2</sup> (1m<sup>2</sup> preferred to allow for inevitable mortality rates)
- \* Gender Dimorphic Species: requiring stock sourced from seed, not cuttings, so that a mix of male & female plants are planted and can therefore produce fertile seed.

**PLANT MAINTENANCE:**

- Planting should occur in Spring to allow two growing seasons of establishment before the first winter.
- Plant holes should be well worked with added slow release fertiliser and compost.
- Re-vegetation areas must be heavily mulched with wood chip, to suppress weeds and contain moisture.
- Deep irrigation should be provided for at least the first five years to allow for strong plant establishment.
- Necessary rabbit protection must be applied to all planted and protected areas, in the form of rabbit proof fencing, individual plastic sleeves around plants and poison programs.

**NOTE:** ALL PINUS, PSEUDOTSUGA & CYTISUS ON SITE TO BE REMOVED.

**SPECIES LIST FOR REVEGETATION SECTIONS 'E' (EXPOSED TO SUN, FROST & WIND)**

- Carmichaelia petriei
- Coprosma intertexta\*
- Coprosma rugosa\*
- Coprosma colensoensis
- Fuscopora cliffortioides
- Griselinia littoralis
- Hebe salicifolia
- Leonochebe cupressoides
- Meliclytus alpinus
- Olearia avicenniifolia
- Olearia hectorii
- Phormium cookianum
- Phyllocladus alpinus
- Ptilosporum tenuifolium\*
- Plagiathanthus regius
- Chionochloa rigida
- Chionochloa macra
- Kunzea species -ecosourced from region

**SPECIES LIST FOR REVEGETATION SECTIONS 'S' (SHELTERED AMONGST KANUKA, SHADY)**

- Aristolotelia serrata\*
- Coprosma lucida\*
- Fuchsia excorticata\*
- Fuscopora fusca
- Hoheria glabrata
- Podocarpus laetus\*
- Pseudopanax colensoi\*
- Sophora microphylla
- Coprosma propinqua\*
- Coprosma intexta\*
- Coprosma crassifolia\*
- Coprosma virescens\*
- Carmichaelia petriei
- Olearia lineata
- Teucrium parvifolium
- Kunzea species -ecosourced from region

**SPECIES LIST FOR REVEGETATION SECTION 'A' (ALPINE GRASSLAND)**

- Hebe subalpina
- Muehlenbeckia axillaris
- Teucrium parvifolium
- Festuca novae-zelandiae
- Poa colensoi
- Poa glabra
- Anthosachne solandri
- Meliclytus alpinus
- Carmichaelia petriei
- Coprosma petriei\*
- Coprosma propinqua\*
- Kunzea species -ecosourced from region

**SPECIES LIST FOR REVEGETATION SECTION 'K' (KANUKA)**

- Kunzea species -ecosourced from region

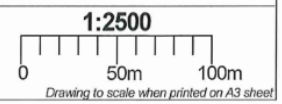


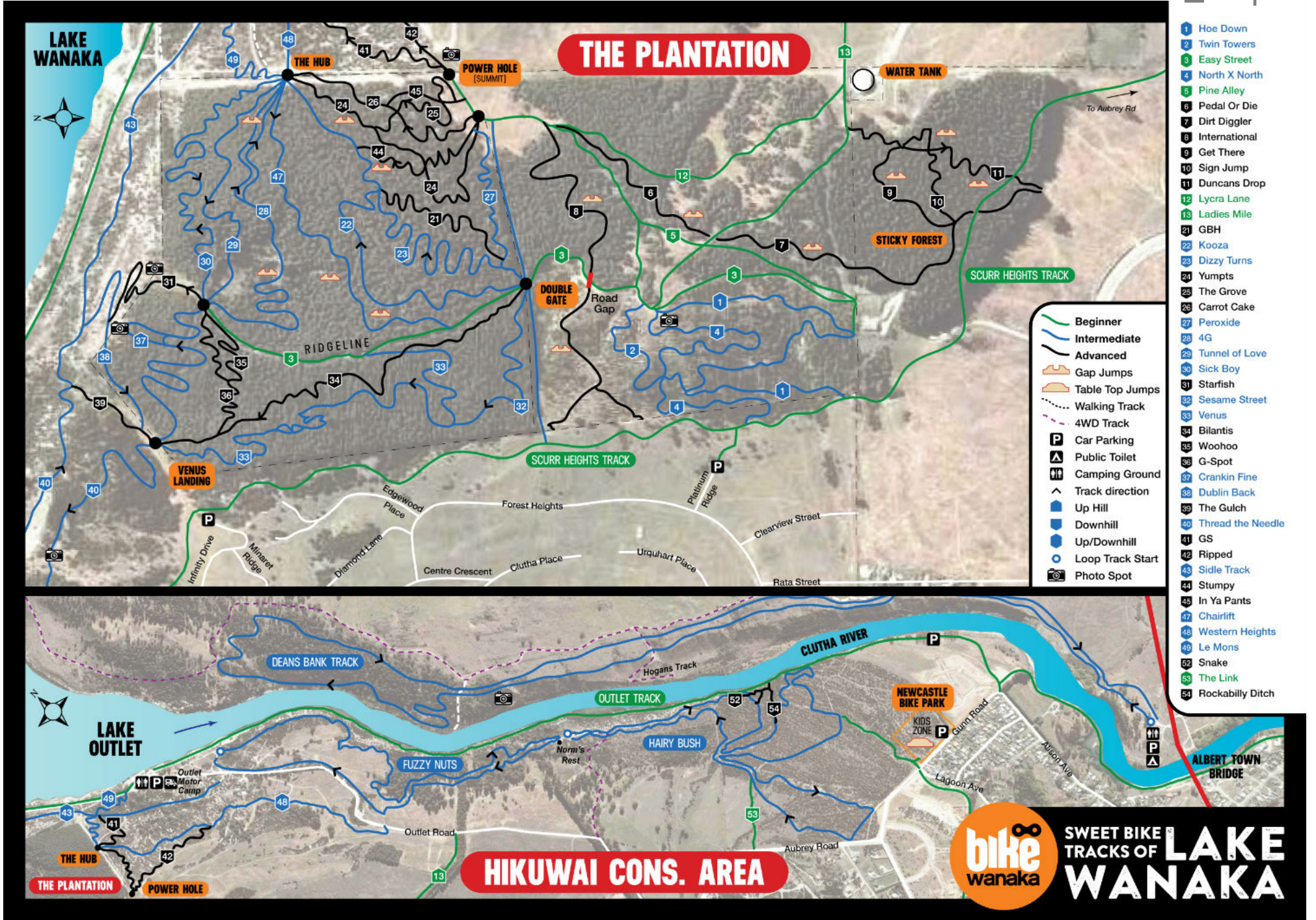
design@rachaelstanford.co.nz  
 Mobile: (021) 115 6269  
 Studio: (03) 443 8392  
 7 Islington Place, Wanaka

