



## **OPERATIVE SOUTHLAND DISTRICT PLAN 2001**

### **BUCHANAN PROPOSED PRIVATE PLAN CHANGE NO. 8**

# **Summary of Decisions Requested by Persons making Submissions**

IN ACCORDANCE WITH CLAUSE 7 OF THE  
FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991

Prepared by: SDC Resource Management Department staff - Luke McSoriley

Date: 5 December 2009

1. **Submitters and Addresses for Service (numbered as received)**

No	Submitter	Address	Wish to be Heard	Joint Case
1.	Noeline Lois Evans	42 Lawson Burrows Crescent, Te Anau 9600	N	N
2.	John Roy Robson and Stephonie Quenau	225 Whitestone Road, Te Anau 9600	N	N
3.	E A Loose	8 Sunderland Street, Te Anau 9600	N	Not stated
4.	Bill Verrall	32 Howden Street, Te Anau 9600	Y	Perhaps
5.	David Thomas Healy	8 Donald Ross Place, Te Anau 9600	N	N
6.	Gary Andrew Barnes	61 Fergus Square, PO Box 85 Te Anau 9600	N	N
7.	Alan Ronald Petrie	24 Henry Street, Te Anau 9600	N	N
8.	Neil Rutherford Borland	22 Botting Place, Waverley, Dunedin 9013	N	Y
9.	Te Ao Mārama Incorporated	C/- D Whaanga, Te Ao Mārama Incorporated, PO Box 7078, South Invercargill 9844	N	Not stated
10.	Fish and Game Southland	PO Box 159, Invercargill 9840	Y	Y
11.	George J and Margaret E Booth	13 Dalhousie Place, Te Anau 9600	N	N
12.	Robert Hunter Milne	141 Terrace Street, Invercargill 9810	N	Not stated
13.	New Zealand Fire Service Commission	C/- Kristina Mead, Beca Carter Hollings & Ferner Ltd, PO Box 13960, Christchurch 8141	Y	N
14.	Director General of the Department of Conservation	C/- Community Relations Manager, Department of Conservation, PO Box 743, Invercargill 9840	Y	Y
15.	Environment Southland	Private Bag 90116, Invercargill 9840	Y	Not stated
16.	James Frederick McMurtrie	85 Matai Street, Te Anau 9600	N	Y
17.	Glenda Margaret Bell	12 Charles Nairn Road, RD 1 Te Anau 9679	Not stated	Not stated
18.	Arthur John Henderson	78 Dublin Street, Invercargill 9810	N	Y
19.	New Zealand Transport Agency	PO Box 5245, Dunedin 9058	Y	Y

2. **Summary of Decisions Requested by Persons making submissions on Proposed Plan Change 8: Buchanan Private Plan Change**

<b>Buchanan Private Plan Change 8</b>			
<b>Submitter number/point</b>	<b>Submitter</b>	<b>Summary of Submission</b>	<b>Summary of Decision Requested</b>
1.	Noeline Lois Evans	Idea is good but asks about the provision of water and sewerage for this area - will new residences hook in to Te Anau's existing sewerage and water schemes?	Can the existing town services cope with more properties? I think not there are so many developments and unsold sections now.
2.	John Roy Robson and Stephonie Quenau	Oppose. We disagree with the proposal for two reasons. 1. Low density residential - Te Anau is already well served with subdivisions of various sizes with some of these existing developments only having buildings constructed on about 20% of sections. Given the slow but steady increase in the population it will take more than 10 years for these to be built on. There is existing capacity for residential growth and there is no need for this proposal until current developments are nearing capacity. Opposes subdivision and golf course. 2. Golf course - The current course has been developed over the years by volunteer labour and club member efforts. A second course would dilute the pool of supporters and undermine the years of work put into date.	Decline.
3.	E A Loose	I support this Plan Change. There is a need for this type of maybe more 'relaxed' type of development for people who do not wish to live in a more urban development we are all different. This area is very suitable for this development.	Proceed with Plan Change.
4.	Bill Verrall	The Buchanan initiative should be banned in its current form.	Delay and reconsider proposed Plan Change 8.
5.	David Thomas Healy	Plan Change 8 - I support.	Not stated.
6.	Gary Andrew Barnes	Supports all four proposed Plan Changes.	Not stated.

