

# Waterfall Park

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SPECIAL HOUSING AREA

**FEEDBACK  
RECEIVED**

AUGUST 2016



QUEENSTOWN  
LAKES DISTRICT  
COUNCIL

# Waterfall Park - Special Housing Area Feedback

Created Wednesday, June 22, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/c017b4b791268846284b4151>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Theresa*

Last Name:

*Swain*

Address:

*Fernhill, Queenstown*

My thoughts on the proposed special housing area are:

*Yes provided that there will be provision made for affordable housing and that the council fast tracks this. It is a matter of urgency*

# Waterfall Park - Special Housing Area Feedback

Created Wednesday, June 22, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/14d025706e0ffad9fe8902617>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Che*

Last Name:

*McPherson*

Address:

*Lake Hayes Estate*

My thoughts on the proposed special housing area are:

*Sounds really good and definitely needed.*

# Waterfall Park - Special Housing Area Feedback

Created Wednesday, June 22, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/3de2bbfc068b430010271e02>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Simon*

Last Name:

*Smith*

Address:

*Lake Hayes Estate*

My thoughts on the proposed special housing area are:

*This is not an appropriate use of the legislation which is intended to address affordable housing. It also represents urban creep into an important rural outlook.*

*I would like most future development in Queenstown to be high density communities with a mix of residential and business use (ie some people can live closer to where they work). Shotover Country should have been higher density than it is. Likewise Hanley Downs. High density is more environmentally and financially friendly - more rateable properties to cover the cost of infrastructure, higher population makes public transport more cost effective, etc.*

*We need to start planning now for Queenstown to have a permanent population of 50-200k without destroying the amenities that attract people here.*

*Thanks.*

# Waterfall Park - Special Housing Area Feedback

Created Wednesday, June 22, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/11c60a146dde86d22314675e>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Sandy*

Last Name:

*Beker*

Address:

*[REDACTED]*

My thoughts on the proposed special housing area are:

*That is a spawning Creek how will the fish and waterfall be looked after*

# Waterfall Park - Special Housing Area Feedback

Created Wednesday, June 22, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/6123e16827eda4ebaec3f7f2f>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Marina*

Last Name:

*Silva*

Address:

[REDACTED]

My thoughts on the proposed special housing area are:

*A great idea as long as the waterfall and its history and cultural value are protected and preserved!!! Such a special place*

# Waterfall Park - Special Housing Area Feedback

Created Wednesday, June 22, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/d89002994cba35c6ffdf05b2a>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Douglas*

Last Name:

*Parker*

Address:

*Lake Hayes Estate*

My thoughts on the proposed special housing area are:

*From the information available, it looks very exciting!*

# Waterfall Park - Special Housing Area Feedback

Created Wednesday, June 22, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/f11b2b41cc818145bdaef028e>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Josie*

Last Name:

*Blackshaw*

Address:

*Arrowtown*

My thoughts on the proposed special housing area are:

*This looks interesting, there's no doubt the area needs more affordable housing, and this looks like a fairly well thought out plan (I'll admit I've just skim read the documents, not studied in depth), but seems like a great area for housing for locals.*

*I'm interested though, what's in place to make sure the housing in this development remains affordable? i.e. what's to stop investors buying the properties and selling in a year or more for massive profits, as has happened to the other 'affordable' developments in the Wakatipu? Are there long term plans for areas such as these to prioritise home owner/occupiers, rather than investors. For the families and workers that keep Queenstown growing and functioning? If that's not addressed then it's really not 'affordable' housing, just a temporary boost to investor's portfolios.*

*Thanks*



# Waterfall Park - Special Housing Area Feedback

Created Wednesday, June 22, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/08901639cf73df18924de7368>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Glenn*

Last Name:

*Everett*

Address:

*Lake Hayes Estate Queenstown*

My thoughts on the proposed special housing area are:

*This area has previously been put forward to Council for consideration. This has been turned down at least once due to the nature of development within the rural sector, i believe citing the development would have and adverse effect on the rural area. I understand that the district is struggling for areas to be developed and something needs done. But what needs done is affordable housing not semi rural lots with what one can only assume will have large price tags that will stop anything affordable to be achieved. I worry this development would be pushed through the special housing system as we are struggling, without looking at the facts it has previously been overturned. Has it met the requirements that it was turned down on previously.*

*The District needs to have housing at an affordable level in areas such as the proposed development below Remarkables Park to be rezoned allowing Units/ Apartments to be build for lower income families that we need to run our businesses, without the people within the income bracket we have no infrastructure. We have no one to work in hotels to support the booming tourist industry that we already struggle to support, Many local businesses are constantly having staffing issues that lead back to affordable housing.*

*By all means if this area has met all requirements that it has previously been turned down for great put it to the minister. At the same time approach the developer for a guaranteed lower income solution. We need Affordable, lets all aim for it. Look at the cause please council, don't put a band aid on a wound needing surgery.*

# Waterfall Park - Special Housing Area Feedback

Created Thursday, June 23, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/30e6c0e3746f44f5d70ba3c9a>

## Page 1

I am giving feedback as:

*An individual*

First Name:

*DAME ELIZABETH*

Last Name:

*HANAN*

Address:

*Arrowtown, postal 159 Highgate, Dunedin 9010*

My thoughts on the proposed special housing area are:

*SUBMISSION FOR MAYOR & COUNCILLORS  
QLDC JULY 28TH MEETING*

*DAME ELIZABETH HANAN*

*WATERFALL PARK - SPECIAL HOUSING AREA*

*Quoting from the application "landscape and rural amenity values - which we treasure as a community" can hardly be maintained with additional housing and urbanisation eroding the Rural General Zone of the Operative District Plan and the Rural Zone of the Proposed District Plan.*

*In fact it seems that 100 building platforms at Waterfall Park designated in 1984 have not been activated and no doubt still could be brought into the availability of housing. To use the argument that there is a housing shortage and that only by this development under the false premise of "Affordable Housing " can alleviate the problem is a populist misconception. Only 5% or about 10 houses are proposed to be "affordable" and with on selling in this district on the second round will be not affordable. This is a contradiction. It is a nonsense. There are sites within Waterfall Park which are undeveloped.*

*Infrastructure requirements - water, sewage disposal, contamination of Mill Creek leading to Lake Hayes, fire fighting, schooling are all marginal.*

*The Rural zone of the Wakatipu Basin must be protected and the District Plan Operative and Proposed be respected and upheld. There are still plenty of housing sites/ building platforms already allocated and until these are taken up then no more urbanisation of Rural Zones should be permitted.*

*This proposal must be declined in its entirety. The process is flawed under this Act.*

*EAHanan*

# Waterfall Park - Special Housing Area Feedback

Created Thursday, June 23, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/7d8b1d7d1302e0b5151696c1>

## Page 1

I am giving feedback as:

*An individual*

First Name:

*John Murray*

Last Name:

*Hanan*

Address:

*Arrowtown*

My thoughts on the proposed special housing area are:

*To Mayor & all councillors Meeting 28/7/16  
Submission re Waterfall Park –Special Housing area.  
ATTN Anita Vanstone  
John Murray Hanan*

*I strongly object to the Waterfall Park proposal. As I have already said the use of the Special Housing Act for this type of proposal is legally quite wrong and there is now authority to this effect. It is procedurally defective because extra houses ("supply") ought not be considered without proper relationship to the overall infrastructure in a far broader sense than schools, sewage, lighting, traffic and rates (etc) for not only the contiguous area but the overall district.*

*The plans for the district still finally economically turn on tourism and if there is little than dull conformity to visit the advantage of difference is lost. Its wrong use was evident in the Retirement village proposal of Anderson & Monk and this Waterfall proposal is wrong again. You can not ignore the fact that there must firstly be a passage of a change of use from rural to residential. Minimal supplies of supposedly affordable houses within a group of substantially non-complying houses is simply "sleight of hand stuff". The fiction that the houses are affordable using a building cost valuation is utterly wrong because of what is known as "drag" the costlier houses nearby effectively dragging up any sale price over building cost. In a way this is just the old rule of "location, location, location" that ultimately determines price so that within a short time on resale the cost price is overtaken by the richness of the nearby and adjacent properties.*

*All these developments in this rural area terminate the very thing needed to be protected. The scenic beauty of the area setting off the mountain backdrop. They are merely money making schemes devoid of long term sensitivity and sensibility. The actual developers (profiteers) are fairly wealthy and ingenious and are using their ingenuity to further their monetary ambitions which may have marketing attractiveness but is at the expense of the common good. The wide number of appeals against the rurality of the District scheme seeking to get this zoning changed about Arrowtown to residential type zones is culmulative to do away with it when this is the very quality that sustains the appeal of the district. Let one get approval and the precedent is made. Instead we have spotty houses all over the hills some crammed behind greenery trees like mock apologies for their intrusion into yesterdays fields.*

*It is argued that the income returns from rurality do not justify its retention but this is short term thinking as food productivity valuation is notoriously changeable and with population growth projected to 9 billion in 20 years the loss of rural land for*

*productivity purposes is unwise. Once a site is suburbanised it can't be got back.  
The current District plan is good. May it be kept this way and not succumb to the waves of attacks from capital gainers.  
Reject this proposal and do not allow the Special Housing Act to be abused in this way.*

# Waterfall Park - Special Housing Area Feedback

Created Thursday, June 23, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/d0c35e1a5f7cb8fb07527ee05>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Anne*

Last Name:

*Gormack*

Address:

*Arrowtown*

My thoughts on the proposed special housing area are:

*How many of these developments do we have to oppose? The infrastructure is not coping as it is! Please leave this pristine area, including Waterfall Park, alone! The bolting horse needs to be stopped! NO to this proposal!*

# Waterfall Park - Special Housing Area Feedback

Created Thursday, June 23, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/93f23efd4b25a6a8247a9bd62>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Arthur*

Last Name:

*Gormack*

Address:

*Arrowtown*

My thoughts on the proposed special housing area are:

*Please leave the north of Lake Hayes alone! The area around Arrowtown should not be developed any further than it already is. A big NO to this proposal!*

# Waterfall Park - Special Housing Area Feedback

Created Saturday, June 25, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/8857035b0aa0300624abf1724>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*James*

Last Name:

*Feehly*

Address:

*RDI Queestown 9731*

My thoughts on the proposed special housing area are:

*1. I am against this development because;*

*a. It is converting farmland to urban residential.*

*b. It is destroying the area around one of the area's original homesteads and so destroying it's character.*

*c. As someone born in the area early in the 2nd World War I have seen the character of the Basin destroyed with urban development and I would like to see as much of the rural land preserved as possible and so help preserve what character remains,*

*d, This development away from any current township will mean that any occupant will have to have their own transport and so this site is not really suitable for it's proposed use,*

# Waterfall Park - Special Housing Area Feedback

Created Sunday, June 26, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/435cb908aa787b921e3d8c70>

## Page 1

I am giving feedback as:

*An individual*

First Name:

*Robyn & Nick*

Last Name:

*Hart*

Address:

My thoughts on the proposed special housing area are:

*Dear QLDC Councillors & Planners*

*We are writing to voice our opposition to the Meehan's 3rd attempt at a Special Housing Area on Ayrburn Farm (Waterfall Park).*

*This development has already been rejected twice by the council for very valid reasons. The High Court has ruled that the QLDC were entitled to take into account relevant RMA and planning guidelines when considering this proposal. All other residents in the surrounding area have also had to adhere to those guidelines.*

*The proposal does not fit with the QLDC lead policy on SHAs and this has been reiterated by the High Court. Millbrook and the undeveloped Waterfall Park are not urban areas.*

*The reasons against developing this land for urban development has already been laboured many times by the public and council staff, and this 3rd proposal is essentially the same.*

*To reiterate our reasons against this proposal...*

*Protecting rural areas from inappropriate development is a dominant theme in countless council policies and strategy documents (ODP, PDP and QLDC Urban Development Strategy). The QLDC have done a fantastic job of implementing this policy so far and the result is a stunning Wakatipu Basin that the world admires daily.*

*While the The Proposed National Policy Statement on Urban Development Capacity is putting a lot of pressure on councils to increase housing supply, it focusses on "urban areas" - Ayrburn & Waterfall Park and Millbrook are not urban areas. It also states: "Development capacity means in relation to residential and business land, the capacity of land for urban development to meet demand, taking into account the following factors:*

- the zoning, objectives, policies, rules and overlays that apply to the land; and*
- the provision of adequate infrastructure, existing or likely to exist, to support the development of the land, having regard to—*
- the relevant proposed and operative regional policy statements, regional plans and district plans; and*
- any relevant management plans and strategies prepared under other Acts.*



*The National Policy Statement for Fresh Water Management states:*

*When considering any application the consent authority must have regard to the following matters:*

- a. the extent to which the change would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem and*
- b. the extent to which it is feasible and dependable that any adverse effect on the life-supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided.*

*The Lake Hayes Management Strategy states: ...Human activities in lake catchments can speed up the lake's deterioration, including contruction of roads and housing. The vast majority of nutrients enter the lake from the Mill creek catchment...*

*The Otago Regional Council states...*

*Deteriorating water quality in Otago is often associated with rural areas and farming but Otago's pristine lakes and rivers are also threatened by stormwater pollution from urban areas. The increasing urban development of our rural landscape is expanding the area of the problem. Now, stormwater is acknowledged as a major source of pollution in the world's waterways. Our modern lifestyle contributes to stormwater pollution, often unwittingly.*

*Stormwater is contaminated by:*

- Construction sites*
- Motor vehicles through metals such as lead, copper, zinc and oil washing off roadways*
- Rubbish such as plastic bags, bottles and other street litter*
- Herbicides, garden fertilisers, rotting garden clippings*
- Detergent from car washing*
- Domestic animal faeces*
- Illegal and accidental spills or dumping into stormwater drains*
- Air pollution.*

*There are many stormwater systems around the country that discharge in lakes and streams but they are not necessarily in the deteriorating state of Lake Hayes.*

*The Rotorua Lakes have suffered equivalent poor quality and local councils there are funding \$144 million to fix them.*

*Lake Hayes is a tourism jewel. Who will pay the many millions required to fix it if high denisty urban development in the Mill Stream catchment area causes the lake to deteriorate further?*

*Other than the possible seven free houses for 25 years, the remainder will not meet the affordable housing need as already demonstrated by Bridesdale Farm... initially pitched at \$450,000 now selling for \$755,000 (as reported by the NZ Herald in April 2016).*

*Neighbouring Millbrook currently has 3 bedroom house/land packages on approx 1000m2 selling for \$2 million – \$2.5 million. Ayrburn is similar premium land and will command similar prices to its neighbours (possibly even more desirable as it won't have the memberhsip fees of Millbrook which would appeal to those looking for holiday homes).*

*The HASHAA was not set up to allow developers a sneaky way of fast tracking inappropriate subdivision. If the land is to be developed as a premium housing development, the Meehans should follow the same rules as everyone else in this wonderful neighbourhood.*

*Despite the fact that the Meehans have produced a fancier proposal with more promises, all the issues, that you have previously rejected this SHA for, remain.*

*If the Meehans care so much about those who need affordable housing it would be fantastic for them to take on a SHA development in Gorge Road where it would be perfectly appropriate and tick all the boxes.*

*It is a highly pressured and complex situation for the QLDC to deal with and we congratulate you on all your efforts to carefully analyse these developments from all angles.*

*Yours sincerely  
Robyn & Nick Hart*

# Waterfall Park - Special Housing Area Feedback

Created Thursday, June 30, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/85c9187fbc462cd80805b2ed7>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Gerard*

Last Name:

*Hall*

Address:

*Arrowtown*

My thoughts on the proposed special housing area are:

*i support this application---it is well thought, planned and aesthetically pleasing, i would be keen to purchase there. To suggest (as others have in local printed media) this developement is another Lake Hayes Estate (what's wrong with LHE anyway) is being dumped into the Wakatipu basin is simply eroneus -while I acknowledge people have a right to comment, such a comment is solely driven by some people having a vested interest in shutting down such a project.*

# Waterfall Park - Special Housing Area Feedback

Created Sunday, July 03, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/cc32c3ec2376366c4d9be451c>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Mike*

Last Name:

*Symonds*

Address:

[REDACTED]

My thoughts on the proposed special housing area are:

*In relation to the proposed Waterfall Creek housing development I would like to raise my concerns on the nature of the development .*

*The proposal as it stands will mean intense housing development not previously seen in the immediate area .There is an absolute need for more housing in the Queenstown Lakes region but this proposal is out of character for the Arrowtown /Lakes Hayes area given its size and the number of dwellings being proposed .*

*The rural outlook and landscape of this region is simply unique and the Council must rigorously protect it for all to enjoy whether a permanent resident or an individual visiting the region.*

*Intensive housing developments have a place , but not at the expense of the Arrowtown / Lake Hayes environment .*

*Regards*

*Mike Symonds*

# Waterfall Park - Special Housing Area Feedback

Created Monday, July 04, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/59cc76f8b22a00c25e9878a81>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Wink*