SITE: **PENINSULA BAY NORTH END PROPOSED PLAN CHANGE**

PLAN: **LANDSCAPE CONCEPT**  
 FOR: **INFINITY INVESTMENTS**

5 NOVEMBER 2015  
 01/017 - 15/16  
 REVISION: **F**





- 1 Hoe Down
- 2 Twin Towers
- 3 Easy Street
- 4 North X North
- 5 Pine Alley
- 6 Pedal Or Die
- 7 Dirt Diggler
- 8 International
- 9 Get There
- 10 Sign Jump
- 11 Duncans Drop
- 12 Lycra Lane
- 13 Ladies Mile
- 21 GBH
- 22 Kooza
- 23 Dizzy Turns
- 24 Yumpts
- 25 The Grove
- 26 Carrot Cake
- 27 Peroxide
- 28 4G
- 29 Tunnel of Love
- 30 Sick Boy
- 31 Starfish
- 32 Sesame Street
- 33 Venus
- 34 Bilantis
- 35 Woohoo
- 36 G-Spot
- 37 Crankin Fine
- 38 Dublin Back
- 39 The Gulch
- 40 Thread the Needle
- 41 GS
- 42 Ripped
- 43 Sidle Track
- 44 Stumpy
- 45 In Ya Pants
- 47 Chairlift
- 48 Western Heights
- 49 Le Mons
- 52 Snake
- 53 The Link
- 54 Rockabilly Ditch

**bike wanaka** SWEET BIKE TRACKS OF **LAKE WANAKA**

**HIKUWAI CONS. AREA**

**THE PLANTATION**

# Submission - Plan Change 51

**To:** Queenstown Lakes District Council  
Peninsula Bay Joint Venture

**Submission on:** Plan Change 51 - Peninsula Bay North

**Submission by:** John Wellington

**Date:** Wednesday, 27 January 2016

**Postal Address:** 272 Ballantyne Rd, RD2, Wanaka, 9382

**Phone:** 021 027 90039

**Email:** John.Julie@xtra.co.nz

**I do wish to be heard in support of this submission.**

**I would consider presenting a joint case with parties of similar interest.**

## **Specific Provisions**

This submission relates to the whole of Plan Change 51 particular any provisions that allow residential development of the Open Space Zone or reduce the values or access to the Open Space Zone.

## **Land Subject of this application**

Lot 920 Deposited Plan 486039

## **The Submission**

The area that is subject to the Plan Change was specifically designated as Open Space as a result of negotiations at the Environment Court at the time the Peninsula Bay Plan Variation was approved.

The parties to the Court Case, specifically the Upper Clutha Environmental Society, had changed its initial position substantially from opposition to the entire variation to support for most of the variation subject to the specific protection of areas of high landscape value which includes the land subject to this Plan Change.



The idea in relation to this specific site was to contain the development at the foot of the small ridge that then rolls over to the lake. This is similar in effect to the way that the Lake Hayes Estate was considered a discrete area and therefore able to absorb some development. This provides a clear buffer between the development and the Outstanding Natural Landscape and follows a logical geographic boundary being the base of the ridge.

The acceptance of this Open Space Zone and its conditions was crucial to the settlement of the Environment Court Case.

This application specifically seeks to overturn the major reason that the consent was granted in the first place - the protection of the most important landscapes. This Open Space Zone is also crucial to the protection of the undeveloped lakeside, and Clutha riverbank, that extends from the boundary of the adjacent Penrith Park zone all the way to Albert Town, (with the exception of the Outlet Motor Camp).

Indeed the recently approved Northlake Plan Change specifically kept a buffer zone to ensure that no development would be visible from the lake or river.

We have a once in a lifetime opportunity to protect this part of the lakeshore from unnecessary development. The first cut is always the deepest, and once that development occurs that landscape is compromised.

The attempted justification for the development in the application below is mischievous at best and I believe outrageous in its Chutzpah.

*" The existing environmental context has changed significantly since Variation 15 and 25. The broader Peninsula Bay site is now more accurately described as comprising a suburban area. This has a bearing on the degree to which development within the northern portion of the site could now be considered acceptable. While the ONL classification is still a significant factor in terms of the appropriate level and nature of the development of the site, the landscape and visual amenity assessment which has been undertaken has found that the northern portion of the site is now not as vulnerable to change or development as it was when the Court made its earlier findings. "*

### **Lets deconstruct what this says.**

Firstly it is admitting that the allowed development has already reduced the landscape value of the Open Space Zone, a zone, remember, that was specifically created to protect the adjoining ONL, views from the Lake and to provide a buffer for and contain the development, from the north.

It then proceeds to argue that as this Open Space Zone has been affected by the adjoining development, its landscape value has been decreased and its ability to absorb development has been increased.

This has to be the pure definition of creeping or incremental development.

Furthermore it seeks to undo the main mitigating element that allowed the development to proceed in the first place.

