

QUEENSTOWN LAKES DISTRICT COUNCIL

STRATEGY COMMITTEE

FOR MEETING OF 10 NOVEMBER 2009

REPORT FOR AGENDA ITEM: 3

SUBMITTED BY: Senior Policy Analyst – Mark Rushworth

REPORT DATED: 22 October 2009

PC29 ARROWTOWN BOUNDARY & PC30 URBAN BOUNDARY FRAMEWORK – SUBMISSIONS OVERVIEW

PURPOSE

To inform Council of the submissions received on proposed Plan Changes 29 & 30 (PC29 & PC30) and to consider the format for Hearings Panels.

CONFIDENTIALITY

This is a public report.

BACKGROUND

PC 29 was approved by Council on 30 June 2009. It seeks to establish an urban boundary for Arrowtown.

PC 30 was approved by Council on 28 July 2009. It seeks to establish a strategic framework for managing the scale and location of urban growth within the District.

Both Plan Changes were publicly notified on 19 August. Submissions closed on 9 October 2009.

The main community outcome that this agenda item relates to is sustainable growth management. However the following community outcomes are also relevant:

- Quality landscapes and natural environment and enhanced public access
- Effective and efficient infrastructure that meets the needs of growth.
- High quality urban environments respectful of the character of individual communities

ATTACHMENTS

None.

SIGNIFICANCE OF DECISION

The proposed Plan Changes are not considered significant under the Council's Significance Policy as they are budgeted for in the LTCCP.

CONSULTATION - INTERESTED OR AFFECTED PERSONS

Discussion Documents on Urban Growth Boundaries and the Arrowtown Boundary were consulted on during 2008. Feedback was taken into account during preparation of proposed Plan Changes 29 & 30.

In accordance with the requirements of Schedule 1 of the RMA, both Plan Changes have been formally notified. A seven week period, almost double the statutory timeframe, was provided for submissions to be made.

RELEVANT COUNCIL POLICIES

The following policy documents have been considered in the preparation of this report:

- The Queenstown Lakes District Council Community Plan (2006)
- The Queenstown Lakes Council Partially Operative District Plan (2005)
- Growth Management Strategy for Queenstown Lakes District (2007)
- Community Plans – Tomorrows Queenstown, Wanaka 2020, Arrowtown Plan, Kingston 2020, Cardrona 2020, Hawea Community Plan, Glenorchy Community Plan, Luggate Community Plan, Makarora 2020.
- Wanaka Structure Plan

DISCUSSION

Submissions are currently being summarised and entered onto the Plan Change data base. The initial issues that have been identified are set out below:

PC 29 Arrowtown Boundary

Approximately 540 submissions have been received. In the region of 500 submissions in support were generated through a form circulated by a group of 'concerned Arrowtown residents'. These place value on the existing character of Arrowtown. Some submissions oppose the proposed boundary with a number indicating potential areas for inclusion to enable further growth. These include areas between McDonnell Road and Centennial Avenue, land west of McDonnell Road and at Jopp Street.

PC 30 Urban Boundary Framework

Approximately 100 submissions have been received. These cover a wide range of points. The majority are in opposition, but some support the principles of the proposed Plan Change. The main issues identified so far include:

- Current Rural General & urban zones work – no justification of need for a Plan Change.
- Unnecessary additional layer of control and cost.
- Significant adverse effects on rural & rural residential properties.
- Does not adequately recognise existing property entitlements.
- The proposed PC goes beyond its stated purpose.
- It will result in a disjointed plan with contradictory objectives.
- Effect on market factors – inflate land prices and suppress economic growth.
- Different circumstances to where Metropolitan Urban Limits have been used – topographic constraints, no cross boundary/Regional issues.
- Lack of integration due to not defining all boundaries – creating uncertainty for those settlements where future plan changes have not been prepared.
- Rezoning land south of Ladies Mile (adjacent to Lake Hayes Estate) has been signalled and supported by others.