Last Name:

*Glazebrook*

Address:



My thoughts on the proposed special housing area are:

*I believe that Arrowtown desperately needs an area of special housing. There are many young couples with children who have family in the area but cannot afford the local house prices. If they have to move away from the area they lose the support that an extended family can give them when they most need it i.e. when they are raising a young family.*

*There are a number of "Nimbys" in Arrowtown, mostly of the older generation, who do not want to "spoil" the special place that they live. I view this as selfish and short-sighted because in order for the town to thrive we need new young people to come into the area and take us into the future.*

*This proposal, being away from the town centre, will not spoil the special character of Arrowtown but will enable others to share in this special place. The plans look to be well thought-out, keeping a good balance between housing, parkland and trees, and provided the local infrastructure can cope with an influx of the number of people involved I am in favour of the proposal.*

# Waterfall Park - Special Housing Area Feedback

Created Tuesday, July 05, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/76f430416c0e3dd1df440302c>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*quentin*

Last Name:

*smith*

Address:



My thoughts on the proposed special housing area are:

*I do not support the waterfall park SHA for the following reasons.*

- 1. It does not support the availability of affordable housing. the pricing will be distinctly unaffordable.*
- 2. It is not in a location suitable for large scale development.*
- 3. it is not consistent with the strategic development planning in the Wakatipu.*
- 4. the premise of lack of alternative available land is incorrect. there is plenty of suitable land zoned and earmarked for development that would be the perceived land shortage for some years to come in the wakatipu.*

*Regards*

# Waterfall Park - Special Housing Area Feedback

Created Tuesday, July 05, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/d0d4e22631f9899c6d6a756b>

## Page 1

I am giving feedback as:

*An organisation*

Name of Organisation:

*Friends of Lake Hayes*

*(No response)*

Address:

My thoughts on the proposed special housing area are:

*Proposed Special Housing Areas – Expression of Interest from Ayrburn Farm Developments Ltd – Ayrburn Retirement Village.  
I write on behalf of Friends of Lake Hayes Society Incorporated (FOLH).  
You will be aware that FOLH was formed out of concern for water quality issues at Lake Hayes.  
FOLH have noted the recent application by Ayrburn Farm Developments Ltd (AFDL) for a residential development on land near the base of McIntyre's Hill. Of particular interest to FOLH is that AFDL intends to utilise Mill Creek for discharge of stormwater from the proposed development, and that AFDL intends to utilise a fresh water spring at the Northern end of Lake Hayes as a water supply. It will be known that Mill Creek is an important ecological habitat in terms of trout spawning but more importantly is the principal waterway supplying Lake Hayes which is already significantly affected by discharges associated with land use in the Wakatipu basin. FOLH consider that the likely pollutants which would be carried in stormwater associated with the proposed development would be considerable, and contribute further to an already critical condition.  
While water quality in Lake Hayes has been adversely affected by nutrients, its recovery is hampered by the low water flow though the lake. The partial removal of one of the lake's already meagre sources would contribute to a further delay to the lake's recovery and possibly a further degradation. There is a wealth of scientific information on these matters, and I have not burdened councillors with these documents. However, FOLH is happy to make this available if needed.  
FOLH therefore request that should this proposal proceed further that at the very least AFDL be required to provide an alternative form of stormwater discharge that does not add to an already adversely effected waterway, and find an alternative source of water supply.*

# Waterfall Park - Special Housing Area Feedback

Created Tuesday, July 12, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/667687ce726a5fae74bc79810>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Brentleigh*

Last Name:

*Bond*

Address:

*Lake Hayes, Queenstown 9371*

My thoughts on the proposed special housing area are:

*I oppose the Expression of Interest for the Waterfall Park Special Housing Area dated 16th June 2016.*

*I support the submission of Jan Andersson of 3 Mill Vista Lane, Arrowtown dated the 8th July 2016 as filed by P J Page of Gallaway Cook Allan of Dunedin.*

# Waterfall Park - Special Housing Area Feedback

Created Tuesday, July 12, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/310875260d7a798fe11de39cf>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Roy*

Last Name:

*Somerville*

Address:

[REDACTED]

My thoughts on the proposed special housing area are:

*Yet another proposal from the same group for a SHA development in an inappropriate location. Waterfall park, adjoining Ayreburn farm is equally the wrong sort of development in the wrong place. From an entirely practical point of view it must be obvious that Waterfall Park has not been previously developed because of its location and micro climate. In shade or deep freeze for most of the year. This is a rural area and does not suit an isolated, high density housing project. There is no supporting infrastructure and it is completely impractical to suggest it will be provided. The SHA is there to provide affordable housing to working people, who require easy access to their work places, not to develop isolated projects in the most inappropriate places purely because there is vacant land.*

*These sort of developments belong close to the working places, the original intention of the SHA legislation. Hopefully the QLDC, who are the elected "gate guardians" of this community will recognise this and act in accordance with the wishes of the community.*



# Waterfall Park - Special Housing Area Feedback

Created Tuesday, July 12, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/197fcec7acc7b3d79abcce408>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Jane*

Last Name:

*Scheib*

Address:

*Queenstown*

My thoughts on the proposed special housing area are:

*My thoughts are that the council should put a stop on all proposed housing subdivisions until they have sorted out all the infrastructure needs of the district and have a strategic plan for the whole district to include both encouragement for developers to come up with some solutions to the problems we have now, not more of the same and profits for people who have been landbanking waiting to maximise profits with a housing shortage.*

*These kinds of developments will only be affordable for middle to upper income families and overseas buyers who will perpetuate the problem by buying to stay for a few months a year and leave the house empty when not here. This is something that should be addressed to central government to stop people buying houses that are not full time residents in New Zealand.*

*More sprawling subdivisions are only catering to a small sector of the market unless they are going to be priced cheaply enough for the average New Zealand working family to afford. Its about time the local government starting taking a lead in this and not perpetuating the developers dream in this district.*

*I propose that you decline all sprawling rural developments until a Strategic Plan is realised and the immediate issues such as infrastructure including sewerage, water and roading are ready to take more development and more people into the district so it wont detract from the quality of life for those already living in the district.*

*This year is the first time I have heard people who have been living in the district for many years, say they hate it now because of the traffic and uncontrolled growth.*

# Waterfall Park - Special Housing Area Feedback

Created Wednesday, July 13, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/5ed8fadf9f8090c94d165fda30>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*J Elizabeth*

Last Name:

*Boyer*

Address:

*Arrowtown 9302*

My thoughts on the proposed special housing area are:

*No objection as long as there is good winter sun to ALL the houses.*

# Waterfall Park - Special Housing Area Feedback

Created Wednesday, July 13, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/12826406f8ceae0336563a98f>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Cynthia & Ian*

Last Name:

*Wilkins*

Address:

*Queenstown*

My thoughts on the proposed special housing area are:

*Inappropriate, selfish, egotistical ..... - Eyreburn farm itself is something we think should be preserved as a beautiful example of a 'working farm' - along with the fact it is one of the last pieces of farmland, there is the historic relevance to be considered as well - and then the ecological factors are very worth considering - you think we have problems with lake Hayes now - imagine another whole housing area feeding into the beautiful stream which is the spawning home for the brown trout and then running on into Lake Hayes. As for the desire of Mr Meehan for expansion into the stunning Waterfall Park area - reeks of greed - this is not a desirable place to live but 'tis a wonderful place for events from time to time . Once again there is a whole host of life going on there as well. Having lived in this area for 40 years now I really do feel it is my duty to put ones hand up and say enough is enough. Affordable housing, special housing, retirement homes whatever one will pull out of the bag to achieve a often hungry, greedy need never ceases to amaze and sadden me. Please listen . There is no such thing and never has been affordable housing, special housing sounds like it is for 'special needs' however this is NOT what it proposes and retirement homes - possibly needed - however Waterfall Park is definitely not the place for elderly to live. Do we need to spell out how much sun gets into there ? especially in Winter.*

# Waterfall Park - Special Housing Area Feedback

Created Wednesday, July 13, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/c0813be7bc884daecf7cfac333>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Lucy*

Last Name:

*Symonds*

Address:

[REDACTED]

My thoughts on the proposed special housing area are:

*Dear councillors,*

*I am writing to formally oppose the proposed Waterfall Park special housing area development you are once again considering.*

*This proposed development is inconsistent with the QLDC's lead policy on Special housing Areas. Intensive housing in an area which is partly located in the rural general zone would set a dangerous precedent for other developments in the area and the future of a unique and wonderful environment enjoyed by so many.*

*To date the Council has done a fantastic job ensuring the Arrowtown region is safeguarded from inappropriate development and they should be commended for listening to property owners and other key stakeholders.*

*There are plenty of sites in the wider Wakatipu region which would be suitable for Special Housing Areas , and I would encourage the Council to reaffirm this to those proposing these types of developments.*

*The Arrowtown /Lake Hayes area is a unique part of New Zealand and our council must continue to fight to preserve it for future generations.*

*Kind Regards*

*Lucy Symonds*

[REDACTED]

# Waterfall Park - Special Housing Area Feedback

Created Thursday, July 14, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/5b5c9555e67ab88254768456>

## Page 1

I am giving feedback as:

*An individual*

First Name:

*Jillian*

Last Name:

*Beadle*

Address:

My thoughts on the proposed special housing area are:

*15th July 2016*

*Jill Beadle*

*Queenstown*

*Your Worship the Mayor, Councillors and Planners*

*With this submission, I wish to register my opposition to Mr Meehan's third application for an SHA at Ayrburn Farm - now being promoted as 'Waterfall Park'.*

*Clearly Mr Meehan, is attempting to join Waterfall Park's special zoning onto Ayrburn farm, which as you know, is zoned rural general.*

*The following are just a few reasons why this proposed development should never be allowed to proceed.*

*It is well known that Lake Hayes is struggling. There is not enough flow to flush the lake. We have heard that Lake Hayes Estate (which gets its water from the north end of Lake Hayes), is going to get its water from another source. Great! That might be relief enough to solve the lakes problem - but if Mr Meehan's subdivision were to proceed, we would be back to square one.*

*Mill Creek (which feeds Lake Hayes) has a delicate ecological environment and is home to spawning trout and a variety of native birds. The stormwater run off, along with the usual pollution that finds its way into our waterways when surrounded by urban areas, could spell the end of Mill Creek and its wildlife.*

*On the eastern side of Mill Creek, there is a perfectly good flood plain. Mr Meehan wants to put houses on this flood plain. To mitigate against the flood danger to these properties, Mr Meehan would like to cut down all the trees and dig out the creek to create a man made canal. This is nothing short of vandalism.*

*The profit of one, (Mr Meehan) would be at the expense of Lake Hayes, the animal life which live in and around it, Queenstown residents and almost every tourist that visits the Wakatipu area to admire and photograph one of New Zealand's most celebrated lakes.*

*I applaud the QLDC staff, councilors and advisors for their efforts to date in protecting the Wakatipu district's environment, conservation values and acclaimed beauty, via the district plan. Mr Meehan's plans are counter to the core value of the district plan. He is clearly using a 'loophole' in a temporary law, which would allow him to skirt around this established, fair and acceptable process. If he were allowed to proceed, it would make a mockery of the district plan and all who have contributed to it over the years.*

*I do not believe that 'Waterfall Park' would ever be affordable -*

*Like his last two proposals, it is nowhere near an existing urban area, therefore infrastructure costs would be high.*

*The cost of the land in this area is extremely high.*

*The cost of trying to mitigate against flooding and storm water pollution would be very high, thus making the section price available only to the wealthy.*

*Because of the areas isolation, the extra cost of travel would fall heavily on families, in fact, they would probably need an extra car, which would only further congest our rural roads and add to the adverse effect on immediate neighbours to the proposed access.*

*I believe this subdivision would most likely be promoted as an extension of Millbrook, where house and land packages sell regularly for over \$2,000,000*

*Recently I was standing on the Coronet Peak car park looking down at the lovely view. What struck me was that the only two remaining rural valleys in the Wakatipu Basin are Malaghans Road and Speargrass Flat Road. They are beautiful and the local population and tourists have enjoyed driving along these roads for years. If they are ever allowed to be developed, they will be gone for ever.*

*Mr Meehan's SHA proposal for so called 'Waterfall Park' falls short of most of the SHA guide lines. One wonders if he is using the SHA as a Trojan Horse to try to get an exclusive subdivision through without following normal procedures. If he gets approval for this, it means that the whole Speargrass Valley is up for grabs!*

*He has been rejected twice before by the council for two other very similar SHA proposals in the same location and has failed in his judicial review.*

*Judge Gendal's decision said 'the SHA legislation was not intended to provide a blank canvas for unsuitable development'.*

*Mr Meehan has shown that he will not take 'no' for an answer. We would respectfully suggest that the council seeks legal advice to serve notice on Mr Meehan, not allowing him to attempt any more applications to develop Ayrburn Farm, whether it be under the guise of the SHA or attempting to change the district plan zoning in this location. We believe this is called 'Estoppel'.*

*Yours sincerely*

*Jill Beadle*

# Waterfall Park - Special Housing Area Feedback

Created Monday, July 18, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/17986b8202c410b1ed9cc277>

## Page 1

I am giving feedback as:

*An organisation*

Name of Organisation:

*Elders' Council*

- Please also include my name as part of this feedback.

First Name:

*Betty*

Last Name:

*Gray*

Address:

*Arthurs Point, Queenstown*

My thoughts on the proposed special housing area are:

*The Elders Council supports the Waterfall Park SHS provided that the developers embrace the concept of Queenstown as an Age Friendly city. To achieve this the following criteria would need to be implemented:*

*1 A proportion of the houses need to be one or two bedrooms, single storey dwellings - units/town houses.*

*These would be appropriate for the elderly as well as for younger residents without children.*

*Such dwellings would also release the larger homes of the elderly for families.*

*Also this kind of development provides an option for the elderly who so do not wish to enter an age apartheid retirement village.*

*It would contribute to the "social cohesion" and avoid social isolation of future residents in Waterfall Park SHS by catering for all ages.*

*2 The planning for the immediate environment needs to consider the following to ensure an age friendly environment:*

*Footpaths need to be wide, smooth and on both sides of the road to accommodate mobility scooters, wheelchairs, and walking frames as well as prams, pushchairs and pedestrians.*

*A high standard of street lighting for safety and security.*

*Public transport systems supported by covered bus stops with seating.*

*Seating in parks and reserves.*

# Waterfall Park - Special Housing Area Feedback

Created Tuesday, July 19, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/28cfa880c378682991e6f1098>

## Page 1

I am giving feedback as:

*An individual*

First Name:

*Graham*

Last Name:

*Robinson*

Address:

*Queenstown*

My thoughts on the proposed special housing area are:

*That there is no compelling reason to have this EOI considered for a SHA given the number of SHAs approved to date and the residential lot supply available or about to be available in the Queenstown area.*

*The location of the proposal is not appropriate given the Rural zoning (excluding the RC conditions for residential dwellings in Waterfall Park which are an anomaly, so as not to call them a mistake in hindsight) and the surrounding land use in the adjacent Speargrass Flat/Lake Hayes valley.*

*The proposal would place unnecessary loading on an inadequately sized wastewater system downstream, which may result in overflows to land and water if timely upgrading is not carried out.*

*The flood mitigation measures may cause flooding of some of the lower lying lots adjacent to Mill Creek if the stormwater reticulation is not designed correctly.*

*The landscape protection areas are laudable, but will need careful consideration as to responsibility for maintenance and auditing of such.*

*The Transportation Review totally ignores the probability of a sizable increase in traffic volumes on Speargrass Flat Rd as the preferred route from the subdivision to Queenstown via Gorge Rd given the traffic congestion on SH6. This road is currently well used by cyclists and their safety would possibly be unnecessarily compromised by increased traffic volumes. It would also increase noise levels for existing residents, especially given the recent application of Grade 3 chip which effectively doubled the traffic noise for no discernible safety or economic benefit.*

*Most of the above issues would normally be dealt with during a standard subdivision application review and I consider that this application should be dealt with as such, not as an SHA application.*



# Waterfall Park - Special Housing Area Feedback

Created Wednesday, July 20, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/3b28a9bb186853631784ba2d>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Rachael*

Last Name:

*Symonds*

Address:

*Arrowtown*

My thoughts on the proposed special housing area are:

*Please register my objection to an intensive housing project at Waterfall Park. The location of this housing development is contrary to the rural zone and would be out of keeping with the surrounding area. It's construction would damage the landscape and severely impact on the water quality in Lake Hayes. There are other intensive residential zones, such as Lake Hayes Estate that have remained contained and not required zoning change to rural zones that we all enjoy. I have visited Arrowtown for over 50 years and have seen the immense changes that have taken place in this time. The council is to be commended for keeping the Wakitipu Basin as beautiful and clean as it is now in spite of repeated pressure. Please say no to the Waterfall Park housing project.*

# Waterfall Park - Special Housing Area Feedback

Created Thursday, July 21, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/180a0d4ff45ba6bc241b49125>

## Page 1

I am giving feedback as:

*An individual*

First Name:

*Colin*

Last Name:

*Bellett*

Address:

[REDACTED]

My thoughts on the proposed special housing area are:

*The SHA guidelines recommend that proposed developments be attached to existing urban areas with adequate infrastructure in place. QLDC have often reaffirmed the need to protect against urban sprawl.*

*Developments like Lake Hayes Estate, Shotover Country have been carefully evaluated and are supported by the expanding shopping centres and infrastructure near Frankton. These subdivisions and others in that general area are clearly needed and have been wisely planned. The Waterfall Park proposal is smack inside a rural district and designed to settle a large number of home owners, but effectively linking it to the already stretched, tiny township of Arrowtown.*

*Traffic will surely, quickly become a problem at the junction with Lake Hayes road.*

*Although assurances have been given it will be a massive undertaking to protect the large part of this development, on the flood zone, from being very badly effected by periodic flooding.*

*Pollution of the only stream feeding Lake Hayes is of major concern to the health of the Lake, fish spawning, duck breeding etc.*

*The proposal clearly does not meet many of the SHA Guidelines and like the previous two flawed attempts to develop the largest usable part of this area, must also be rejected.*

# Waterfall Park - Special Housing Area Feedback

Created Thursday, July 21, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/b707769b376923903001ec42>

## Page 1

I am giving feedback as:

*An individual*

First Name:

*Wendy*

Last Name:

*Clarke*

Address:

*Queenstown*

My thoughts on the proposed special housing area are:

*Ayrburn/ Waterfall Park SHA*

*We as immediate neighbours object to the proposed application for the following reasons: ( some of these are repeats of the past two submissions and remain relevant)*

*This is the 3rd attempt by the Meehan's to get a fast tracked inappropriate subdivision under the guise of a Special Housing Area. The first two were correctly rejected by the council and in one case by Justice Gendell in a judicial review. We congratulate the council on the stand they have taken in recognising the first two applications did not fit the SHA criteria. This new application is no different. Just more pretty pictures of idyllic lifestyles that somehow we are encouraged to believe are going to be affordable, when we all know it will be a 'Millbrook' like subdivision bought by wealthy absentee owners. The application talks about 'high quality comprehensively designed houses' which does not sound affordable, but it is stated that it is anticipated that houses will be 'well below the median house price'. We are well aware that this was said about the applicant's Bridesdale SHA development where land and house packages were to be \$450,000 but ended up being over \$740,000 Any affordable houses anticipated will ( if ever built) be established on the dark damp slopes of Waterfall Park.*

*First we had an intensive subdivision, (Ayrburn Farm SHA) then we had a Retirement Village ( Ayrburn Retirement Village SHA that was going to be far better than the intensive subdivision and now we have subdivision latching onto the Waterfall Park ( Waterfall Park SHA) zone to justify yet another reincarnation of the same rejected idea. I repeat many of the same submissions made to the first two applications as to why council should also reject the Waterfall Park Application.*

*• The land is zoned partly Rural General. It is not appropriate for development of this density. Using the Waterfall Park Zone tied to Rural General Ayrburn land as a way to somehow justify greenfield development on Rural General land is dubious.*

*• The proposal is a cynical way of getting a subdivision through a process avoiding the more rigorous RMA process.*

*• The proposal still does not met the lead policy requirement of a Special Housing Area of being adjacent to an existing urban area. To consider that Millbrook or the Waterfall Park zone is an adjacent urban environment is ludicrous. Justice Gendell stated in his Judicial Review ruling:*

*[48] In any event, on this argument, the QLDC's April Policy, its "Lead Policy" noted at para [27] above, is clear that the location criterion relates to "existing urban areas and services". It is not directed at areas that are zoned for some future urban development but contain no present urban features (such as the Waterfall Park Special Zone) or to those areas that contain little urban development*

situated near the proposed SHA's site (Millbrook). In its assessment of the location criterion for the Ayrburn proposal, QLDC correctly recorded that:

*The land is zoned Rural General, and is bounded to the north by Millbrook Resort, the undeveloped Waterfall Park Zone, and rural residential zoning to the south along Speargrass Flat Road.*

- *The SHA legislation was not intended for this type of development. We doubt any meaningful affordable houses will ever materialise especially not in Waterfall Park. The fact that the allowed development in this zone has never occurred is that most of it is inappropriate for housing. Once again we submit that it will be a smaller version of Millbrook for wealthy second home owners. The developer is not doing this development for some benevolent purpose. In the application it is stated in para 31 that the proposal:*

*Serves an important strategic role in-filling a gap in a string of residential and urban development located between Arrowtown and Queenstown.*

*What does this mean? That carte blanche development of this rural land is somehow strategic?*

*Once again Justice Gendall is relevant when he states:*

*[56] Secondly, although the purpose of HASHAA is to enhance housing affordability by increasing land supply, the Act simply does not roll out a blank canvas for development. Despite the general thrust of submissions advanced before me on behalf of Ayrburn, the HASHAA does not set up a regime in which every area of land that meets the listed criteria (i.e. infrastructure availability and evidence of demand) must be declared an SHA.*

*Councils CEO Mike Theelen's comments in the ODT 16 July 2016 are also relevant when he stated :*

*It is not simply about where do we stick more houses- 'Pushing people into houses where there are no jobs for them or where the cost of living becomes unaffordable isn't an answer.*

- *The proposal is contrary to the District Plan objectives policies and rules for Rural General zoned land (RG). No subdivision of this scale on Rural General land would be granted under normal circumstances, without going through the RMA process. It makes a nonsense of past rulings, the time spent advocating for landscape protection and the acceptance by successive councils to carefully assess development in the RG zones. It also makes a nonsense of the RMA process and all of those people who have had to go through that process to get development rights on RG land. Clearly commissioners hearing Proposed District Plan submissions relating to Rural land have concerns, releasing a memo on July 1 2016, part of which states:*

*The Hearing Panel has reached the preliminary view that what is required is a detailed study of the Wakatipu Basin floor so as to:*

- a) Identify the environmental characteristics and amenity values of the area that should be maintained and enhanced, noting that these will vary across the Wakatipu Basin floor;*
- b) Identify those areas able to absorb development without adversely affecting the values derived in (a) and without adversely affecting the values associated with the surrounding Outstanding Natural Landscapes and Outstanding Natural Features;*
- c) Identify those areas that are unable to absorb such development;*
- d) Determine whether, given the residual development already consented, there is any capacity for further development in the Wakatipu Basin floor and, if there is, where it should be located and what form it should take.*

- *I support this process as opposed to ad hoc development as proposed by this application.*

- *The RG rules seek to retain RG land from inappropriate sub division that has effects that are more than minor. The proposal has effects that are certainly more than minor.*

- *The District Plan is under review. The owners of Ayrburn farm already have submissions to get this land rezoned. They are using a shot gun approach, throwing everything at Council to try and get the land zoned something other than RG. The District Plan process and the submissions made in relation to the owners proposals should go through the District Plan process where evidence will be heard by commissioners.*

- *The subdivision will be highly visible from the public walking trail which is part of the national Te Araroa trail and also highly visible from a number of neighbours and from some public roads (when trees are bare) Once again the application gives a minimal gloss over of views from the walking track and neighbours, stating there will be a high level of screening from trees (deciduous? Evergreen? What varieties?) but concedes that the track will allow views over the trees into the development. What it should say is the development will be highly visible from the public walking track and this is an adverse effect that cannot be mitigated. (because you are elevated above the development as you walk from Millbrook to Speargrass Flat Road)*

• The proposed development, like the first two, will still have the issues of density, visibility, servicing and the potential threat to Mill Creek from pollution. Storm water discharge of this magnitude to Mill Creek, even via settling ponds, is not acceptable nor is a waste water line proposed to be established beside the creek. This is the spawning creek for Lake Hayes fish. Lake Hayes is already subject to eutrophication. Urban development in and around this important waterway should be discouraged.

• Water shortages are already an issue in summer and the local residents already get letters from QLDC to conserve water. The application relies on bores being established at Lake Hayes Estate to reduce demand on the Lake Hayes scheme and thus satisfy their requirements. This may or may not happen. We are told an additional pump station is required for sewage and that the applicant will pay his share. How can the costs of upgraded water supplies and upgraded sewage systems servicing premium rural land equate to 'affordable development'?

• This part of the valley is on a migratory path for many birds including plovers, native falcon, stilts, all types of ducks and the occasional herons. Intensive development will impact on this ecosystem.

• Some proposed housing is on a flood plain. Altering the natural river course and undertaking extensive earthworks to try and combat this is not an acceptable solution. It will potentially change the stream and Lake Hayes ecology for the financial gain of the developer. Some of this land may also be susceptible to liquefaction. It is not therefore appropriate to develop this land.

• The application states the development will be screened by planting. What sort of planting? Is it deciduous? What happens in winter? Is it native? Very few natives survive in this part of Speargrass Flat due to extreme cold and would take years to provide any meaningful screening even if they did survive.

• Existing semi mature avenue trees running through the land to the west will have to be removed.

• The development will contribute significantly to the traffic network because it is an isolated development. All residents will have to drive. There could be another 2-300 cars using the network and while traffic engineers will say the immediate network can cope ( ie: access onto the Arrowtown Lake Hayes Road, it is the downstream effects on the Frankton Road area that we are all very familiar with.

• Once again the council is to be congratulated for the SHA zones it has created so far after careful analysis and the rezoning of the Gorge Road area in Queenstown. You should not be pressured to grant applications that do not fit the SHA criteria, your own lead policies relating to SHA's or District Plans provisions. You must also continue to investigate how to unlock the already consented zoned land containing 1000's of sections, before you create more.

In their letter attached to the application the Meehan's state they live near Waterfall Park and understand the local community. Neither of these statements are accurate. The local community have had to endure months of apprehension and stress, they have also endured the financial costs of presenting endless submissions. At no time have the applicants or the actual owners of the land had the courtesy of ever talking to the neighbours about any of their proposals To them we are NIMBY's. While we accept we live and have enjoyed the benefits of our Rural Residential zone, that zoning was formally constituted many years ago via the District Plan and Environment Court process. All we ask is that similar processes be applied for this level of development on Rural General land and that landscape protection of Rural General land remains paramount. We respectfully ask that Council finds that this application has no more merits than the last two applications and combined with Justice Gendell's findings, must be declined. I urge that Council turn this SHA application down.

Wendy Clarke

20/7/16

# Waterfall Park - Special Housing Area Feedback

Created Sunday, July 24, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/a37997970178cddc5a6bc356>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Clare*

Last Name:

*Tomkins*

Address:

*Arrowtown*

My thoughts on the proposed special housing area are:

*I would not like to see this go ahead, the impact on the environment and Mill Creek would be to great, Mill Creek is already compromised as is Lake Hayes with run off, the Stormwater issues associated with such a development would have to great an impact on the jewel of Lake Hayes.*

*this is urban sprawl that we do not need, in fill what we have, the infrastructure we have now is not coping without adding to it. lets take a breath and catch up and then decide if we need more or less is more , the Golden Goose that is the Wakatipu Basin is already dieing don't kill it.*

# Waterfall Park - Special Housing Area Feedback

Created Sunday, July 24, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/a825b8215e80edf07eda427f8>

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## Page 1

I am giving feedback as:

*An individual*

First Name:

*Paul*

Last Name:

*Rogers*

Address:

*[REDACTED]*

My thoughts on the proposed special housing area are:

*This is the type of development Wakatipu needs great density, great mix and good location allowing residents options for travel to and from work also to activities.*

*Fantastic proposal...*

# Waterfall Park - Special Housing Area Feedback

Created Wednesday, July 27, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/5a9355328147ff73c0b399d1e>

## Page 1

I am giving feedback as:

*An individual*

First Name:

*Glenn*

Last Name:

*Davis*

Address:

My thoughts on the proposed special housing area are:

*The council should decline the Waterfall Park Proposed Special Housing Area based on the following:*

- 1. The proposal is not consistent with Principle 6 of the the councils lead policy. Principle 6 states that priority will be given to establishing Special Housing Areas within existing urban areas, or areas that are anticipated to fall within urban growth boundaries in the District Plan review. Clearly this site does not meet this principle.*
- 2. The proposal has attempted to be consistent with Principle 3 of the councils lead policy by providing a range of housing types to the market at a range of price points. However, the proposal has placed medium density housing within a south facing gully that is very cold, will receive little sun and is not suitable for residential activity. In my view some level of Visitor Accommodation may be appropriate within Waterfall Park (as anticipated by the district plan) but this south facing and very cold location is not suitable for longterm residents.*
- 3. I understand the purpose of the HASHA Act was designed to streamline the consent process to increase housing supply and improve affordability. Unfortunately, the delivery of affordable housing is not this simple and it seems highly unlikely that the Waterfall Park SHA could deliver a housing product that would be considered affordable given the price of property in developments such as the Bridesdale subdivision and Shotover Country.*
- 4. The positive benefits discussed in the application such as the walkway linking Millbrook with Lake Hayes along Mill Creek cannot be achieved through this application alone as council reserve does not fully extend along Mill Creek between Speargrass Flat Road and Lake Hayes.*
- 5. The application suggests the proposal can facilitate the restoration and protection of significant ecological values. Other than some riparian planting adjacent to Mill Creek and management of weeds on the Waterfall Park faces there is no detail in the application that can provide council with confidence that positive ecological benefits can be achieved through this development. Indeed rather than positive ecological benefits the proposed construction and operation of the residential development presents real risks to the Water Quality of the Mill Stream if not properly mitigated.*
- 6. The application states that there will be positive benefits for people living in the vicinity of the site as it will provide the provision of open space and access to new recreation opportunities. People living in the vicinity of the site already have ample access to open spaces. I think it is unlikely that the provision of pocket parks, a picnic area and cafe facilities would be seen as a benefit to existing local residents given the proximity of Lake Hayes, the Queenstown Walking and Cycling Trail and simply the rural nature of the area.*
- 7. As part of the District Plan review process I understand the council has recently agreed to undertake a landscape study to determine the areas of the Wakatipu Basin floor where development could be accommodated. The council should wait until this work is completed before considering further activities on the floor of the Wakatipu Basin. Furthermore, I understand the applicant has lodged*



*submissions with the council regarding a change of landuse zoning for this land. This is the appropriate process for this to be considered rather than through the Housing According and Special Housing Area Act.*

*8. In summary, given the Waterfall Park SHA is highly unlikely to deliver a housing product that is affordable, it is not consistent with the councils lead policy and it is contrary to the direction, objectives and policies of the district plan and proposed district plan I request that the council decline the application and let the proposal be considered through a more controlled and considered process.*

# Waterfall Park - Special Housing Area Feedback

Created Wednesday, July 27, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/3af14a4966a6a52a07acd9a90>

## Page 1

I am giving feedback as:

*An individual*

First Name:

*Christina*

Last Name:

*Shaw*

Address:

*Queenstown*

My thoughts on the proposed special housing area are:

### *Introduction*

*The Waterfall Park Special Housing Area (SHA) proposal seeks to develop land situated between Arrowtown and Lake Hayes as a SHA.*

*The proposal seeks to provide approximately 124 residential lots, as well as rural residential and lifestyle lots and a mixed use area. The indicative scheme plan (page 13 of the Expression of Interest) indicates that the development will provide:*

- 47 medium density lots of 288m<sup>2</sup>*
- 40 lots of between 450-650m<sup>2</sup>*
- 37 lots of 1000m<sup>2</sup>;*
- 13 rural residential lots of 4000-6000m<sup>2</sup>;*
- 3 lifestyle lots of 1-14.9 hectares;*
- A mixed use area; and*
- Balance reserve/landscaping areas.*

*The masterplan provided in the Expression of interest sets out where the different density areas will be located on the site. The affordable lots (288m<sup>2</sup>) are all provided within the area labelled Waterfall Park Medium Density, which is located within the narrow, south facing valley on the site.*

*The remainder of the site, which has a predominantly flat topography, provides for the larger lots, including the area labelled Mill Creek Valley Lots, which provides for an unspecified number of lots ranging in size from 450-1000m<sup>2</sup>. The Western Flats Lots area also provides lots ranging in size from 450-1000m<sup>2</sup>, and the Rural Residential Lots area provides a large number of 4000m<sup>2</sup> lots.*

*In terms of zoning, under the Operative and Proposed District Plans, the site for the SHA is a predominantly zoned Rural aside from the northern extent of the site, which is zoned Resort - Waterfall Park. The site adjoins the Milbrook Resort Zone to the north and Rural Residential Zone (Mill Creek) to the south. To the east and west the site adjoins Rural zoned land.*

*I do not consider that the Waterfall Park site is a suitable location for a SHA primarily based on the location of the site, the affordability of the dwellings that will be developed at the site and the environmental effects of the proposal. I elaborate on these concerns below.*

#### *Location*

*The Council Lead Policy for the SHAs states: The proposed area shall be located within or adjacent to existing urban areas. Areas located in rural areas remote from existing urban areas and services will generally not be viewed favourably.*