This justification for development completely undermines the value of RC conditions accepted or imposed to mitigate the impacts of the previous consent. In this case this was the considered outcome of the Environment Court.

I believe that granting this application would send a strong message to developers that they can accept whatever conditions are required to get first stage of their development consented, with the expectation that these conditions will be overturned when they apply for further development a few years later.

I also seek that all provisions relating to the Open Space Zone-Landscape Protection are retained in the District Plan in the exact same form as they appear in Part 20 of the Operative District Plan and in the exact same form as Open Space Zone-Landscape Protection areas are delineated on maps in the Operative District Plan.

**Relief Sort**

That Plan Change 51 be declined in its entirety.

**Signature**

John Wellington



# FORM 5: SUBMISSION

ON A PUBLICLY NOTIFIED PLAN CHANGE



Clause 6 of First Schedule, Resource Management Act 1991 – as amended 30 August 2010



**TO** // Queenstown Lakes District Council



**YOUR DETAILS** // Our preferred methods of corresponding with you are by **email** and **phone**.

Name: Longview Environmental Trust

Phone Numbers: Work:

Home:

Mobile: 0210481313

Email Address: scott@southernland.co.nz

Postal Address: PO Box 713  
WANAKA

Post code:  
9305



**PLAN CHANGE** // To which this submission relates to:

Plan Change 51 - Peninsula Bay North

**COULD NOT** gain an advantage in trade competition through this submission.

**AM** **\*\*** directly affected by an effect of the subject matter of the submission:  
(a) adversely affects the environment; and  
(b) does not relate to trade competition or the effects of trade competition.

\* Delete entire paragraph if you could not gain an advantage in trade competition through this submission.

\*\* Select one.



**SPECIFIC PROVISIONS** // Of the proposal that my submission relates to are:

This submission relates to the whole of Plan Change 51 and in particular any provisions that enable or provide for residential development within the Open Space Zone and any provisions that may compromise the natural, ecological, landscape and open space values of the Open Space Zone and/or public access to, and enjoyment of, the Open Space Zone.

**MY SUBMISSION IS** //

Include whether you support or oppose the specific provisions or with to have them amended; and the reasons for your views.

The Open Space Zone was specifically set aside through the Plan Change 15 - Peninsula Bay to avoid and protect sensitive areas of the plan change area from development and to offset the loss of openness created by the residential development enabled by Plan Change 15.

Plan Change 51 will undermine the intent and purpose of the Open Space Zone and will erode the environmental protection what was offered as a means of offsetting the adverse effects of Plan Change 15.

Plan Change 51 is entirely inappropriate.

**I SEEK THE FOLLOWING FROM THE LOCAL AUTHORITY** // Give precise details:

That Plan Change 51 is rejected in its entirety.

**DO** wish to be heard in support of my submission.

**WILL** consider presenting a joint case with others presenting similar submissions.

**SIGNATURE**

Signature (to be signed for or on behalf of submitter) \*\*

Date 28/01/16

\*\* If this form is being completed on-line you may not be able, or required, to sign this form.



28 January 2016

Form 5

Queenstown Lakes District Council  
Private Bag 50072  
QUEENSTOWN  
Attention: **Policy Team – Plan Change 51**  
By Email: [pcsubmission@qldc.govt.nz](mailto:pcsubmission@qldc.govt.nz)

Dear Sir or Madam

**SUBMISSION ON PRIVATE PLAN CHANGE 51 – PENINSULA BAY NORTH**

Submitter details:

Queenstown Lakes District Council  
Private Bag 50072  
QUEENSTOWN 9348

Attention: Craig Barr

Phone: 03 443 - 0121  
Email: [craig.barr@qldc.govt.nz](mailto:craig.barr@qldc.govt.nz)

QLDC could not gain an advantage in trade competition through this submission.

QLDC is not directly affected by an effect of the subject matter of the submission that–

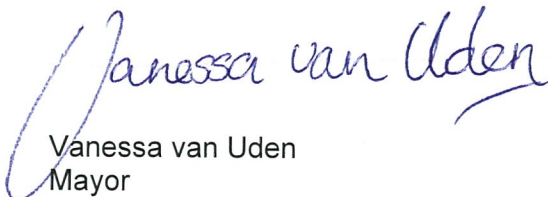
- (a) Adversely affects the environment; and
- (b) Does not relate to trade competition of the effects of trade competition

The specific provisions of the proposal that my submission relates to are:

- The whole of Plan Change 51, and more specifically the matters set out in the following table.

At this time, QLDC does wish to be heard in support of my submission.

Yours sincerely

  
Vanessa van Uden  
Mayor

Point	Provision/ Issue	Reasons for submission	Relief/ decision sought
1	The reduction in Open Space zoned land.	<p>While acknowledging the potential positive aspects associated with the plan change contributing to the District's housing supply, the removal of 6.11ha of land currently zoned Open Space that was intended to be vested with the Council as reserve/public open space could set a negative precedent associated with accepting staged subdivisions. In particular, the treatment of land intended to be vested with the Council during the formative stages of the subdivision.</p> <p>The application notes at Part 6.1.1 'Economic Effects' that the reduction in Open Space Zoned land to be vested with the Council will result in estimated maintenance cost savings of \$7,500 per year. This figure is likely to be lower because the level of service would not be as demanding as reserves that require higher maintenance.</p> <p>The area as it currently stands has the potential to service the recreational needs of a growing community in an important location in terms of public access Lake Wanaka and the Outlet tracks. The loss of reserve land needs to be carefully considered by the hearings panel, while acknowledging that in this circumstance there may be ample land left to be effectively utilised for future reserves.</p>	<p>1a. That the Hearings Panel consider carefully the impact that granting this plan change may have on the future treatment of staged subdivisions and vesting of assets with the Council.</p> <p>1b. Ensure the Open Space Zoned land still left remains commensurate with the scale and intensity of the Peninsula Bay subdivision and needs of the community.</p> <p>1c. That the Plan Change is rejected if the Hearings Panel cannot be satisfied that the application resolves these matters.</p>
2	The suitability of Low Density Residential Zoning.	<p>In broad terms, it is considered that any land identified as being appropriate for Low Density Residential zoning should not then be required to be subject to the controls and mitigation measures proposed.</p> <p>It is not sound resource management practice to zone land within a general suburban development planning framework, then impose highly restrictive controls on the future property owners.</p> <p>While this would achieve a means to an end for the applicant in terms of providing assurance to decision makers regarding the</p>	<p>2a. That the Hearings Panel consider carefully whether Low Density Residential zoning is appropriate given the accepted landscape sensitivity and proposed methods to manage the adverse effects of future development.</p> <p>2b. That the Hearings Panel consider carefully the effectiveness of being able to mitigate adverse effects if administration of the covenant is left to a third party.</p>