- Rural Residential should be included as part of the Urban Zones to define the defacto boundaries.
- Sequential approach is draconian and cannot be achieved as Council cannot require zoned & consented land be given effect to.
- The settlement hierarchy concept is flawed. The target of 85% growth in Area Centres (drawn from the Growth Management Strategy) has not been tested or justified. Limiting 15% growth outside Queenstown & Wanaka is unmanageable and not based on resource management principles and does not reflect current development pattern.
- Considers identified need for growth rather than environmental effects.
- Definition of urban growth too broad and vague – may restrict potentially appropriate rural development.
- Elevates the importance of urban growth above all other issues.
- Contrary to a number of Council Strategies & Policies.
- Objective unsubstantiated and Policies are inappropriate, flawed and inconsistent with the purpose and principles of the RMA.
- Contrary to the functions of Territorial Authorities under the RMA.
- Adequacy of the Section 32 report.

There are a number of submitters who have submitted on both Plan Changes.

A Private Plan Change for Arrowtown South (PC39) has been lodged. This is closely related to PCs 29 & 30, and is likely to involve a number of the same submitters. It is appropriate to consider how these processes are co-ordinated to ensure efficient and effective decision making and to provide some clarity for submitters.

OPTIONS

More comprehensive and detailed analysis of the submissions is now required. This will enable options to be identified in respect of responding to the submissions and progressing the Plan Changes. These issues will be addressed in the Planners report that will be prepared for the Hearings Commissioners.

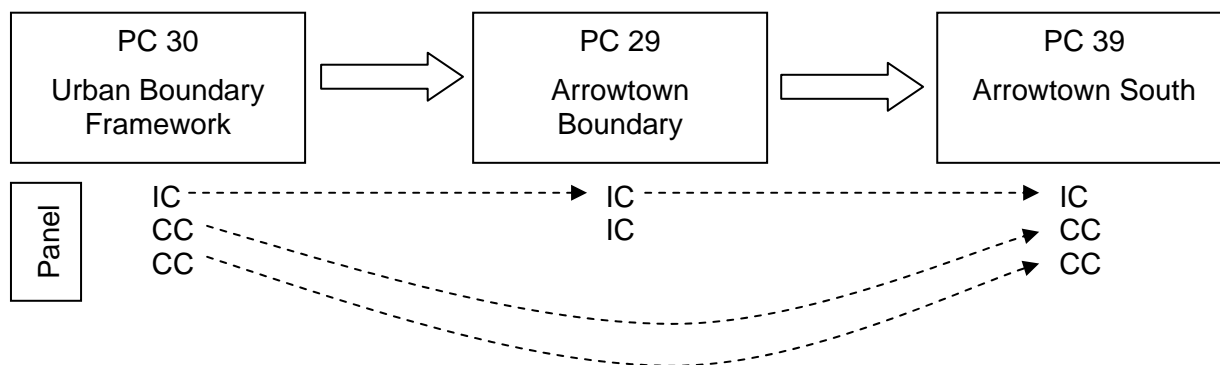
In considering options for determining the format of the Hearings Panels, consideration should be given to:

- Number of Commissioners – this should seek to ensure that there is a range of appropriate experience on the panel, provide a means of avoiding split decisions (odd number of commissioners) and consideration of managing the costs.
- Commissioner Status – policy making is a central role of Council, therefore it is appropriate to engage Councillor commissioners in the Plan Change process. However, independent commissioners can provide specialist skills and the means to avoid any potential conflicts of interest where Council has a vested interest in the process (ie PC29 where Council is a submitter).
- Consistency – enabling joined up decision making across a number of closely associated issues. This would include Plan Changes 29, 30 and 39 (Arrowtown South).

Consideration should also need to be given to the potential sequence of Hearings. There is merit in progressing from the high level strategic issue (PC 30) through the local contextual issues (PC 29) to the finer grain detail (PC 39).

Diagram 1 illustrates the preferred option which provides the most positive response to the issues identified above.

Diagram 1: Hearing Format



IC – Independent Commissioner

CC – Councillor Commissioner

FINANCIAL IMPACT

These projects are budgeted in the 09/10 financial year. Further analysis of the submissions will indicate the level of additional work required.

DELEGATIONS REGISTER REFERENCE

The Strategy Committee has the responsibility for District Plan operation and Plan Changes.

RECOMMENDATION

It is recommended that:

- 1. The report on PC29 Arrowtown Boundary & PC30 Urban Boundary Framework – Submissions Overview dated 22 October 2009 be received.*
- 2. The sequence of the Hearings for PCs 29, 30 & 39 and the format of the Commissioner Panels as set out in Diagram 1 be approved.*