*The land in question is predominantly zoned Rural in both the Operative and Proposed District Plans, aside from the narrow valley area of the site which is zoned Resort - Waterfall Park, again in both the Operative and Proposed District Plans.*

*The Expression of Interest states that the site achieves the Council Lead Policy in terms of location as the site is located adjacent to existing urban areas. This is not the case.*

*The expression of interest suggests that the site adjoins Arrowtown because the Waterfall Park site adjoins Milbrook Resort Zone which itself is adjacent to Arrowtown. However, the developable areas of Milbrook do not adjoin Arrowtown. Additionally, Milbrook is not within the Arrowtown Urban Growth Boundary. The Waterfall Park site is therefore separated from Arrowtown by Milbrook Resort Zone, as well as Rural zoned land.*

*Further, Milbrook is not an 'urban area', it is a resort. Milbrook does not offer community amenities of the like to which the SHA area should be located amongst or in very close proximity to, such as shops, schools and community facilities. This is contrary to the locational requirements for SHAs set out in the Council Lead Policy.*

*As noted above, the Waterfall Park site is located outside of the Arrowtown Urban Growth Boundary, and is separated from the urban growth boundary by land zoned Milbrook Resort and Rural. Therefore, the SHA will not be connected to Arrowtown, and if approved, will erode the Arrowtown Urban Growth Boundary. I note that Expressions of Interest for SHAs which were located immediately adjacent to the Arrowtown Urban Growth Boundary were rejected in 2015 as they were outside of the Arrowtown Urban Growth Boundary. I consider that the same principal should apply when considering the Waterfall Park SHA proposal.*

*Finally, the proposal relies to some extent on a historic planning permit issued in 1984 which enabled 100 residential dwellings at Waterfall Park. With respect, this permit pre-dates the Resource Management Act, and the District Scheme under which this permit would have been granted bears no resemblance to the district planning regime that has been in effect in the Queenstown District for the past 30 years. This permit was therefore issued under a very different planning framework to that which currently exists and is woefully out of date.*

#### *Residential Development Quality*

*The affordable lots are contained within the area labelled Waterfall Park Medium Density Lots in the Master Plan (which provides 47 288m<sup>2</sup> lots). This area is situated in the narrow valley where access to sunlight will be minimal, particularly in the winter time. I do not consider that this achieves the Council Lead Policy criteria for Residential Development Quality which refers to the Residential Development Criteria issued by the Council. The Residential Development Criteria seeks that SHAs achieve a level of environmental responsibility through providing buildings that:*

- are healthy and comfortable, where it is easy to keep warmth in and moisture out;*
- achieve site and building aspect to maximise passive solar gain;*
- are built from sustainable building materials; and*
- minimise energy consumption through energy efficient devices, reducing appliance numbers and onsite energy consumption.*

*The affordable lots within the valley will enjoy very limited passive solar gain.*

#### *Affordability*

*The Council Lead Policy for SHAs states: In order to achieve the targets in the Housing Accord to deliver more dwellings at affordable price points, the Council will negotiate housing outcomes for each Special Housing Area on an individual basis.*

*This proposal is a comprehensive residential development masquerading as a SHA. Aside from the small lots proposed in the Waterfall Park Medium Density area, the remaining lots are larger and their affordability is questionable.*

*No indication or guarantees are provided in the Expression of Interest of the pricing of the development and therefore it cannot be determined if the development will in fact provide any affordable housing. Further, there are large number of large lots and rural lifestyle lots which will not provide affordable housing as part of the proposal.*

*I also note that the Expression of Interest states that development of the site under the operative (and proposed) Waterfall Park Zone, which enables residential development in the south facing valley, has not been economically viable to date due to the topography of this area. It is unclear from the Expression of Interest how the development will overcome this hurdle to ensure the smaller lots proposed in this area will be affordable.*

### *Environmental Effects*

*The proposal will result in increased traffic on the Arrowsmith-Lake Hayes Road as residents will need to commute to the townships of Arrowsmith, Queenstown and Frankton for amenities and schooling. For this reason this site is not considered suitable for a SHA, which should be within or immediately adjacent to established urban areas and associated amenities in order to encourage walking or cycling, and less reliance of private vehicles.*

*The majority of development will occur on the Rural Zone, and therefore assessment of the landscape and visual effects of the proposal is important. The proposal, which will result in a comprehensive residential development within Rural zoned land will result in adverse effects on landscape and visual amenity values. No robust analysis of the landscape and visual effects of this proposal is provided, rather the expression of interest relies on the Resort - Waterfall Park zone to justify development of the site. However, the Resort - Waterfall Park zone part of the site comprises a small proportion of the site. The majority of development is zoned Rural, and the visual effects of this proposal will likely be significant in this location.*

*Given the Rural zoning of this site I consider that a comprehensive and robust assessment of all actual and potential environmental effects likely to result from the proposal requires consideration. For that reason, I consider that the SHA process is not appropriate for this proposal. This proposal should be considered via a resource consent process under the relevant District Plan provisions.*

### *Conclusion*

*My principal concern with this SHA proposal is the location of the development which is outside of the Arrowsmith Urban Growth Boundary. This proposal will result in the urbanisation of land that is predominantly zoned Rural and is isolated from the existing township of Arrowsmith and its associated amenities.*

*Further the development comprises a comprehensive residential and rural lifestyle development which appears to be using the SHA process to avoid a robust assessment under the Resource Management Act consenting regime. I do not consider this to be the appropriate use of the SHA process.*

*Finally, there is no guarantee of the affordability of the development and the number of lots that could be provided in this area. This, in my view, is critical information required to determine whether or not the proposal will achieve the requirements for SHAs. I seek that the expression of interest for the Waterfall Park SHA be rejected.*

# Waterfall Park - Special Housing Area Feedback

Created Thursday, July 28, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/94a2d8d356321d6d1dba1ba8>

## Page 1

I am giving feedback as:

*An individual*

First Name:

*Greg*

Last Name:

*Collins*

Address:

[REDACTED]

My thoughts on the proposed special housing area are:

*As nearby residents to the proposed SHA at Waterfall Park we strongly oppose this development and ask that the council reject this application.*

*This is the 3rd time this development has applied for SHA status and wisely the council has rejected the previous 2 attempts. This application though rebranded under a new name remains to be a hideous eyesore on our beautiful landscape. As previously identified, the area in question has many environmental issues and the strain on infrastructure sadly underestimated.*

*We are not against development but it is critical for the future benefit of our area that it is done in a controlled and rigorously scrutinised way. The reason visitors flock to this area is for its natural beauty and tranquility and this must be protected. Thankfully we have a supportive local council which does this.*

*As we said we are not anti-development however it must be done in the most appropriate location. Other areas which are currently seeing development such as Frankton Flats, Hanley Downs and Shotover Country all directly border existing large developments with infrastructure in place and so are logical choices for further development. Shouldn't we utilise these locations to their full potential first before we even consider spoiling a rural area close to an historic village which attracts thousands upon thousands of visitors each year, most whom visit because of its distinct lack of development over the years.*

*The idea that this area would be affordable remains a romantic notion as the cost of providing even adequate infrastructure would undoubtedly be passed on to the end user at the end of the day and push prices beyond the reach of the person that most needs it leaving the project affordable only to those in a high income bracket further fuelling the unaffordability.*

*Do we even need any more new development on such a scale as proposed in this submission? The Wakatipu Basin is already now experiencing growing pains which is obvious to see when trying to navigate the roading with this influx of new arrivals. I believe at this time we need to take a step back and observe where our problems lie as current developments come to fruition. Why are we in such a rush to grow up?*

*Therefore again we say we do not support this application and ask that you once again reject this proposal.*

*Thankyou for the opportunity to express our views.*

*Greg and Lianne Collins.*

# Waterfall Park - Special Housing Area Feedback

Created Thursday, July 28, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/88dc9db3bf205ef5b2229c401>

## Page 1

I am giving feedback as:

*An individual*

First Name:

*Shona*

Last Name:

*Kavanagh*

Address:

My thoughts on the proposed special housing area are:

*Dear Mayor, Councillors and officers,*

*I wish to record my strong opposition to the proposed SHA at Waterfall Park.*

*This appears to be a particularly cynical attempt to capitalise on the fast-track provisions in the Housing Accords and Special Housing Areas Act 2013, before they expire. The sustainable development of the Wakatipu Basin in a way that balances social, economic and environmental well-being (including addressing the issue of housing affordability) would be much more appropriately achieved through the current district plan review.*

*The Council's Lead Policy on the HASHAA sensibly contains the principle that priority will be given to SHAs in established urban areas or areas that are anticipated to fall within the urban growth boundaries in the District Plan review. This is supported by a location criterion in 5.2.1 that a proposed SHA shall be located within or adjacent to existing urban areas: proposals remote from existing urban areas and services will generally not be viewed favourably. The Waterfall Park proposal is remote from existing urban areas and services. It is several kilometres distant from Arrowtown. It presents as an intense village in a predominantly rural landscape. Millbrook golf resort to the North and the rural residential properties to the South hardly represent "a string of residential development", with this "filling the gap".*

*The proposal substantially underestimates the effect of the escarpment which separates Speargrass Flat from the higher ground to the North. This escarpment (which takes some serious grunt to cycle or walk up, whether on the trail or road) is a major barrier to connectivity to Arrowtown and has a massive shading effect in winter. Many of the proposed residential sites, especially in the proposed Waterfall Park Medium Density area will be extremely inhospitable and could not meet the Council's definition of "High Quality Residential Development".*

*Because of the physical isolation from Arrowtown (and obviously Frankton and Queenstown), all residents in the proposed area would be highly dependent on cars. It could be expected that all households would have at least 2 vehicles. This will give rise to significant congestion and traffic hazards at the single entry point onto the Lake Hayes- Queenstown road at a relatively awkward location near the bottom of the hill. It will also have a material effect of significantly increasing traffic flows on the adjoining Hogans Gully and Speargrass Flat roads which have shown dramatic increases in recent years.*

*The Mill Creek is a much valued amenity, and important to the water quality of Lake Hayes. It is inconceivable that medium density housing could be permitted so close to it.*

*As a ratepayer, I also strongly object to a proposal which has the potential to shift costs of providing and maintaining water, wastewater and roading infrastructure onto ratepayers for a development which might provide some "affordable" housing, but is clearly intended to provide much more high value housing at a significant margin to the developer.*

*I urge the Council to maintain its sensible approach to this type of SHA proposal as was endorsed by the High Court in the recent Ayrburn Farm decision.*

*Yours faithfully,  
Shona Kavanagh*

[REDACTED]



# Waterfall Park - Special Housing Area Feedback

Created Friday, July 29, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/1f39a540ff4428889525d5f0d>

## Page 1

I am giving feedback as:

*An individual*

First Name:

*ROBERT*

Last Name:

*DUMARCHAND*

Address:

*LAKE HAYES VIA QUEENSTOWN QUEENSTOWN RD1*

My thoughts on the proposed special housing area are:

*I object to the proposed very large development as detailed in Winton Partners Ltd Expression of Interest dated 16th June 2016 for the following reasons:-*

- 1. I have sought Senior Legal Counsel's opinion which clearly negates what is Winton's obvious intended method of transferring the current Waterfall Park Resort Zoning to the adjoining property known as Ayrburn Farm, which is zoned Rural General.*
- 2. Waterfall Park Resort Zoning was never intended to spillover into the adjacent Rural area of the valley. The Resort Zone - Rules clearly state under;*
  - ii Residential Units:*
    - (a) In Waterfall Park Zone all residential activities, provided that the maximum number of residential units within the zone shall not exceed 100. THIS DOES NOT MEANS RESIDENTIAL LOTS.**"WITHIN THE ZONE" does not include encroachment onto Ayrburn Farm, which is what is now proposed.*
- 3. The greater portion of Winton's proposed residential lots would be on Ayrburn Farm. This is not stated in any part of the EOI, nor mentioned in any of the recent articles published in the Fairfax Papers - Mirror and Southland. Why the stratagem of subterfuge? one can only assume for deception.*
- 4. Meehan's third attempt to circumvent the RESOURCE MANAGEMENT CONSENT PROCESS by using the guise of the existing Waterfall Park Resort Zone to gain consideration and endorsement by Council as a Special Housing Area should be held in the contempt that it justly deserves.*

*Madam Mayor and Councillors, please consider the future of what is left of the Wakatipu Basin for the future generations to come.*

*Yours sincerely  
Rob Dumarchand*

# Waterfall Park - Special Housing Area Feedback

Created Friday, July 29, 2016

<https://fluidsurveys.com/account/surveys/1063827/responses/export//surveys/qldc/waterfall-park-sha/5ef32e1d159c7fd5791f50fa6>

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## Page 1

I am giving feedback as:

*An organisation*

Name of Organisation:

*Millbrook Country Club Limited*

*(No response)*

Address:

*[Redacted]*

My thoughts on the proposed special housing area are:

*As an immediately adjoining owner MCCL has a direct interest in the SHA proposal. In particular MCCL is interested in the maintenance and enhancement of amenity values. MCCL is aware of suggested design control and connectivity. From the level of detail available MCCL is unable to satisfy itself as to potential impacts on Millbrook Resort Zone amenity values and the extent, if any, these may be jeopardised. MCCL wishes to be heard in support of this submission.*

25 July 2016

Our Ref: SHA's

Queenstown Lakes District Council

Private Bag 50072

**Queenstown**

**WITHOUT PREJUDICE**

**Attn:** Mayor Vanessa van Uden, Councillor Calum Macleod, Councillor Ella Lawton, Councillor Lyal Cocks, Councillor Simon Stammers-Smith, Councillor Cath Gilmour, Councillor Mel Gazzard, Councillor Alexa Forbes, Councillor Craig Ferguson, Councillor Merv Aoake and Councillor Scott Stevens

Dear Mayor and Councillors,

## **AYRBURN FARM – PROPOSED WATERFALL PARK SHA**

1. You have recently received a third SHA proposal from the same commercial developers to intensify land development and building density on Ayrburn Farm (described herein as SHA3).
2. I have previously submitted to you on two earlier SHA applications on the same site which you declined. This time the SHA development proposal is rebranded "Waterfall Park", along with an attempt at a personalised sales pitch from the commercial developers, who have previously seen fit to challenge your decision making authority in the High Court and also accuse you of negligence. Your judgement and actions in assessing the previous two applications are commended. This is born out in that both legal claims by the developer failed abysmally along with a significant costs award in favour of the Council – notwithstanding that the cost award does not cover the actual cost to Council and the Community.
3. At first blush the Expression of Interest documents paint the picture that there have been some amendments and efforts at improvement made over and above the earlier SHA1 and SHA2 attempts which you did not approve. Amongst many claims it is implied that;

- there is less overall impact,

- that there is more consideration of screening to other properties,
  - that there is less visual impact, and
  - that there is better separation from existing properties.
4. However, when the documents are closely examined it is found that none of this is true. I refer you to the attached graphics which very simply overlay SHA3 on top of first, SHA1 and then, SHA2. These simple graphics clearly illustrate that in comparison to SHA1 and SHA2 which you did not approve, this current SHA3 is;
- Significantly larger and has a greater area of disturbance,
  - Despite claims to the contrary, proposed dwellings are located closer to existing rural residential dwellings than before,
  - Lots are located at higher elevation on the slope towards Millbrook and will be even more visible than previous proposals,
  - Proposed staged screen planting involving establishing new deciduous trees and then removing existing screening is shown to be fanciful and infeasible because the proposed plantings are located directly on top of the existing plantings.
5. Sadly, the inaccuracies and misinformation are not surprising. You will recall the number of errors and level of misinformation contained in the previous proposals from the same consortium. I cite the fact that in SHA1 the buildings proposed did not fit on the lots and in SHA2 the Planner and Landscape Architect in their respective assessments did not seem able to agree on the number of lots being proposed. History shows that now across all of SHA1, SHA2 and SHA3 – **the words don't align with the pictures. One could conclude that either the pictures are cartoons or the words are lies.** Perhaps both. Given the track record of inaccuracy of this consortium, combined with what I have just illustrated in the attached graphics, this proposal cannot be relied upon and should not be considered credible. Indeed, it is getting to the point that any representation from this group must be treated with suspicion. It is disgraceful that such inaccurate and misleading material has been lodged with QLDC requiring the Community and the Council to identify the errors. In this regard civil action is pending against the professional parties involved in these misrepresentations to hold them to account, whereby they should be notifying their insurers.
6. The amendments in SHA3 in essence only comprise a rebranding combined with literally some playing at the edges. What the graphics show is that QLDC are being played in a strategic approach to the SHA applications made on this land to incrementally expand development proposals with each application. It is a thin end of the wedge approach and I leave you to ponder what you would ultimately get if you entered into an agreement with this group. So the net effects of the SHA3 development proposal are not only materially unchanged from SHA1 and SHA2 - in fact, they are significantly greater as the graphics illustrate. Further, the lot yield is grossly understated when the zoning and site coverage provisions put forward are explored (the thin end of the wedge - actual potential 295 lots vs the 140 lots indicated), the proposal is not adjacent existing urban development, the proposal remains an inappropriate '**urban island**' creating an incongruous dense population node for the District and

does not provide any effective progress towards affordable housing. Additionally, this current application (SHA3) is poorly timed in light of the work afoot under the Proposed District Plan (PDP), lacks proper consideration of the development issues in a District wide, or even a Wakatipu Basin wide context, and again infrastructural issues remain unresolved and speculative.