Point	Provision/ Issue	Reasons for submission	Relief/ decision sought
		<p>mitigation of adverse effects of development, the proposal has the potential to leave a legacy of complicated and stringent development controls. Followed by ongoing (in perpetuity) monitoring and enforcement to ensure the controls of the covenant are adhered to.</p> <p>Given the proximity of the area to the established Peninsula Bay subdivision which does not have such strict controls, it is questioned whether the future lot owners would have the will to adhere to the covenant.</p> <p>The application lacks certainty of who the covenant would be in favour of, or whether the Council would be an interested party to it.</p> <p>If the covenant would be administered by the development company it is unclear for how long or how it would be enforced. There are multiple examples of private covenants to ensure planning outcomes that are not enforced.</p> <p>If it is intended that the covenant would be administered by the Council there is the potential that future development controls would lead to substantial cost and inefficiencies for the Council to administer.</p> <p>Non-fanciful examples could be for enforcement action associated with future lot owners undertaking landscaping and vegetation planting of exotic plants. Micromanaging the development of sites zoned Low Density Residential does not accord with the general expectations of the community in the low density residential zone and could also have the potential to affect the Council's reputation in terms of being unreasonably heavy handed at regulating development.</p>	<p>2c. That the Hearings Panel carefully consider the merit, practicality and ongoing administrative burden to the Council associated with being an interested party to the proposed covenants.</p> <p>2d. If the land is of a sensitive nature due to its landscape or ecological values, whether it would be more efficient and effective to not allow Low Density Residential zoning within these areas.</p> <p>2e. That the Plan Change is rejected if the Hearings Panel cannot be satisfied that the application resolves these matters.</p>

Point	Provision/ Issue	Reasons for submission	Relief/ decision sought
3	Proposed Development Controls	<p>The Low Density Residential zone allows the construction and alteration of residential buildings as a permitted activity, subject to bulk and location standards.</p> <p>The introduction of bespoke provisions in the Low Density Residential chapter to manage the impact of future development would not be supported.</p> <p>While mindful of the comments above that discourage the imposition of detailed covenants, the application is supported in so far that it does not recommended a suite of bespoke provisions, in particular design control related rules such as controlled or restricted discretionary activity status resource consent requirement for any future development.</p> <p>In addition, the introduction of bespoke provisions to address a small number of dwellings would add unnecessary complexity to the already complex Low Density Residential Chapter.</p> <p>If forced to choose between the use of covenants or bespoke provisions to manage environmental outcomes not able to be covered by the LDR provisions, the Council would prefer the use of covenants.</p>	3a. Apply the LDR zoning only to suitable areas without the need for bespoke provisions to avoid the LDR zone rules becoming even longer than the current 68 pages of rules.
4	Reduced viability of the remaining Open Space Zone	<p>The location of the allotments, in particular the northern most allotments could have the potential to compromise the ability for the Council to construct and maintain walkways and cycleways. The northern most lots are located relatively close to the crest of the terrace, and given the relatively small space between the lot and terrace edge future lot owners might object to the location of any public access.</p> <p>The existing open space zone at this location provides ample room for the construction and maintenance of tracks and the proposed allotment configuration could have the potential to</p>	4a The Hearings Panel carefully consider whether the northern most lots are appropriately located in terms of the viability of any future reserve land and public access. The applicant should provide assurance that the land proposed to remain Open Space Zone locates between the crest of the terrace and the northern most lots can be practically used and maintained for future potential public space including walkways and cycleways. The hearings panel may wish to consider methods



Point	Provision/ Issue	Reasons for submission	Relief/ decision sought
		compromise the viability of future public access.	<p>such as identifying future tracks on a structure plan, or using no complaint covenants to avoid any future complaints over the use, maintenance and upgrading of public access in proximity to the proposed allotments.</p> <p>4b. The applicant should formally acknowledge that 'improvements' (such as tracks) will be provided over and above any development contributions that are payable.</p> <p>4c. That the Plan Change is rejected if the Hearings Panel cannot be satisfied that the application resolves these matters.</p>
5	Ecological values	It is questioned whether the removal of the indigenous vegetation can be appropriately compensated by the proposed plantings. It is suggested that the 'depleted tussock grassland' could be improved when it is vested to the Council though pest management operations and better maintenance.	<p>5a. That the plan change is rejected unless the Hearings Panel have assurance that the proposed plantings and ecological restoration will provide indigenous biodiversity benefits that compensate or offset (acknowledging these are two different matters) the loss of existing indigenous vegetation.</p> <p>5b. That the plan change is rejected unless the Hearings Panel are satisfied as to the viability of the proposed ecological restoration including taking into account the exposed nature of the site from wind, maintenance, irrigation and pest control.</p>
6	Earthworks	Proposed covenant condition 11 and the proposed bulk earthworks shown on 'Engineering Drawings Earthworks Cut and Fill Plan' have the potential to result in unsympathetic changes to the natural landform particularly within the ONL as they do not appear to be based on a particular dwelling design.	6a. That the Hearings Panel reject the plan change unless it can be satisfied the earthworks to construct the subdivision and building platform areas are acceptable in terms of adverse effects on the ONL.