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7.	Alan Ronald Petrie	<p>Applicants' property reinforces the open rural qualities that form the foreground to the sweeping views of the distant mountains and glimpses of Lake Te Anau when travelling from the east. Unlike many other New Zealand townships, Te Anau has a distinct character due to the hard edges between urban and rural zoning, this point of difference with other tourist townships should be protected.</p> <p>One of the significant features when entering Te Anau via SH 94 is the descending past a series of glacial terraces; each of these terraces depicts ancient lake levels. The proposed Scenic Protection Zone A that follows SH 94 will not protect the distinctive characteristics of the landscape when approaching Te Anau. A 40m protection strip may be acceptable on flat land such as across the Southland plains, but this finite measurement does not bare any relationship to the physical environment when entering Te Anau.</p> <p>The applicants intend to "provide a landscaped avenue entrance to the greater Te Anau township" the entrance to the township does not need to be enhanced with plantings but rather it would be more appropriate to protect the existing rural character rather than cluttering the land with artificial imposed plantings. From a practical perspective only a few hardy tree species will survive on such gravely and drought-prone soils, presently similar plantings from nondescript patterns over the district's interesting landforms.</p>	<p>That the Council requests the applicants to extend the existing Scenic Protection Zone A 20m past the top flight of terraces that follow SH 94 when descending into Te Anau.</p> <p>This setback will help to protect the open rural character of the landscape and the integrity of the ancient glacial terraces, which are a distinctive and memorable trait when entering Te Anau.</p>

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		Within 2.1 Purpose of and Reasons for Proposed Plan Change, the report states that a landscape consultant firm considered this land as “being less visually sensitive than some other lands”. From this statement it appears much emphasis has been placed on visual amenity rather than considering all the elements that make up the physical environment such as the variations in landform and land cover, which contribute to the existing flavour of the land when entering Te Anau.	
8.	Neil Rutherford Borland	Acceptable, but it seems a large area to let and people have (almost) endless rights to subdivide and develop such a large area.	Consider whether such a large area should be subdivided by two individuals.
9.	Te Ao Mārama Incorporated	The proposal is supported.	Noting that the proposal appears to have no impact on iwi values as set out in Te Tangi a Taurira, the proposal is supported.
10.	Fish and Game Southland	We are not opposed to Plan Change 8. The applicant has put forward some sensible proposals to ameliorate the environmental effects of the rezoning and subsequent redevelopment of the site.	We are not opposed to Plan Change 8 being granted.
11.	George J and Margaret E Booth	We do not approve of proposed Plan Change 8. We feel there are enough unused sections and unfinished developments around Te Anau as it is. If all there were utilised the infrastructure as it stands now would not cope let alone adding more to the pot. We do approve of the two Scenic Protection Zones also proposed.	Not stated.
12.	Robert Hunter Milne	Oppose. Already far too many residential sections in Te Anau with approximately 1,500 new sections created in recent years. Where is the need for these new sections? Will this turn into an empty subdivision like the two already allowed?	Decline the proposed change.

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13.	New Zealand Fire Service Commission	<ol style="list-style-type: none"> <li>1. NZFS are responsible for ensuring the provision of appropriate fire-fighting water supplies and access suitable for fire fighting purposes. Appropriate fire-fighting water supplies and access must be made available.</li> <li>2. The Plan Change states that adequate supply exists within Te Anau's existing water supply to service the development and all allotments will be connected to the reticulated supply. It is proposed to insert a rule into the plan which requires any allotments under 2 ha to connect to reticulated services.</li> <li>3. Rural allotments over 2 ha in size created prior to more intensive development on the site will require on-site storage. The New Zealand Fire Fighting Water Supplies Code of Practice allows for the provision of 'alternative fire fighting water sources'. If an alternative source of fire-fighting water is chosen the applicant should seek the advice and approval of the NZFS.</li> <li>4. In the event that an appropriate fire fighting water supply is not established on each allotment then the operational efficiency of the NZPS may be compromised.</li> </ol>	The NZFS seeks confirmation that the reticulated supply which is to be extended to the subject site is able to meet the Code of practice, with a minimum FW2 supply. Where allotments do not connect to the reticulated supply, the NZFS requests that fire fighting storage is provided which meets the Code of Practice.
14.	Director General of the Department of Conservation	The Director General notes with interest that this privately initiated plan change appears potentially inconsistent with proposed Plan Change 6 which aims to focus urban development in other areas around Te Anau. The Director General is neutral on this Plan Change proposal.	That Council requires that all subdivisions within 500 metres of the boundary of an Urban Resource Area connect to existing reticulated sewerage services.

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15.	Environment Southland	<ol style="list-style-type: none"> <li>1. Environment Southland note that lead contamination from the disused gun club is identified as a problem in the Section 32 report. Environment Southland are of the opinion that there is currently insufficient information within the Section 32 report to adequately identify and characterise the contamination caused by lead shot at the former Te Anau gun club. Prior to any subdivision a full investigation of the area should take place this could then govern appropriate remediation or retirement options. It should be noted that the scatter effect of lead shot could mean that lead impaction could extend for up to 200 metres in any direction from the club.</li> <li>2. Two options have been listed for dealing with lead contamination with one being to designate a no build zone. More clarity is needed on this option as it does not necessarily follow that a reserve or other no build zone would have the required effect of removing the health risk. Risk from produce consumption or ingestion through recreational activities remains.</li> <li>3. There is no current national standard for lead contamination. There are publications citing 300 parts per million as an investigation threshold, not necessarily a threshold at which remediation must be done or at which contamination is acceptable. A full explanation of the why a lead level threshold of 300 parts per million is deemed appropriate.</li> <li>4. No reference is made in the Section 32 report as to whether there are any other potential sources of contamination on the property. This could include sheep dips/spay races and storage tanks for petroleum products or farm chemicals.</li> <li>5. No concern in respect to the management of risk of natural hazards.</li> </ol>	Environment Southland seeks that the Southland District Council addresses fully all of the issues raised in this submission and ensures Environment Southland remains fully involved in the Plan Change process.