7. **I don't** wish to repeat all of my previous submissions on SHA1 and SHA2 here as that should not be necessary, but ask that they be read in conjunction with this correspondence. I briefly highlight some additional matters for you as follows;

- The developers now rely on leveraging off the Waterfall Park Zone as a justification for **"release" of more developable land. This is the very argument they put forward in the High Court and which failed as per paragraph 76 of Justice Gendall's Decision.** In addition to this binding legal Decision, there is a common sense element which Councillors should reflect on. The fact that the Waterfall Park Zone has not been developed for 30 years tells you something. It is a clear case of a previous poor decision resulting in inappropriate zoning. Why use one error to justify another? Why repeat mistakes?
- A gradation of zoning has been introduced as something which I think the developers believe will be seen as meritorious by others and a sign of contrition. Unfortunately, that is as far as the intelligent thought goes – indeed as we have seen with this **consortium, they focus on the "sell", but don't seem capable of extending their thinking to the "do". There has been no rigorous examination or justification of the** appropriateness of introducing a dense node of population in this location in the District and Wakatipu Basin – or indeed adjacent to a sensitive waterway. One of the reasons you are not seeing any strong justification in an urban planning sense is that there are in fact no good reasons as has been shown by previous submissions, reports and now, High Court Decisions. So really, what is different in SHA3? – not much. The far better process to confer any development right on this land is the more considered PDP process which is well advanced. My previous submissions that the PDP process must be used for this land stands. To do other than this and risk usurping the work of truly independent experts by advancing an SHA, would in my view be highly irresponsible decision making, particularly in the face of existing High Court judgements, all of which would guarantee yet further legal action.
- Infrastructure reports remain inaccurate and misleading. Some of the engineering reports submitted have now sadly degenerated into advocacy where interpretations on capacity are unnecessarily overstated and speculation is used in an attempt to give comfort to QLDC. References to **"conservative" work by Council's own** modellers and **"significant" differences in flow (when there are not)** combined with needless and totally unfounded statements about miraculous improvements in water quality all greatly stretch credibility. It is as if some of the engineering reports have been edited

and manipulated for the appropriate spin – and it shows. There remain significant inconsistencies between reports, particularly with regard to stormwater run off and flood hazard, where we are directly affected as the immediate downstream neighbour. This is of serious concern when the existing Mill Creek overland flow paths upstream of our property are to be lost, severely constraining and focussing flood flows downstream at our boundary – all without definition, consideration and integration of development stormwater runoff.

- Attempts at addressing boundary effects on neighbouring rural residential properties again deceives. The development is in fact located closer than previous proposals and there are no meaningful controls on landscape mitigation as it is all left to individual lot owners to deliver rather than be a cost to the developer with an associated certainty of implementation. Further, the landscape mitigation relies on removal of existing evergreen species and replacement with slow growing deciduous species which are difficult to grow in this severe winter environment. Between the growing environment, the infeasible nature of the planting as already noted (planting on top of existing), the sensitivity of neighbours and individual lot owner implementation - the proposed mitigation works are doomed to fail and will become a nightmare for QLDC to manage as ratepayers spat with each other over implementation and enforcement.
- Again this development will do nothing to achieve affordability and there is no reason to justify land consumption like this when QLDC are already achieving and exceeding their published targets for lot creation across the District. The affordability component of this proposal is farcical in the context of the profit opportunities it will afford to the developer. Depending on interpretation, the 5% component could translate to as little as 2 affordable homes or a maximum of 7 (still a very small number in the context of the margin made on the balance lot yield – whether that be 140 or more likely closer to 300). Almost certainly these dwellings will be in the least desirable Waterfall Park canyon on lots 4 – 10. In Auckland, **SHA's are required to provide 20% of the development in the affordable range.** Even at this 20% level the SHA process has had no effect on improving affordability, so to claim that a 5% component for this SHA3 will miraculously address and aid affordability in Queenstown is errant nonsense. Further, to then use the 5% component to justify an SHA approval on this land from a political or development standpoint is disingenuous in the extreme, and I am confident the Community would see through any such justification should it be advanced.
- There is no benefit to the wider Community associated with SHA3. It is not going to be sold as an affordable development. The Auckland and overseas market will see it as a lower cost alternative to Millbrook, but hardly in the affordable spectrum. There will no doubt be an appeal to Auckland and overseas owners and property investors, but it will do nothing for those who are actually being used at this time by developers and politicians to justify creating an isolated dense population node at this site and loss of rural character all of which will have long term effects on this Community and

the desirability of Queenstown as a destination. The service industry staff who seek affordable, well located accommodation close to their place of work will remain untended - meanwhile the one time, opportunistic and largely anonymous and non-resident property speculators will **stand on these peoples' shoulders and laugh all the way to the bank.**

8. As stated in earlier submissions, it is very difficult to see how this current Ayrburn SHA3 proposal addresses and benefits any of the priority issues facing our Community at present. Quite the opposite in fact – it exacerbates many of the issues.
9. Right now the Community is grappling with significant tourist and population growth. This is presenting itself through traffic congestion and accommodation shortages for service and support staff. This SHA3 proposal does nothing to materially improve any of those matters.
10. In terms of benefits, I see that the predominant benefits are all commercially orientated – in the short term only. The primary beneficiaries include the commercial developer and his investors of unknown origin, nationality and domicile, the consultant industry (they must have done well already with 3 regurgitated applications), the contracting industry and a small select group of real estate agents. Secondary beneficiaries may or may not be residents with value uplift.
11. **I simply don't support what is proposed because** the consortium promoting it have been shown to be unreliable and inaccurate, it is not the correct process for a sensitive piece of land and I **don't** believe that creating an isolated node of high population density in this location is the right thing for our Community at this time. It will become an anomaly – just like the Waterfall Park Zone on which this current proposal now relies.
12. I found the attempt at a personalised statement in the SHA3 application entertaining, but equally disingenuous. It also lacked originality. The graphics attached also now show it to be yet another half-truth. I am sure you can also see the hypocrisy whereby someone who has been party to no less than 9 different development iterations on the same land, and who sees fit to litigate against his Council, and fail – abysmally, would then claim an understanding of the Community. A schizophrenic approach indeed. I guess it defines what people are prepared to say to secure an investment return for their funders and underwriters.
13. I have lived in the Wakatipu Basin for nearly half my life and have contributed to, and indeed served, the Community during that period. In that regard I do feel qualified to say that in part at least, I do have an understanding of the Community needs. As some of you will know I do have an appreciation of the issues being faced by Queenstown and think about them often in the course of my professional activities. As such, in this instance I feel it is necessary to comment on and oppose what is a misleading and clearly self-serving development proposal. It remains the wrong proposal using the wrong process.

14. So, despite what Ministers of the Crown might choose to say in sound bites about the good people of Arrowtown and the Wakatipu Basin, my continued opposition to the three SHA proposals on this site is not born from self-interest or entertainment, it is genuinely based around concern for the Community about the appropriate management of, and provision for, growth.

15. I would be happy to discuss any of the matters I have raised should you wish to contact me.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'James Hadley', with a stylized, cursive script.

James Hadley

Attach:

Attachment 1 – SHA3 overlaid on SHA1

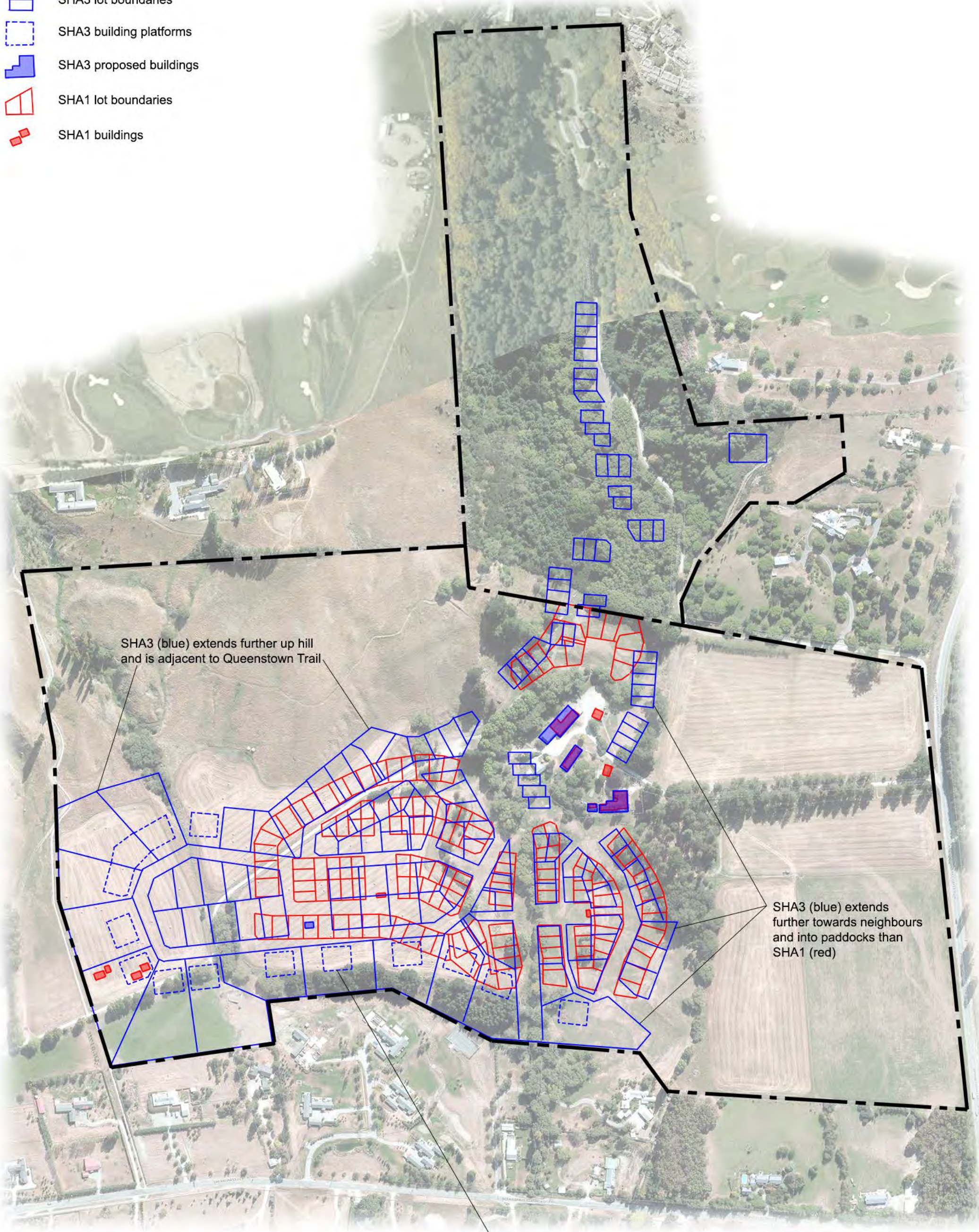
Attachment 2 – SHA3 overlaid on SHA2



WATERFALL PARK - INCREMENTAL SPREAD  
Special Housing Area 3 (blue) compared to Special Housing Area 1 (red)

LEGEND

- SHA3 lot boundaries
- SHA3 building platforms
- SHA3 proposed buildings
- SHA1 lot boundaries
- SHA1 buildings



SHA3 (blue) extends further up hill  
and is adjacent to Queenstown Trail

SHA3 (blue) extends  
further towards neighbours  
and into paddocks than  
SHA1 (red)

SHA3 (blue) building platforms and lot boundaries are much  
closer to existing neighbours' houses than SHA1 (red)



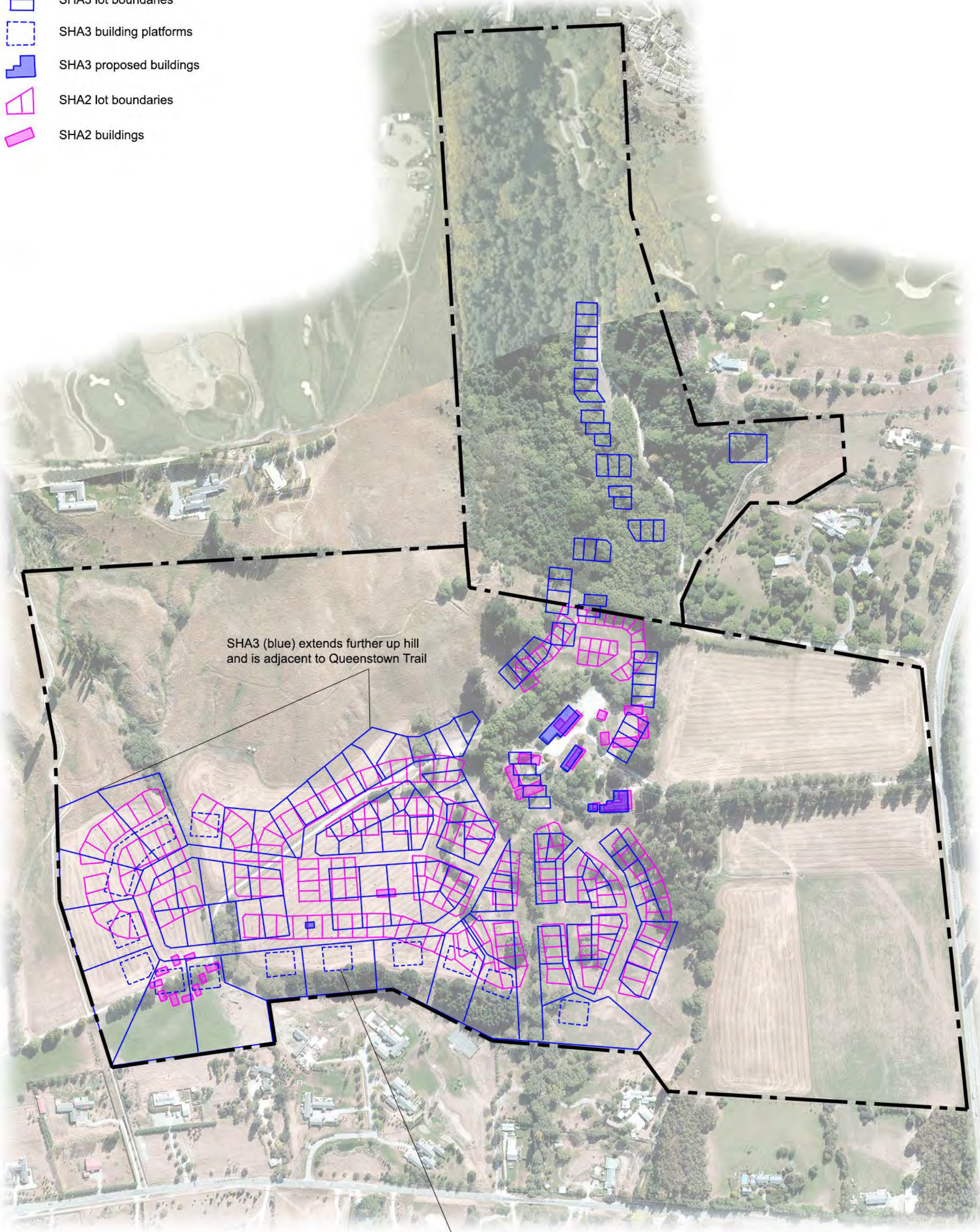
NOT TO SCALE



WATERFALL PARK - INCREMENTAL SPREAD  
Special Housing Area 3 (blue) compared to Special Housing Area 2 (pink)

LEGEND

- SHA3 lot boundaries
- SHA3 building platforms
- SHA3 proposed buildings
- SHA2 lot boundaries
- SHA2 buildings



SHA3 (blue) extends further up hill  
and is adjacent to Queenstown Trail

SHA3 (blue) extends much closer to  
existing neighbours' houses than SH2 (pink)



NOT TO SCALE



**From:** Arrowtown Gallery [REDACTED]

**Sent:** Thursday, 21 July 2016 11:15 AM

**To:** Merv Aoake; Craig Ferguson; Alexa Forbes; Mel Gazzard; Cath Gilmour; Simon Stammers-Smith; Scott Stevens; Lyal Cocks; Ella Lawton; Calum MacLeod; Anita Vanstone

**Subject:** Waterfall Park/ Ayrburn

Dear Councilors,

Please see the email below from John Darby of Wanaka. It backs up my concerns re the peril to Lake Hayes and one of its most important inhabitants if Mr Meehan is allowed to build his development and carve up Mill Creek.