Point	Provision/ Issue	Reasons for submission	Relief/ decision sought
			6b. That the Hearings Panel reject the plan change unless satisfied the impact of any earthworks associated with future development after the completion of the subdivision development will be acceptable in terms of effects on the ONL, and does not conflict with any earthworks provisions of the district plan.



# FORM 5: SUBMISSION

ON A PUBLICLY NOTIFIED PLAN CHANGE



Clause 6 of First Schedule, Resource Management Act 1991 – as amended 30 August 2010



**TO** // Queenstown Lakes District Council



**YOUR DETAILS** // Our preferred methods of corresponding with you are by **email** and **phone**.

Name: **Jodie Rainsford**

Phone Numbers: Work:

Home:

Mobile:

**021356343**

Email Address:

**jodierainsford@hotmail.com**

Postal Address:

**159a Stone St Wanaka**

Post code:

**9305**



**PLAN CHANGE** // To which this submission relates to:

## Plan Change 51 - Peninsula Bay NorthSHARE

To rezone approximately 6 ha of Open Space zoned land at the north end of Peninsula Bay (legally described as Lot 920 DP 486039) for specific low density residential development, whilst providing ecological and passive recreational benefits on the balance of the Open Space zoned land between the Peninsula Bay development and Lake Wanaka.

**I do not**

gain an advantage in trade competition through this submission.

**\*I am**

\*\* directly affected by an effect of the subject matter of the submission:

(a) adversely affects the environment; and

(b) ~~does not relate to trade competition or the effects of trade competition.~~ — — —

\* Delete entire paragraph if you could not gain an advantage in trade competition through this submission.

\*\* Select one.



**SPECIFIC PROVISIONS** // Of the proposal that my submission relates to are:

**the whole of plan change 51 and specifically any provisions that allow for residential development of any land currently zoned as open space zone.**

**MY SUBMISSION IS //**

Include whether you support or oppose the specific provisions or with to have them amended; and the reasons for your views.

**I STRONGLY OPPOSE PLAN CHANGE 51**

Rezoning this area will in fact have a large negative impact on the community with only benefit very few people. I use this area for biking and running many times each week as do MANY others. Being active has a huge positive influence on both my health & physical health, and this area plays a key role in maintaining my overall wellbeing.

The area is of outstanding natural beauty and should be protected as such. It was also a key part of the agreement for the first area of subdivision. Many people use this area for recreation, from Wanaka and many communities in the surrounds.

Even if biking / running / public access is stopped to the area it should still not be rezoned as it is of huge importance to the natural beauty of the area.

The purpose of this zone is supported only by the continued protection of these areas from all residential development. The proposed plan change is completely and diametrically opposed to the purpose and policies of this zone. Approval of this plan change could in no possible way advance the outcomes sort by the Open Space Zone.

**I SEEK THE FOLLOWING FROM THE LOCAL AUTHORITY //** Give precise details:

**Do not allow Plan Change 51 - Peninsula Bay NorthSHARE**  
To rezone approximately 6 ha of Open Space zoned I at the north end of Peninsula Bay (legally described as Lot 920 DP 486039) for specific low density residential development.

This area needs to be protected. Rezoning goes against the best interests of the community of Wanaka and surround communities.

Jodie Rainsford

wish to be heard in support of my submission.

Jodie Rainsford

consider presenting a joint case with others presenting similar submissions.

**SIGNATURE**

Signature (to be signed for or on behalf of submitter) \*\*

Jodie Rainsford

Date

28/1/2016

\*\* If this form is being completed on-line you may not be able, or required, to sign this form.





# FORM 5: SUBMISSION

ON A PUBLICLY NOTIFIED PLAN CHANGE



Clause 6 of First Schedule, Resource Management Act 1991 – as amended 30 August 2010



**TO** // Queenstown Lakes District Council



**YOUR DETAILS** // Our preferred methods of corresponding with you are by **email** and **phone**.

Name: **Mark Strang**

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**0272801660**

Email Address:

**markastrang@gmail.com**

Postal Address:

**113 Mt Iron Drive**

Post code:

**9305**



**PLAN CHANGE** // To which this submission relates to:

## Plan Change 51 - Peninsula Bay NorthSHARE

To rezone approximately 6 ha of Open Space zoned land at the north end of Peninsula Bay (legally described as Lot 920 DP 486039) for specific low density residential development, whilst providing ecological and passive recreational benefits on the balance of the Open Space zoned land between the Peninsula Bay development and Lake Wanaka.

**do not**

gain an advantage in trade competition through this submission.

**am**

\*\* directly affected by an effect of the subject matter of the submission:

(a) adversely affects the environment; and

(b) ~~does not relate to trade competition or the effects of trade competition.~~ — — —

\* Delete entire paragraph if you could not gain an advantage in trade competition through this submission.

\*\* Select one.



**SPECIFIC PROVISIONS** // Of the proposal that my submission relates to are:

**the whole of plan change 51 and specifically any provisions that allow for residential development of any land currently zoned as open space zone.**

**MY SUBMISSION IS //**

Include whether you support or oppose the specific provisions or with to have them amended; and the reasons for your views.

**I STRONGLY OPPOSE PLAN CHANGE 51**

Rezoning this area will in fact have a large negative impact on the community with only benefit very few people. I use this area for biking and running many times each week as do MANY others. Being active has a huge positive influence on both my health & physical health, and this area plays a key role in maintaining my overall wellbeing.

The area is of outstanding natural beauty and should be protected as such. It was also a key part of the agreement for the first area of subdivision. Many people use this area for recreation, from Wanaka and many communities in the surrounds.

Even if biking / running / public access is stopped to the area it should still not be rezoned as it is of huge importance to the natural beauty of the area.

The purpose of this zone is supported only by the continued protection of these areas from all residential development. The proposed plan change is completely and diametrically opposed to the purpose and policies of this zone. Approval of this plan change could in no possible way advance the outcomes sort by the Open Space Zone.

**I SEEK THE FOLLOWING FROM THE LOCAL AUTHORITY //** Give precise details:

**Do not allow Plan Change 51 - Peninsula Bay NorthSHARE**  
To rezone approximately 6 ha of Open Space zoned I at the north end of Peninsula Bay (legally described as Lot 920 DP 486039) for specific low density residential development.

This area needs to be protected. Rezoning goes against the best interests of the community of Wanaka and surround communities.

Mark Strang

wish to be heard in support of my submission.

Mark Strang

consider presenting a joint case with others presenting similar submissions.

**SIGNATURE**

Signature (to be signed for or on behalf of submitter) \*\*

Mark Strang

Date

28/1/2016

\*\* If this form is being completed on-line you may not be able, or required, to sign this form.





# FORM 5: SUBMISSION

ON A PUBLICLY NOTIFIED PLAN CHANGE



Clause 6 of First Schedule, Resource Management Act 1991 – as amended 30 August 2010



**TO** // Queenstown Lakes District Council



**YOUR DETAILS** // Our preferred methods of corresponding with you are by **email** and **phone**.

Name: Simon Williams

Phone Numbers: Work:

Home:

Mobile: 027 201 4484

Email Address: jinjasi@gmail.com

Postal Address: 86a McDougall Street, Wanaka

Post code:

9305



**PLAN CHANGE** // To which this submission relates to:

Plan Change 51 - Peninsula Bay North

I  gain an advantage in trade competition through this submission.

\*I  Simon am \*\* directly affected by an effect of the subject matter of the submission:  
 (a) adversely affects the environment; and  
 (b) does not relate to trade competition or the effects of trade competition.

\* Delete entire paragraph if you could not gain an advantage in trade competition through this submission.

\*\* Select one.



**SPECIFIC PROVISIONS** // Of the proposal that my submission relates to are:

**MY SUBMISSION IS** //

Include whether you support or oppose the specific provisions or with to have them amended; and the reasons for your views.

When I first read about this plan change shivers went down my spine. It is my understanding that the original consent was granted upon the agreement that this land would be kept as an open space. I am flabbergasted that this has even gotten so far. If something is granted based upon certain conditions, why can we then change those conditions after the fact? Especially when it is for financial gain.

I use this area often. It is one of the most incredible parts of our local environment, it feels isolated and peaceful, yet is so close to our town. The access is fairly easy, not as easy as it was before private roads started to appear within peninsula bay however. The current development is already making a huge impact upon the outlook over our lake from certain look out points in the forest. Perhaps Wanaka being a 'protected lifestyle reserve' needs to be updated. This current proposal goes directly against that, aside of course from the affluent few who can preserve it for their own private enjoyment.

The tracks that exist in this area are phenomenal and have been there for many years. They offer riding that is appealing to not only locals but also visitors, they have that jaw dropping factor that really is hard to find in other places on the planet.

This entire proposal screams of greed to me. Is this really the community we want to be? You as counsellors, do you not believe that you should be an inspiration to our community? Surely your role is one to protect that the aspects of this district which your community love. Is it not obvious that people who live here are active adventurous people?

It feels as though this move is sneaky and underhand, I am sure that legally everything is just about right, however it still stinks. It's taken up a lot of time in many peoples lives for almost no reason. Why should we have to make the effort once again to protect something so valuable when we've already been through this?

I strongly oppose any further urban development of this area

**I SEEK THE FOLLOWING FROM THE LOCAL AUTHORITY** //

Give precise details:

I would like council to reject this proposal. I also believe that council should suggest that the organisation responsible for this plan change proposal should indeed carry out the further regeneration of this land with native trees just in way of apologising to our community for taking up their time to once again go through this process when we were already promised that this type of development wouldn't happen.

do

wish to be heard in support of my submission.

consider presenting a joint case with others presenting similar submissions.

**SIGNATURE**

Signature (to be signed for or on behalf of submitter) \*\*

Date 28th January 2016

*\*\* If this form is being completed on-line you may not be able, or required, to sign this form.*



# Submission - Form 5

## Plan Change 51

---

**To:** QLDC

**Submission on:** Plan Change 51

**Submission by:** Quentin Smith

**Date:** Tuesday, 26 January 2016

**Address for service:** 24 Allenby Place  
Wanaka 9305  
0212703706  
qksmith@gmail.com

**I wish to be heard in support of this submission.  
I would considered presenting a joint case with parties of similar interest.**

---

### **Land Subject of this application**

The area in question provides outstanding views over the lake and great opportunities to ride through open grass spaces interlinked with trails through natural kanuka stands. It is relatively unique compared to other areas of the track and reserve network as it is open flowing track with amazing views that transition from the clutha river outlet with views to the north and stevensons arm of Lake Wanaka opening out to the views to the west of Treble Cone and Black Peak.

The tracks and open ridgeline feel remote and natural and are separated from the residential development of Peninsula Bay by the natural topography. The boundary of the urban development is at the base of a nature moderate slope and tracks and trails are located further to the north on the higher ground and avoid proximity to the houses ensuring privacy for residences and a nice experience for trail users.

The land in question is different in character from the already developed areas of peninsula bay in that it extends well into the area identified as ONL, it includes an open and elevated ridge top and it contains a significant amount of natural vegetation.

### **History of Peninsula Bay**

Plan change 15 (2004) sort to rezone the land at Peninsula Bay for residential development through the Low Density residential zone. This original plan included some development of the area in question but was ultimately declined by the environment court.

Variation 25 in 2005 then provided a proposal to apply the Low Density Residential Zone over much of the land (65%) and the Open Space zone over the remainder including the part of the site subject to this plan change. This application and subsequent proceedings lead to the layout and zoning that exists today.