Many thanks

Jill Beadle

Hi Simon,

I am not sure if I can help you, but I have been involved in a research project on Lake Hayes over the last 3 years. I have now kayaked this lake (40-50m from the shoreline right round) some 23 times through all months of the year, and in my first year every month of the year.

The purpose of this survey was to follow up a survey first carried out in 1996-97 by the late George Chance a retired optometrist from Dunedin and he was counting the numbers of adults and chicks of the Great Crested Grebe. Since Mr Chances first survey, the number of Grebes have trebled to over 90 birds and as far as I am aware, this is the largest concentration of Grebes on any lake in NZ.

They are there a number of reasons for this, the foremost being a suitable habitat with almost 90% of the lake edge providing this habitat by either reed beds or overhanging willow. Additional factors include the observation that it is a stable lake (lake levels vary small amounts) and that clearly there is an adequate food supply to meet the demands of a large Grebe population as well a significant variety of other water birds. To this I might add that the data I have collected shows a very high level of chick survival.

I am concerned to hear that there is an intention to modify the inflow into the lake which will inevitably modify the dynamics of the lake and thus may well impact the food chain. I am about to leave for overseas and thus am unable to provide a more detailed analysis of what may or may not happen should modifications take place.

What I can say at this stage is that Lake Hayes is a pretty special alpine lake in the Upper Clutha region. It should be treated with the utmost care and concern. It has taken some 20 years to show that it is one of the best places in the whole of NZ for one of this country's rarest and most beautiful of birds. Lake Hayes is a place to be cherished and guarded.

Kind regards

John Darby

Zoologist (Retd)

Please note as from 1/8/2016 my new address is

John Darby

[REDACTED]

Wanaka

9305

[REDACTED]

BEFORE THE QUEENSTOWN LAKE DISTRICT COUNCIL  
AT QUEENSTOWN

IN THE MATTER of the Housing Accords and Special  
Housing Areas Act 2013

AND

IN THE MATTER of an Expression of Interest for Waterfall  
Park Special Housing Area by Winton  
Partners Limited

AND

IN THE MATTER of a submission in opposition to the  
proposal by Noel John Blair, the trustees  
of the Glenshiel Trust, David and Sarah  
Kidd and Peter and Stephanie Goulston

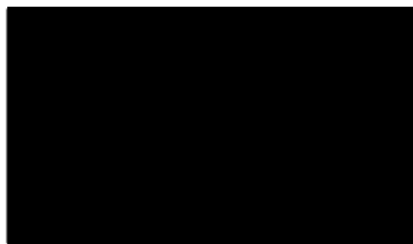
Submitters

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**SUBMISSIONS IN OPPOSITION TO THE PROPOSAL**

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**GTODD LAW**



**GTODD law**  
LAWYERS & NOTARY PUBLIC

Your Worship the Mayor and Councillors

1. These submission are made in response to an invitation to persons who have an interest in the Expression of Interest filed by Winton Partners Limited for a Special Housing Area (SHA) for a development described as Waterfall Park to file submissions in respect of the same.
2. The submitters are owners of rural residential properties which immediately adjoin or are in close proximity to the land described as Waterfall Park where the SHA is proposed.
3. Each of the submitters filed submissions in opposition to almost identical (other than in name, size, stated purposes and in part geographical area) proposals previously put forward by Ayrburn Farm Developments Limited ("AFDL") for Ayrburn Farm which comprises the majority of what is now described as Waterfall Park. Those proposals were previously rejected by the Council in June 2015 and in April 2016.
4. AFDL subsequently sought a Judicial Review of the first decision of Council from the High Court. The High Court (His Honour Justice Kendall presiding) dismissed all grounds made out in the application for Judicial Review in the judgment *Ayrburn Farm Developments Limited v Queenstown Lakes District Council* [2016] NZ HC 693 in a judgment delivered on 14 April 2016.
5. The current proposal appears to be the third attempt by the proponent (or parties related to it) to seek a SHA predominantly for the same land but under a different name. Further, the name of the proposal is somewhat misleading given the acknowledgement contained within the application that by far and away the majority of land contained within the proposal in fact forms part of Ayrburn Farm and the majority of the development proposed is to be located on that property, as distinct from the adjoining Waterfall Park.
6. The Expression of Interest notes that the same proposes development to the extent of 141 residential allotments of various sizes together with commercial activities to be contained within an area known as The Village Square and restaurant/cafes. Of the 141 houses, it appears no more than 30 of these will be located within what is currently known as the Waterfall Park Resort Zone contained within the Queenstown Lakes District Council Operative and Proposed District Plans.
7. As is noted, the Waterfall Park Resort Zone has been so zoned for many years but, as the proposal also notes the same has limited suitability for residential and visitor accommodation development due to its topography, ground conditions, vulnerability to flooding but, most importantly, the fact that in the winter months it gains little, if any, exposure to sun.
8. In filing this submission the submitters rely on the matters raised in their previous submissions on the previous two proposals for the property known as Ayrburn Farm to become a SHA.
9. Further, the submitters say that there is little contained within the existing proposal which in any way differentiates the same from the previous two proposals and therefore

the submitters would expect the Council to be consistent in terms of its decision making in rejecting the current expression of interest.

10. The proponents of the current proposal have sought to differentiate the same from the previous proposals by not only changing the name to give the impression that the proposal is to be located in the area which has historically been known as Waterfall Park but by also proposing some development within what is currently the Waterfall Park Zone and suggesting in doing so that:
  - (a) the balance of the development rights in terms of residential density which are provided for in the Waterfall Park Zone should be able to be transferred to the adjoining Ayrburn Farm property;
  - (b) that by incorporating the land contained within Waterfall Park within the current proposal, the same overcomes the difficulties associated with the original proposals in that they were held not to meet part of Council's Lead Policy for SHA's as it is suggested can now be argued that the proposal immediately adjoins what is suggested to be an existing urban area, being the Millbrook Resort Zone.
11. In terms of these matters, your attention is drawn to the findings of the High Court in *Ayrburn Farm Developments Ltd v Queenstown Lakes District Council* where the Court at paragraphs 76 and 77 found that Millbrook was not only separated from the Ayrburn land by a prominent steep slope (as is the case with the Waterfall Park land) but in fact Millbrook was a Resort Zone that contained little urban development. To that end, the current proposal continues to fail to meet the Council's Lead Policy on that point alone.
12. As regards to the proponents suggestion that development rights arising from a zone, even when those rights cannot be exercised due to development constraints such as the proposal acknowledges exists within the Waterfall Park Zone, should somehow be able to be transferred to a property where, given its existing zoning, no such development rights exist.
13. With respect to the proponents, no such rights to transfer exist, nor can there be any expectation that such should be able to be achieved. Ayrburn Farm, as the proposal acknowledges, is zoned Rural General and in terms of both the Operative District Plan and the Proposed District Plan, any development within such area is a discretionary activity. Further, the Council, in rejecting the two earlier proposals for SHA's for this land, have accepted recommendations made by Council staff that such land is unsuitable for development of the type and densities that are proposed.
14. Again, the submitters have an expectation that Council will be consistent in its decision making and reject the current proposal for the same reasons.
15. In addition to the matters noted above, the submitters also wish to highlight some inconsistencies, omissions as well as question some matters contained within the latest Expression of Interest you are being asked to consider. These are as follows:
  - (a) neither the Infrastructure report or the traffic assessment filed in support of the application give any consideration to the commercial uses contained within the proposal or the public rights of access to the site and the affects that they may

have on infrastructure (such as volume of wastewater and water usage) and/or additional traffic affects.

- (b) That the infrastructure report refers to 150 residential units when only 141 are proposed.
- (c) That the Holmes Consulting Infrastructure Report refers in the last paragraph on page 3, to the site containing an existing visitor facility. To the best of the submitters' knowledge, no such facility exists within the site.
- (d) That the proposal relies in part on the benefits of the provision of what is described as a *"missing strategic walking and cycling link between the string of existing residential/urban development between Queenstown and Arrowtown"*. One assumes that the link referred to is that shown on the Master Plan (at Appendix 1 of the proposal) running through the property from the existing cycleway to the west, through to the northern boundary of the site where it adjoins the Millbrook Resort Zone. In respect of such there is no "missing link" as of course the same adjoins a current link, being the cycleway on the western boundary which links Millbrook with the balance of the cycleway network located through the Wakatipu Basin. Further, there is no evidence contained within the proposal that Millbrook would agree to a further link through its property in addition to that which has already been provided and that the difference in elevation between the valley floor of Waterfall Park and Millbrook, in terms of the link proposed, would make cycling over such proposed route extremely difficult, if not impossible.

## CONCLUSION

16. It is the submitters' view that for the reasons stated herein this third iteration of a proposal for an SHA, which is in reality predominantly for Ayrburn Farm, should be rejected for the same reasons the Council chose to reject the original proposals.

.....  
Graeme Morris Todd  
Counsel for N J Blair, D & S Kidd, P & S Goulston and  
the trustees of the Glenshiel Trust

25<sup>th</sup> July

2016

Before the Queenstown Lakes District Council

In the matter of	<b>an Expression of Interest for Waterfall Park Special Housing Area dated 16 June 2016</b>
Between	Winton Partners  <b>Applicant</b>
And	Mark and Wendy McGuinness  <b>Submitters</b>

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Submission for Mark and Wendy McGuinness on Waterfall Park Special  
Housing Area Expression of Interest

29 July 2016

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M J Slyfield  
Barrister  
Stout Street Chambers  
Wellington

[REDACTED]

mjs323.docx



## Introduction

1. This submission is filed for Mark and Wendy McGuinness on the expression of interest for a special housing area (SHA) by Winton Partners, dated 16 June 2016. The McGuinnesses own the property at 493 Speargrass Flat Road, and have submitted on both of the previous expressions of interest for SHAs on Ayrburn Farm.
2. The decisions made by the Queenstown Lakes District Council (Council) on those prior expressions of interest (both of which were declined) are relevant to Council's assessment of the present expression of interest.
3. The High Court has upheld Council's approach in *Ayrburn Farm Developments Limited v Queenstown Lakes District Council* [2016] NZHC 693 (the High Court Decision), in terms of both:
  - (a) the requirements of the Housing Accords and Special Housing Areas Act 2013 (HASHA) and
  - (b) the Council's Lead Policy for giving effect to HASHA and the Housing Accord between the Minister for Building and the Mayor of Queenstown Lakes District Council.

The question now becomes whether there is any sound basis to reach a different decision in respect of this third expression of interest. The McGuinnesses submit there is not.

## The importance of "Location" as a matter of assessment

4. The Council has quite properly developed a Lead Policy that provides guidance on the principled approach Council will take when implementing HASHA, and in particular the principles by which it will assess expressions of interest for SHAs.
5. As the High Court Decision makes plain, it is entirely appropriate that the Council has developed such a policy in light of HASHA's silence as to the considerations that an Accord Territorial Authority must take into account when considering expressions of interest. Applicants and all other stakeholders are then justifiably reliant on Council

applying those criteria that have been developed and publicised within the Lead Policy.

6. Amongst those the “location” criterion (5.2.1) is vitally important. This is expressed within the Lead Policy itself, where the criterion on location is singled out from all other criteria for its particular importance:

The Council will assess an Expression of Interest against the following criteria in 5.2.1 to 5.2.9. These criteria will also be utilised if Council considers other areas of land which have not been the subject of an Expression of Interest.

It should be noted that criterion 5.2.1 Location is not a statutory consideration under the Act. However, in the interests of sound resource management planning practice, environmental and economic impact, and consistency with the draft Strategic Directions chapter of the District Plan review – location is considered to be a vitally important consideration for Council.

(Emphasis added)

The policy then states the criterion to be:

The proposed area shall be located within or adjacent to existing urban areas. Areas located in rural areas remote from existing urban areas and services will generally not be viewed favourably.

Location of the current proposal

7. The current expression of interest is no better located relative to existing urban areas than either of the previous two expressions of interest, both of which were found to be non-compliant with this location criterion. Here, the only difference is that the applicant has incorporated within the proposed SHA area the Waterfall Park Resort Zone. This, it says, achieves the aspirations of the location criterion.
8. This approach is flawed, in three respects.
9. First, neither of the previous two expressions of interest were found to comply with the location criterion despite being adjacent to the Waterfall Park Resort Zone. Fundamentally, adjacency to the Waterfall Park Resort Zone has already been considered inadequate to satisfy the location criterion, and in the absence of some change

to the nature of the Waterfall Park Resort Zone, there can be no justification now for taking a different view on that aspect.

10. Second, as recorded in the High Court Decision, the Waterfall Park Resort Zone — despite being zoned for some future urban development — currently contains no present urban features. There is no element of those findings that could conceivably be disputed.
11. Third, the applicant seems to have deliberately confused the notions of “existing urban area” and “existing residential zone”. The expression of interest properly identifies that the Lead Policy refers to “existing urban areas”, but when it comes to making out the case for the proposed SHA, the expression of interest states

in this case the proposal is both within and adjacent to an existing residential zone.

(Emphasis added)

The distinction between an “existing zone” and an “existing urban area”, is that a zone is ‘existing’ when it is formally established under the District Plan. In this way, a zone may be said to be ‘existing’ irrespective of whether any of the activities anticipated in that zone have yet been carried out. Conversely, the phrase “existing urban area” describes not the abstract permissions and controls established by the District Plan, but the reality of observable activities on the ground. Put simply, it would strain the plain and ordinary meaning of the phrase to describe areas that presently contain no urban activity as ‘existing urban areas’ (even if they might be zoned for such activities).

12. Finally, the flaws inherent in the applicant’s approach to the Location criterion are amply demonstrated by at least two of the factors that it says make its proposal more appropriate to be classified as an SHA than the Arrowtown Retirement Village.
13. First, the applicant says:

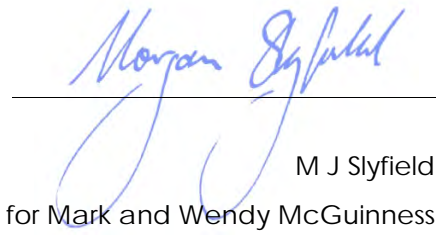
The [current] site is within, adjacent to and will complement the urban and residential characteristics of existing residential zones.

14. This exemplifies the applicant's confusion between concepts of residential zoning and urban characteristics. It simply defies any objective analysis to refer to 'the urban characteristics' of the almost entirely undeveloped Waterfall Park Resort Zone, or the particular limited and resort-style development of the Millbrook Resort Zone.
15. Next, the applicant says:

As discussed below the proposal complements and completes the existing pattern of residential development that connects the urban fabric linking Queenstown and Arrowtown.
16. With respect, this simply makes no sense. Despite saying that these matters are 'discussed below', the McGuinnesses have been unable to find any subsequent part of the expression of interest document that would justify describing Queenstown and Arrowtown as 'linked' by 'urban fabric'. This seems to amount to an assertion that the Wakatipu Basin somehow comprises urban fabric, which is incredible not just for its inaccuracy, but for the naivety that you, the Council, might somehow fall for descriptions like this despite the abundantly observable rural, open and undeveloped characteristics that typify the Wakatipu Basin.
17. The McGuinnesses have had the benefit of reviewing the submission filed for Jan Andersson on this expression of interest, and in addition to the matters discussed above, the McGuinnesses adopt entirely those submissions. Further, the McGuinnesses have not sought to repeat the matters raised in all their previous submissions on the related Ayrburn expressions of interest, but ask that the Council take those as part of this submission.
18. Coming back to the fundamental question — is there anything about the current expression of interest that might make it appropriate for Council to determine this expression differently from the previous two expressions? — the McGuinnesses submit no, there is not. The mere expansion of the proposed SHA to take in the Waterfall Park Resort Zone creates no material basis to distinguish this expression from either of the previous two expressions. Just as the previous two expressions did, this expression fails to satisfy the vitally important consideration

expressed in Council's Lead Policy, namely the criterion that addresses location.

19. For all these reasons and those set out in the submissions filed on the previous two expressions of interest, the McGuinnesses submit that the current expression of interest should be rejected.



M J Slyfield  
Counsel for Mark and Wendy McGuinness

By email: [services@qldc.govt.nz](mailto:services@qldc.govt.nz)

Dear Mayor and Councillors,

**WATERFALL PARK  
SPECIAL HOUSING AREA SUBMISSION**

**1. INTRODUCTION**

Please find for your consideration the following feedback on the Waterfall Park Expression of Interest (EOI) for a third application for a Special Housing Area by Winton Partners. I own property with my husband at 509 and 549 Speargrass Flat Road; I have lived at both properties and currently reside with my family at 509 Speargrass Flat Road. I have submitted in opposition to the two previous SHA applications in this location made by this developer.

I have reviewed this latest application and again I strongly disagree with the proposal. The Waterfall Park EOI is another iteration of development of rural land by Winton Partners and their consultants; this time using the existing 'white elephant' of the Waterfall Park Zone to attempt to meet the Council's Lead Policies for SHA's. The previous two proposals for residential development on this land were correctly not recommended to the Minister and this proposal should also be refused. I commend the Council, Mayor and Councillors for their clear decision making and ability to consider what is best for the District as a whole when under pressure by a persistent and aggressive approach by this developer and his consultants. I note that Winton Partners' Judicial Review of the Council's decision for the first SHA proposal at Ayrburn Farm was upheld by the Court and costs awarded to Council. The decision correctly stated that local Councils are best qualified to decide what is appropriate for their District.