Proceedings for plan change 15, variation 25 and subsequent (albeit relatively insignificant) adjustments to these provisions have provided an extensive documentation of the landscape values, visual amenity and visibility of the Peninsula Bay subdivision and provided a sense of protection of those areas considered to be sensitive through the application of the Open Space Zoning.

The residential development of Peninsula bay as provided for by these provisions is now basically complete.

Note: for convenience due to the complexity of the applications, hearings and submissions relating to these plan changes, variations and decisions i will refer to them generally as the “earlier proceedings”

### **Open Space Zone - Section 20 - QLDC District Plan**

The current zone over the area of land subject to this plan change is Open Space Zone - Landscape Protection. This was the outcome of those above mentioned and extensive proceedings and decisions.

The purpose of this zone as started in the District Plan is to

#### **20.1.1 Purpose of Zone**

The purpose of the Open Space Zone is to protect landscape values, natural character and informal open space of the area. It is intended to keep such areas in a natural state and free of buildings and structures. Such areas may however, be utilised for types of passive recreation that do not require intrusive buildings or structures, such as walking, running and biking.

This zone is absolutely clear and unambiguous with regard to intent and purpose and prohibits all residential development and promotes public access and recreation.

The promotion of public access for passive recreation (read non motorised) has been provided for through other parts of Peninsula Bay through the vesting of reserve (gross access) and the construction of track heads, cycling and walking tracks. The provision of public access to the site is best served by the vesting of the reserve in Council.

It is also clear from reading the decisions and proceedings that this zone is intended to provided the highest level of protected available under the district plan to privately owned lands protecting sensitive landscapes from all residential development in lieu of vesting the land as public reserve. This has been the case with a number of sections of the Open Space Zone in the earlier stages of Peninsula bay that are now completely protected and vested in Council as Reserve.

Page 36 of the Council Decision even goes so far to explain its expectations should a privately initiated plan change occur.

Mr Thorn suggests that the Open Space Zone could be changed through the private plan change process in the future. It is recognised that zoning provides less guarantee than vesting as reserve. However, given the strong policy provisions of Part 4 of the Plan relating to ONL, and the objectives and policies of the Open Space Zone a successful plan change to enable development is considered highly unlikely. It is anticipated that once the Open Space zoning has been confirmed and subdivision consents lodged, the vesting of the land as reserve will be addressed by the Council.

The purpose of this zone is supported only by the continued protection of these areas from all residential development. The proposed plan change is completely and diametrically opposed to the purpose and policies of this zone. Approval of this plan change could in no possible way advance the outcomes set by the Open Space Zone.

## **District Wide Policies and Objectives**

Any plan change must be assessed against Section 4 - District Wide Issues of the QLDC District Plan. This was the case with the previously approved plan change and this application.

**4.1.4 objective 1** includes “The protection of outstanding natural features and natural landscapes” Much of the subject site including the building platforms of Lot 4, 5, 6, 21 are contained in the established ONL line.

Most specific of these District Wide Policies with regard to this location are those in 4.2.5 policy 2 that relate to the ONLs being listed below.

### **2 Outstanding Natural Landscapes (District-Wide/Greater Wakatipu)**

- (a) To maintain the openness of those outstanding natural landscapes and features which have an open character at present.
- (b) To avoid subdivision and development in those parts of the outstanding natural landscapes with little or no capacity to absorb change.
- (c) To allow limited subdivision and development in those areas with higher potential to absorb change.
- (d) To recognise and provide for the importance of protecting the naturalness and enhancing amenity values of views from public roads.

The earlier proceedings and decisions relating to the land determined that these objectives, being the maintenance of openness, natural character, and avoiding those sensitive areas with lesser capacity to absorb change, were best served by avoiding development in this specific area of the land and protecting it through Open Space Zone. The wider area of Peninsula Bay now zoned residential (65%) was clearly determined to be the parts of the site that was more suitable for development and this was offset or mitigated by the protecting of the Land to be zoned Open Space Zone (approximately 35%) and its associated ONL, native vegetation, topographic nature and recreation values.

Policy 6 (b) Urban Development specifically seeks to discourage subdivisions and development in ONL and VAL landscapes in the district. This has been clearly considered in the underlying Plan Change which allowed extensive development of the less sensitive areas while protecting the more prominent VAL and ONL areas. Approval of this Plan Change would be inconsistent with this policy and the earlier findings.

Policy 9 seeks to avoid ridges, prominent slopes and hilltops that characterise the site. Approval of plan change 51 would be in conflict with this policy.

4.4.1 relates to Open Space and Recreation and specifically in Objective 1 identifies the provision of open space and recreation areas to assist in avoiding remedy or mitigate the effects of

residential growth. The provision of this area of Open Space Zone was specific to the overall development of Peninsula Bay and sought to avoid sensitive areas of the site, remedy the loss of other parts of the site to residential development and provided a means of mitigation through recreation opportunities.

Overall the approval of the Peninsula Bay Development was deemed to be consistent with these policies and objectives as a whole with the protection of the open space zone areas of the site and the opportunity for recreation opportunities. The overall development of Peninsula Bay may not have and in our view does not stack up without the protection of these areas.

It is our view and a view supported by the earlier proceeding that Part 4 of the plan is served by avoiding development on those sensitive areas of the site and specifically the ONL areas. The development of this area would be in conflict with Part 4 and the findings of the earlier proceedings.

The objectives of Part 4 are best served by the vesting in council as reserve and the continued protection from residential development of all the land in the Open Space Zone.

### **Purpose and Principals of the RMA**

The consideration of a Plan Change must also give consideration to Part 2 of the Resource Management Act (RMA) being the primary Purpose of that Act.