Winton Partners state in their EOI that this third proposal addresses and mitigates effects that were not addressed in the first two proposals. Unfortunately, many effects are still not addressed, there are inconsistencies and much of what are cited as positive effects are fanciful token gestures. The positive effects offered such as picnic areas cannot offset the loss of rural land and the establishment of misplaced residential development and its accompanying negative effects.

Overall, this third proposal has not been significantly altered from the previous failed proposals and once again Winton Partners are missing the point that housing in this location will not be affordable, the high density of population proposed in this location is not appropriate and the correct process for such a proposal is via the RMA process, particularly given that the Proposed District Plan Review has commenced. Winton Partners have made submissions to the District Plan review and are heavily involved in that process. An RMA process is the correct process for this proposal as it will have wide ranging District wide implications that cannot be responsibly considered under a fast track SHA process.

The following submission discusses why the Waterfall Park SHA **should not** be recommended to the Minister.

## 2. EXECUTIVE SUMMARY

The Waterfall Park SHA proposal by this developer and consultant team remains fanciful and full of inconsistencies and inaccuracies just like the first two proposals. Unfortunately, much of the mitigation and beneficial effects offered will not be successful or are not considered as advantageous by neighbours. The effects of this proposal are no different to the first two proposals. In fact, they are worse for neighbours as the proposed houses are located closer than before to the Rural Residential zone and to the public walkway. The screen planting proposed is unlikely to be successful and the subdivision will be highly visible from the public walkway, Speargrass Flat Road and neighbouring properties to the north and south of the SHA.

Further, there is no consideration of how this proposed island of dense residential population fits into the overall structural framework for the pattern of development in the Wakatipu Basin with regard to the PDP Chapter on Strategic Direction or to the proposed Strategic Framework Study.

This development will not provide affordable housing, just more houses in the wrong location that will put pressure on the existing infrastructure and dilute and detract from the character of Arrowtown.

The developer has a poor track record of supplying affordable homes to the market as illustrated by the sale prices of the Bridesdale SHA. Affordable housing should not be located in isolation in a rural area.

The developer has submissions filed requesting zone changes over the Ayrburn land. The District Plan review process has commenced and consideration of the developer's requests will be included in this process in a timely manner. There is no requirement for a fast tracked SHA process for this land.

## 3. WATERFALL PARK ZONE

This third iteration of an SHA in a rural, greenfields location is using the Waterfall Park Zone as justification to satisfy Councils Lead Policy regarding location adjacent to an existing urban area. Waterfall Park is not an existing urban area; it is a resort zone as is Millbrook. Waterfall Park is a "white elephant" of a zone. The EOI notes;

*"The site has remained undeveloped for over 30 years"*

This is correct and for good reason as the land comprises a steep, south facing, narrow gully that is cold and damp with no sunny aspect or views. The EOI contains a photograph of Waterfall Park showing Mill Stream. Mill Stream is frozen solid. This is not an appropriate place to locate affordable housing or any residential development.

Refer to Attachment 1, photograph from EOI showing the water in Mill Stream frozen solid.

The EOI also states that the land is uneconomic to develop so the sunny flats of Ayrburn Farm need to be developed at the same time to offset the loss. So, the affordable housing is located in a cold damp gully because the Waterfall Park zoning is being used as justification to satisfy a Lead Policy regarding existing development, meanwhile high yield, desirable lots are located on flat sunny terraces so they can be sold to make a large profit and offset the loss in the

affordable area for the developer. This is ridiculous and a very poor justification for what is actually just a carve up of rural land.

The EOI also states regarding Waterfall Park that;

*“The site has remained undeveloped for over 30 years and has partly contributed to the extreme housing shortage experienced in the Wakatipu Basin”*

This is illogical, the important fact is that the site has remained undeveloped because it is undesirable, uneconomic and not appropriate for residential use. To suggest that development of the Waterfall Park Zone is somehow beneficial to the community and the developer is doing everyone a favour by developing it is farcical.

The EOI brushes over infrastructure costs for the development but given the difficult and uneconomic nature of Waterfall Park I cannot believe the infrastructure upgrades required to service the development will result in no cost to Council or the rate payer.

#### **4. DISTRICT PLAN REVIEW**

##### **Strategic Development Framework**

To enable them to make better informed decisions the Commissioners hearing the District Plan Review have requested a further landscape study to analyse the ability of the Wakatipu Basin floor to determine where further residential development could be located. Council has agreed to this and intend to undertake a Strategic Development Framework study including other information such as infrastructure to better understand where denser residential populations are best located within the District. Until this study is complete it would be very poor process to allow a large housing development such as the Waterfall Park SHA to proceed. The correct planning process for this development is via the RMA planning process particularly as the District Plan Review has commenced and the developer has a number of submissions lodged regarding zone changes for this land. There is no reason to fast track such a large residential development in a Rural Zone prior to the Strategic Framework study. The timeframe for both the District Plan Review and the Strategic Framework study are short so the Developer would not be delayed to any significant extent.

##### **Proposed District Plan Strategic Directions Chapter**

In the recently available 42A report by Mr Nigel Bryce for Hearing Stream 4 Subdivision, Mr Bryce discusses submitter requests to reduce the minimum lot area in Rural Lifestyle Zones to 1ha. Submitters reasons include that it will provide for greater housing and land supply. Mr Bryce refers to the section 42A report by Mr Craig Barr for Chapter 22 Rural, Rural Residential and Rural Lifestyle where he agrees with Mr Barr's conclusion,

*“that the Strategic Directions Chapter seeks greater intensification of areas contained within the District's urban growth boundaries. Given this, I do not support the submissions and do not believe that the relief sought is consistent with the direction proposed by the PDP.”*

The purpose of the Strategic Directions Chapter is to set out the objectives and policies for managing the spatial location and layout of urban development within the District.

The introduction to the chapter includes the following;



*“The District experiences considerable growth pressures. Urban growth within the District occurs within an environment that is revered for its natural amenity values, and the District relies, in large part for its social and economic wellbeing on the quality of the landscape, open spaces and environmental image. If not properly controlled, urban growth can result in adverse effects on the quality of the built environment, with flow on effects to the impression and enjoyment of the District by residents and visitors. Uncontrolled urban development can result in the fragmentation of rural land; and poses risks of urban sprawl, disconnected urban settlements and a poorly coordinated infrastructure network. The roading network of the District is under some pressure and more low density residential development located remote from employment and service centres has the potential to exacerbate such problems.”*

Urban growth boundaries provide a tool to manage anticipated growth including increased density within the urban areas. The proposed SHA3 contradicts the purpose of the Strategic Directions Chapter. This important chapter of the PDP is guiding decisions on following Chapters such as Subdivision as demonstrated above. To recommend the proposed Waterfall Park EOI would contradict and discredit the District Plan Review process and the District Plan.

## **5. LOCATION OF RESIDENTIAL DENSITY AND AFFORDABLE HOUSING**

As I have outlined in previous submissions opposing an SHA in this rural location and as described in the Strategic Directions Chapter of the PDP it is very important to locate the higher density areas of the population in appropriate locations. This is not an appropriate location for a high density of the population to live as there is not existing urban infrastructure, there are no community services, no efficient public transport etc.

The EOI refers to the proposed development as having an Arrowtown character. This makes no sense as this location is not in Arrowtown. The EOI also states that the development is located on the outskirts of Arrowtown. If this development becomes connected to Arrowtown then it is urban sprawl that will add to the dilution of the historic Arrowtown village.

Winton Partners has a poor track record of delivering affordable housing as the Bridesdale SHA shows. These lots were all sold and on sold at a profit to speculators and are now priced at over \$850,000. This is not affordable.

Winton Partners promise of 7 community houses out of a total of 140 lots does not justify the negative effects that will result from this development. Neither does it justify consent for this subdivision via a SHA process. It should be assessed under the District Plan Review and an RMA process so that other important considerations can be given appropriate weight such as the Councils Strategic Direction.

## **6. LEGACY**

The Developer states in the introduction of the EOI that the housing development will;

“enhance the established rural, residential and open space characteristics that are highly valued in the Wakatipu Basin.”

I disagree, the housing development will take away forever a large open area of rural land that is visible from surrounding public roads and a public walking track.

It will also dilute the character of Arrowtown, take away the rural views of neighbouring private properties and create a residential area that is isolated from community services, infrastructure, public transport, schools etc.

## **7. PROPOSED WATERFALL PARK MASTERPLAN**

### **Incremental spread**

Attachments 2 - 4 of this submission show how the SHA proposals for this land have incrementally increased in area and negative effects on the surrounding rural land and existing neighbours. The Waterfall Park SHA (SHA3) pertains to have less effects than previous applications but I disagree as the attachments show this is not correct.

Attachment 1 shows SHA1 overlaid onto SHA3. Significantly more farmland is lost to subdivision development as the building platforms and boundaries of the larger southern and western lots reach to the site boundary with the public walkway and the northern site boundaries of the Speargrass Flat Road houses. The development extends into areas that were previously undeveloped. The subdivision also extends further up the slope of the hill so will be more visible from Speargrass Flat Road to the north and the existing houses in this area. Lots are also located closer to Arrowtown – Lake Hayes Road. By including the Waterfall Park Zone this application also extends much closer to Millbrook. The buffer zone between Millbrook and the Rural Residential zone will no longer exist.

Attachment 3 shows SHA2 overlaid onto SHA3. The SHA2 scheme was more extensive than SHA1 but as the attachment shows SHA3 is larger again showing the incremental spread of the developer's proposals.

Attachment 4 shows SHA3 overlaid onto an aerial photograph of the site and surrounds. This shows that the proposed screen trees to existing houses on Speargrass Flat Road are located on top of the existing trees and screen planting to the north and west of the development reduces areas of open paddock. The proposed mounding and tree planting to the east of the proposed lots also reduces the area of the eastern paddocks adjacent to Lake Hayes – Arrowtown Road as does the proposed entry to the development.

As these attachments show, the SHA proposals have incrementally increased in size and effects. Council did not recommend the first two SHA proposals and the Judicial Review supported these decisions. Without contradicting its previous decisions and the Judicial Review Decision Council cannot recommend this third iteration for an SHA on this land.

### **Connectivity and picnic areas**

This EOI has dropped the previously included garden centre, farmers market precinct that was going to preserve the historic buildings. This time the community benefit is a "popular family picnic area" at Waterfall Park. This is as ludicrous as the previously created positive effects of this subdivision. No one will go to have a picnic at cold dark Waterfall Park. No one has ever heard of the popular family picnic location at Waterfall Park. This is just the latest fanciful positive effect that the project consultants have devised and continues to show a lack of credibility.

The EOI describes pocket parks, esplanade reserves and trees in pastoral buffer areas but it does not explain who is going to pay for the maintenance of these areas. A body corporate set up will be expensive for affordable home owners or is Council expected to take over maintenance?

The connectivity shown through the site by linking cycle trails is also fanciful and unnecessary. There is no desire to ride a bike from the existing trail to the east to connect with busy Lake Hayes - Arrowtown Road or to ride up Mill Stream when a trail at a less steep gradient exists from Speargrass Flat Road to Millbrook. The trail network has specific requirements regarding maximum gradient that the ascent from Waterfall Park to Millbrook would never comply with. Further, it is not possible to link a trail from Millbrook through the site to Lake Hayes along Millstream as the stream passes through private property in several locations where there is no esplanade reserve.

The EOI states that it will create an esplanade reserve 20m wide all the way to Speargrass Flat Road for the public to enjoy. The public will be walking through the bathroom of the Millhouse if this is the case. At present the esplanade reserve is only 6m wide adjacent to the Millhouse. I also note that the Council in recent heritage hearings consider that the Millhouse is a part of the historic Flour Mill precinct and has a heritage rating which has implications over the treatment of the area surrounding historic buildings.

### **Visibility and Mitigation**

In the two previous SHA proposal's for this land, visibility was incorrectly assessed and inadequate mitigation proposed. The proposed screen planting and mounding included in this application may be successful for views from Arrowtown – Lake Hayes Road but mitigation from other public roads, the public walkway and neighbouring properties remains unsuccessful.

The development will be most visible from the existing walkway as it is elevated above the site and the flat Ayrburn terraces are highly visible. No mitigation will prevent this public view due to the elevated viewing location. The existing open paddocks and rural landscape are an important buffer between Millbrook and the North Lake Hayes Rural Residential zone. The proposed SHA development will destroy these views resulting in a significant change from the existing open paddocks and feeling of solitude that exists now.

Existing residential properties located on the southern boundary of the SHA site will be completely exposed to view from the proposed SHA3 development as an existing band of evergreen trees that would provide some screening is to be removed. The EOI states that the existing trees will not be removed until the proposed trees have matured. This is not possible if the trees are located on top of each other.

Refer to Attachment 4, Overlay of SHA3 on aerial.

This third scheme actually has even more adverse effect on existing residential neighbours than the previous failed schemes. The proposed houses are closer to the existing houses on the north side of Speargrass Flat Road and once the existing trees are removed the privacy and northern outlook from the existing houses will be destroyed. The EOI states that visual mitigation will be provided by tree planting within the southern lots by lot owners. Tree species must be oak, elm, beech, chestnut and walnut species. These are all very slow growing and deciduous. They will provide very poor screening and there is no certainty for existing residents that the trees will be planted or well maintained by future lot owners.

Views through the existing houses located on the north of Speargrass Flat Road to the proposed SHA3 will be possible once the existing trees are removed as is proposed. Speargrass Flat Road is an important scenic rural road; it is part of the

popular Queenstown Trail cycle route. The proposed development will significantly reduce the quality of experience for residents and tourists on this road.

No consideration has been given to the private houses located above the proposed SHA. They are elevated above the site and the proposed development below will be fully visible. The change from open paddocks to house roofs, roads and trees will be significant.

### **Ecological Restoration**

It has been discussed previously that Mill Stream is an important trout habitat and Lake Hayes, which the stream flows into is being compromised by high levels of nutrient run off. A residential development of the scale proposed will have significant negative effects on both Mill Stream and Lake Hayes. The proposed planting of some rushes in the farm gully above and adjacent to Mill Stream will not come close to offsetting the negative effects of development on these water bodies and their associated ecosystems.

## **8**

### **QLDC LEAD POLICY**

The Waterfall Park SHA, like the previous two applications from this developer does not meet Councils lead policies for SHA's. Primarily, the proposal DOES NOT meet the Lead Policy regarding location of SHA's within or adjacent to existing urban areas. Waterfall Park is not an existing urban area; it is a resort zone that has not been developed in over 30 years. It is misleading and actually just plain incorrect of the EOI to even attempt to use this white elephant of a zone to justify locating an SHA in this location. Further, Millbrook Resort is not an urban area, it is a golf resort and neither of the resort zones are located within the Arrowtown Urban Growth Boundary.

## **9**

### **PROPOSED MITIGATION**

I strongly disagree with the list of mitigating factors provided in the EOI for this proposal as follows;

*"The site is within, adjacent to and will complement the urban and residential characteristics of existing residential zones"*

Millbrook Resort Zone, Waterfall Park Resort Zone, North Lake Hayes Rural Residential Zone and the Rural General Zone are not urban residential zones and they do not have urban characteristics. The Rural Residential Zone has rural residential characteristics but the proposed development has a much higher proposed density of lots than the rural residential zone so will not be complimentary. The proposal will result in the loss of rural amenity and views for residents within this existing zone.

*"The proposal complements and completes the existing pattern of residential development that connects the urban fabric linking Queenstown and Arrowtown"*

This makes no sense. When the urban fabric between Queenstown and Arrowtown is connected that would mean a continuous pattern of urban development between Queenstown and Arrowtown, that would not be a positive outcome.

*"The site can be adequately serviced from Arrowtown and Frankton"*

Does this mean by bus? Or is it referring to infrastructure? I have no confidence in the EOI's claims regarding infrastructure.

*“Winton Partners are committed to a careful and comprehensive design response that responds sensitively to local built and landscape characteristics and qualities – the proposal will not comprise a generic unsympathetic suburban design response.”*

The proposed density is not sympathetic to the surrounding rural character. The design guidelines of the subdivision refer to Arrowtown vernacular but it is not located in Arrowtown so this is meaningless and will result in a false and manipulated character. If the design is so good, then the developer and consultant team should have the confidence to apply for Resource Consent within the RMA process and not short cut it by pretending to be creating affordable housing.