## **Part 2 Purpose and principles**

### **5 Purpose**

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
- (2) In this Act, **sustainable management** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—
  - (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
  - (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
  - (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

In considering the above purpose we believe that the underlying Plan Change gave effect to this purpose through the design of the development, balance of residential development and associated open space, avoidance of sensitive areas and the recreation opportunities arising that were considered mitigation for the effects of that development.

Approval of this Plan Change 51 would undermine the central purpose and principles of the RMA as they were applied to the underlying development, where the provision of open space and the protection of sensitive landscapes were a key part of that assessment and consideration.

### **Integrity of the District Plan**

The underlying development of Peninsula Bay was the subject of extensive public consultation and proceedings where the community had a say in the outcome that resulted.

The outcomes were agreed in principle by many of the submitters and the applicant including the provision of these open space zones. I could be said that the development of the Residential Areas were acceptable in part because of the Open Space, reserves and tracks that would result.

Revisiting the value of these open spaces without the complete context of the whole of Peninsula Bay and on completion of the development as envisaged at that time would undermine the integrity of the QLDC District Plan and in particular the protection that should be afforded to areas that receive the Open Space Zone - Landscape Protection designation.

Should this Plan Change 51 be approved the community would lose faith in the protection of its open spaces and reserves which the people of Wanaka hold in very high value.

## **Conclusion**

I feel strongly that existing open spaces (particularly land zoned open space and public reserve land) need to be preserved to provide future proofing against population increases, give the increasing biking, walking and running community scope for trail development close to town and built up areas and leave a legacy for future generations that is in keeping with our lifestyle choice philosophy.

This Open Space was specifically set aside during the development of Peninsula Bay to avoid sensitive areas of the land and offset the loss of openness created by large scale residential development.

Revisiting of this Open Space without the overall consideration and balance of the whole Peninsula Bay subdivision and the context of the approval and development of the already constructed 300 lots (approx) is unreasonable.

I believe that the benefits or positive outcomes of Plan Change 51 are highly overstated by the applicant in that the protection of open space, native vegetation, track construction and revegetation are all things that are already empowered by the Open Space Zone and could be further advanced by the vesting of the Open Space Zone as Public Reserve.

I believe that the approval of Plan Change 51 would completely undermine the very intent of zoning this land Open Space -Landscape Protection and remove the offset or mitigation that was considered necessary for the approval of the residential development of Peninsula Bay.

## **Relief Sought**

I believe that this Privately Initiated Plan Change should have been rejected by Council when it was received.

I urge the consent authority to uphold the provisions of the underlying plan change and Open Space Zoning of the site and reject Plan Change 51 in its entirety.

I request that this land be vested in Council as reserve as was intended.

Quentin Smith  
(lodged via email)

# Submission - Form 5 Plan Change 51

---

To: Queenstown Lakes District Council

Submission on: Plan Change 51 - Peninsula Bay North

Submission by: Simon and Vickie Moses

Date: Wednesday, 27 January 2016

Postal Address: 10 Sandys Lane, Wanaka, 9382

Phone: 02108441022

Email: simon@jottie.com.au

I ~~do~~ don't (delete one) wish to be heard in support of this submission.

I would / ~~wouldn't~~ (delete one) consider presenting a joint case with parties of similar interest.

---

## Specific Provisions

This submission relates to the whole of Plan Change 51 particular any provisions that allow residential development of the Open Space Zone or reduce the values or access to the Open Space Zone.

## Land Subject of this application

The area in question provides outstanding views over the lake and great opportunities to walk and ride through open grass spaces interlinked with trails through natural kanuka stands. It is relatively unique compared to other areas of the track and reserve network as it is open flowing track with amazing views that transition from the Clutha River outlet with views to the north and Stevenson's Arm of Lake Wanaka opening out to the views to the west of Treble Cone and Black Peak.

The tracks and open ridgeline feel remote and natural and are separated from the residential development of Peninsula Bay by the natural topography. The boundary of the urban development is at the base of a nature moderate slope and tracks and trails are located further to the north on the higher ground and avoid proximity to the houses ensuring privacy for residences and a nice experience for trail users.

The land in question is different in character from the already developed areas of peninsula bay in that it extends well into the area identified as ONL, it includes an open and elevated ridge top and it contains a significant amount of natural vegetation.

I value the ability to access through this area and the experience it provides me being a sense of awe of the view, an escape from the busyness of built up areas, the sense of remoteness and the opportunity for physical activity and recreation.

### **Open Space Zone - Section 20 - QLDC District Plan**

The current zone over the area of land subject to this plan change is Open Space Zone - Landscape Protection.

The purpose of this zone as started in the District Plan is to

#### **20.1.1 Purpose of Zone**

The purpose of the Open Space Zone is to protect landscape values, natural character and informal open space of the area. It is intended to keep such areas in a natural state and free of buildings and structures. Such areas may however, be utilised for types of passive recreation that do not require intrusive buildings or structures, such as walking, running and biking.

This zone is absolutely clear and unambiguous with regard to intent and purpose and prohibits all residential development and promotes public access and recreation.

The purpose of this zone is supported only by the continued protection of these areas from all residential development. The proposed plan change is completely opposed to the purpose and policies of this zone. Approval of this plan change could in no possible way advance the outcomes sort by the Open Space Zone.

### **Conclusion**

This Open Space was specifically set aside during the development of Peninsula Bay to avoid sensitive areas of the land, provide recreation opportunities and offset the loss of openness created by large scale residential development.

I believe that the approval of Plan Change 51 would completely undermine the very intent of zoning this land Open Space -Landscape Protection and remove the offset or mitigation that was considered necessary for the approval of the residential development of Peninsula Bay.

### **Relief Sort**

I urge the consent authority to uphold the provisions of the underlying plan change and Open Space Zoning of the site and reject Plan Change 51 in its entirety.

I request that this open space zone land be vested in Council as reserve as was intended.

### **Signature**

Signature (to be signed for or on behalf of submitter) \*\* \_\_\_\_\_

\*\* If this form is being completed on-line you may not be able, or required, to sign this form.