*“Adverse impacts on amenity values of neighbours will be minimised by the provision of boundary setbacks and landscape treatment. Moreover, the amenity values of residents in the area will be considerably enhanced through the provision of access to open space and new recreation opportunities.”*

I strongly disagree with this statement as the landscape treatment will fail to provide any successful screening to existing properties. No successful mitigation is proposed for neighbours and there is no certainty for neighbours that SHA lot owners will plant and maintain the screen trees. Further, the proposed trees are located on top of the existing trees. This muddled and obviously unsuccessful mitigation proposal is typical of this and the previous SHA schemes by Winton Partners. I recall that a model by a submitter of the first proposal by Winton Partners showed that the houses did not fit within the lot boundaries.

The amenity values of existing residents will certainly not be enhanced by this proposal. Residents of a Rural Residential zone do not require pocket parks or cycle trails that connect to busy roads or to have picnics by cold shady waterfalls, residents value rural outlook, space and privacy. That is why they chose to live in a rural residential zone and not in an urban area.

The privacy and amenity values of the Millhouse at 509 Speargrass Flat Road will be significantly reduced if a public walkway is created just meters from the bathroom window and outdoor living area.

*“The site does not sit alongside any primary entry route into Queenstown and building development will not be highly visible from public places.”*

Building development has in this proposal been mitigated from Lake Hayes - Arrowtown Road by mounding and tree planting but it will still be highly visible from Speargrass Flat Road as the existing trees that could provide mitigation will be removed and replaced with slow growing deciduous trees. Speargrass Flat Road is an important and valued scenic rural road. The building development will also be highly visible from the public walkway. Further, the proposed mounding and screen planting along Arrowtown-Lake Hayes Road and the entry into the development will reduce the area of open paddocks that are visible from Arrowtown – Lake Hayes Road as it approaches Arrowtown.

*“Ultimately the site location is considered entirely appropriate for the nature and scale of residential housing development proposed.”*

As discussed above, I strongly disagree with this summary statement and question how such a statement can be made without reference to Councils Strategic Framework policy.

10

## **SUMMARY**

The Waterfall Park SHA should not be approved for the following reasons;

- It will not create affordable housing.
- It does not comply with the Council Lead Policy for SHA's.
- Reliance on the Waterfall Park Zone to justify the location of the SHA is incorrect.
- The positive effects offered are fanciful and not desired by neighbours or the community.
- The zoning and development options for this land should be considered within the District Plan and an RMA process not a fast track SHA process.

I respectfully request that Councillors carefully consider this submission and **do not** approve the Waterfall Park SHA.

Could you please keep me informed of progress and decisions.

Yours faithfully

**Rebecca Lucas**



## INTRODUCTION

- Provision of individual and community housing benefits not available under the RMA (Winton Partners will build 3 bedroom homes on 5% of the lot yield and offer them rent free [for a period of 25 years] for community housing purposes).

Winton Partners has considered all possible consenting avenues, including:

1. Private plan change request;
2. RMA resource consent application; or
3. SHA resource consent application or plan change request.

The site is currently zoned Waterfall Park Resort and Rural General. While residential development is permitted under the district plan within the resort zone (including up to 100 residential units), this yield is not feasible without utilisation of the adjoining rural zoned land, which introduces substantial and unnecessary consenting risks and costs to the development.

### PURPOSE OF THIS DOCUMENT

This Expression of Interest provides an outline of Winton Partners' proposal to extend and develop the Waterfall Park Resort Zone having regard to the aims and criteria of the "Housing Accords and Special Housing Areas Act 2013 (HASHA)" inclusive of the QLDC Lead Policy on Special Housing Areas and other matters including RMA considerations.

### WHY A SPECIAL HOUSING AREA?

The Queenstown-Lakes Housing Accord is intended to increase housing supply and improve housing affordability in the Queenstown-Lakes District by facilitating development of quality housing that meets the needs of the growing local population. The proposal will achieve this intent. The proposal will:

- Help alleviate housing affordability issues in the Wakatipu Basin by providing a choice of new: medium density; low density residential; and rural residential housing opportunities.
- Provide a high quality housing development that is tailored to the special characteristics of the Waterfall Park Resort Zone and will enhance the established rural, residential and open space characteristics that are highly valued in the Wakatipu Basin.
- Unlock the approved density within the Waterfall Park Resort Zone. Whilst this land was granted zoning for up to 100 residential dwellings in 1984, the land's topography, ground conditions, and poor road access have made development of that scale uneconomic to date. The site has remained undeveloped for over 30 years and has partly contributed to the extreme housing shortage experienced in the Wakatipu Basin. However, whilst currently zoned rural general, the land immediately to its south is much easier to develop due to the presence of existing large flat, sunny plains. Amalgamating the sites allows the reallocation of approved residential density across the combined site to deliver a masterplan that delivers a range of housing options whilst still respecting and maintaining the natural character and appeal of both sites.

Consideration of the proposal under HASHA is the most efficient and effective consenting framework available. Combined with QLDC's public consultation requirements this provides:

- An 'easy' consultation process enabling any person to have input into the decision-making process;
- A robust evaluation process, where all environmental effects and district plan considerations can be addressed;
- A decision (and therefore certainty) around the scale and nature of residential development to be carried out on the site much quicker and less cost (to all parties) than available under the RMA;



PLAN WATERFALL PARK MASTERPLAN



IMAGE 1 : WATERFALL PARK - MILL CREEK & EXISTING ROAD

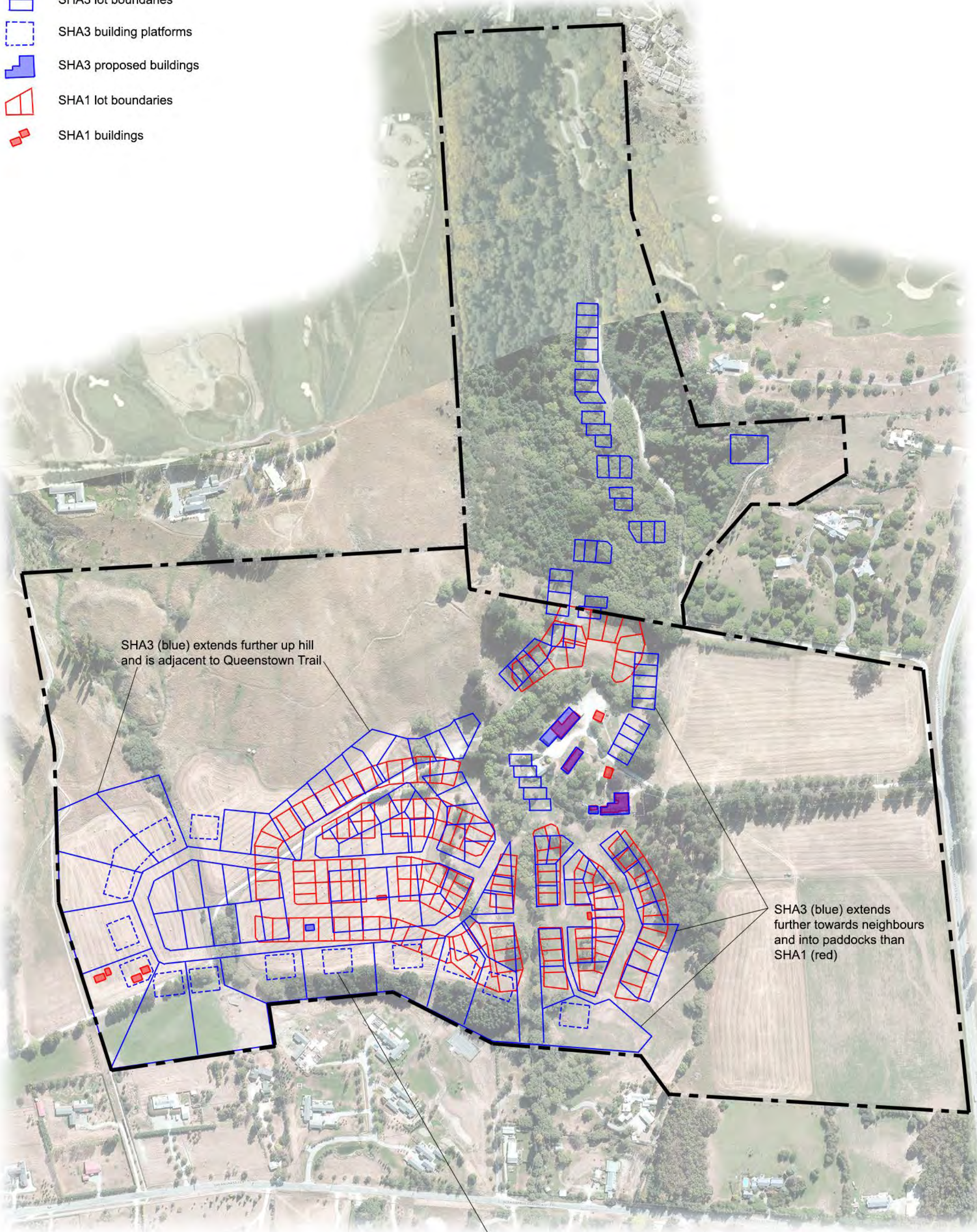
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LEGEND

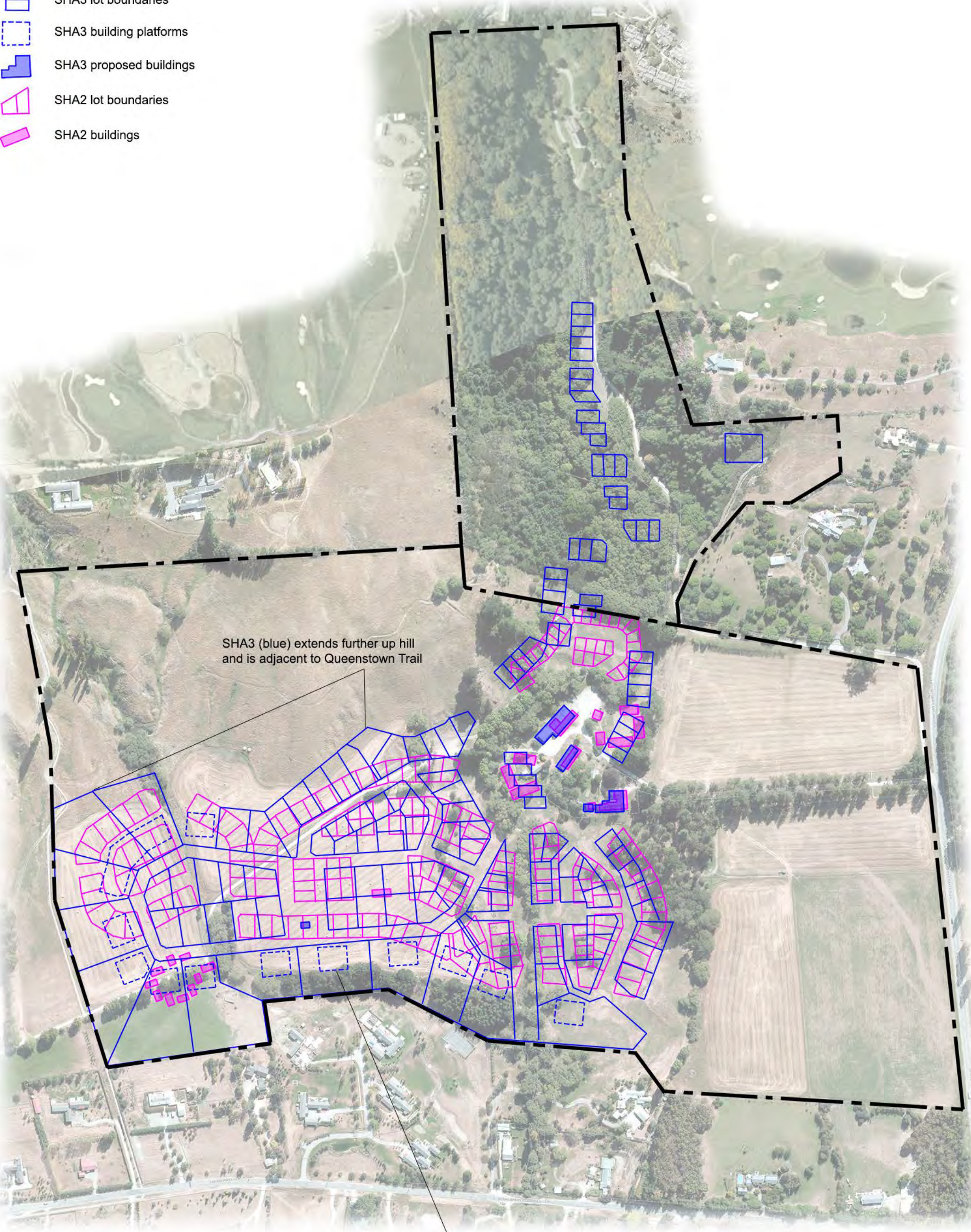
- SHA3 lot boundaries
- SHA3 building platforms
- SHA3 proposed buildings
- SHA1 lot boundaries
- SHA1 buildings





LEGEND

- SHA3 lot boundaries
- SHA3 building platforms
- SHA3 proposed buildings
- SHA2 lot boundaries
- SHA2 buildings



SHA3 (blue) extends further up hill  
and is adjacent to Queenstown Trail

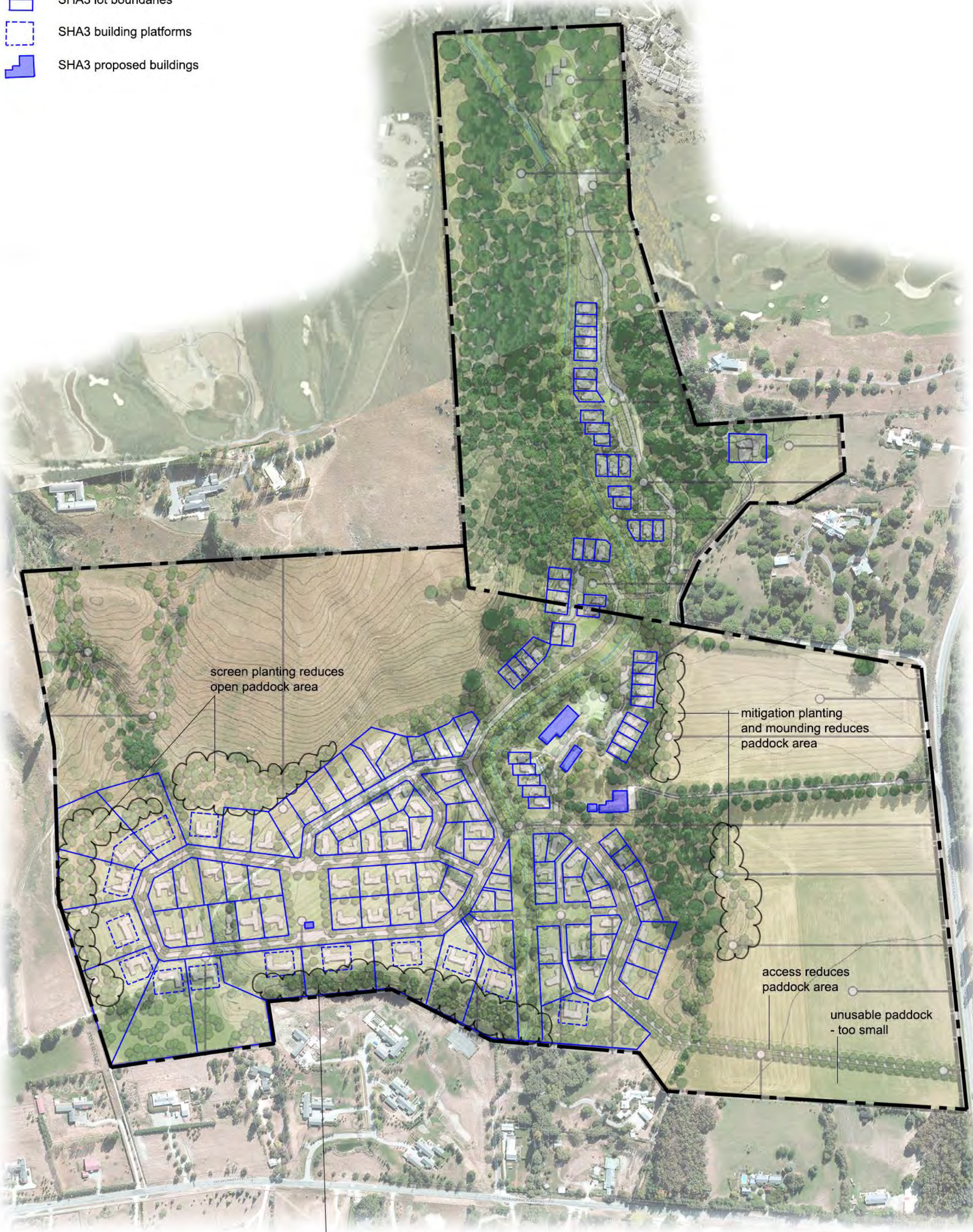
SHA3 (blue) extends much closer to  
existing neighbours' houses than SH2 (pink)





LEGEND

- SHA3 lot boundaries
- SHA3 building platforms
- SHA3 proposed buildings



proposed trees in same location as existing trees



NOT TO SCALE