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16.	James Frederick McMurtrie	I do not support this proposal because there are already sufficient subdivisions available in the Te Anau area. It will add extra pressure on the Te Anau township's facilities which are struggling to keep up.	To not support this proposed Plan Change.
17.	Glenda Margaret Bell	<p>I entirely oppose this proposed Plan Change.</p> <ol style="list-style-type: none"> <li>1. There is no actual 'need' at the present time for such a proposal.</li> <li>2. The proposal, if successfully developed, would fragment, detract and take away from the existing and future growth and vitality of the current town centre. I question the need for a second golf course, be it private / exclusive or otherwise.</li> <li>3. It would be far better and prudent to set this land aside for further future industrial and recreational development, as: <ul style="list-style-type: none"> <li>- What other land is left available, that could be conveniently used for such, after the last land rush?</li> <li>- The land is conveniently located directly off SH 94 and opposite the turnoff for SandyBrown Road, where industrial development already exists.</li> <li>- The land has no 'outstanding landscape value' according to the proposed developers.</li> <li>- The geology and geography of the land would be ideally suited for such purposes; and would naturally screen any activities from public view</li> <li>- The land is down wind of the town centre.</li> </ul> </li> </ol>	Not stated.

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18.	Arthur John Henderson	I support proposed Plan Change 8. This is a timely and well thought through proposal. It would complement current available sections which are mostly smaller in size. Because of the size of the plan there would be significant economies of scale and savings with council staff time. If accepted this will result in savings in rates. The only large area suitable for urban expansion is Buchanan's and it is very close to existing services and fits attractively into the shape of Te Anau town. If the plan is not adopted where can urban development go? Except into sensitive areas or into ribbon development and who wants that? Any contentious issues i.e. visual impact or surface water have been thoroughly researched and provisions made to minimise any small effect there might be. I think this is an excellent Plan Change and if adopted it will enhance a lovely town.	That the proposed Plan Change be adopted.

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19.	New Zealand Transport Agency	<ol style="list-style-type: none"> <li>1. General Comment - NZTA neither supports nor opposes the proposed Plan Change but NZTA anxious to better understand how this proposed Plan Change aligns and integrates with the proposed Plan Change 6, and perhaps more particularly, why it is appropriate and necessary despite being rejected for urban expansion by the Te Anau Community Board.</li> <li>2. Master Development Plan - NZTA agrees with the concept of preparing and formalising a Master Development Plan and sees advantages to this approach. However NZTA is concerned about how a Master Development Plan might be prepared and formally adopted by the Council. The rules as promoted in the proposed Plan Change do not specifically set out a process for preparing and consulting on a Master Development Plan, but the outcome will be crucially important to both the Council and utility and network operators. Without a Master Development Plan the scope of what might be permitted on the site is wide ranging and difficult to anticipate. NZTA would prefer that an actual Master Development Plan be included as part of the proposed Plan Change.</li> </ol>	<ol style="list-style-type: none"> <li>1. General Comment - The NZTA considers that if this proposed Plan Change does not align or integrate well with the Council's proposed Plan Change 6, there is scope for it to potentially be rejected.</li> <li>2. Master Development Plan - NZTA requests that the rules be amended to: require a Master Development Plan to be prepared for the subject site prior to any further development activity; and to require any Master Development Plan to be prepared in consultation with the affected infrastructure providers including the NZTA.</li> </ol>

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		<p>3. Travel Demand Management - Proposal does not explicitly consider travel demand in its own right. NZTA considers that managing demand to travel should be considered as having a wider context than just reducing energy consumption. NZTA suggests that in this context, travel demand management warrants detailed and explicit attention in terms of the matters the Council shall have regard to when considering proposals for urban growth.</p>	<p>3. Travel Demand Management - A new matter is included that might address the following principles (subject to ongoing refinement); the extent to which a proposal provides for, or will promote, mechanisms to manage demand to travel, or will utilise and/or capitalise on existing mechanisms to manage demand to travel. In considering whether the potential effects of proposals for urban growth are minor Council should be satisfied that the proposal will:</p> <ul style="list-style-type: none"> <li>(i) improve the ability to undertake multi-purpose trips to destination nodes.</li> <li>(ii) reduces the distances that need to be travelled in order to reach destination nodes.</li> <li>(iii) supports a choice of travel modes that prioritises walking, cycling and public transport</li> <li>(iv) capitalises on and/or establishes opportunities for destination nodes to provide access to a comprehensive mix of goods, services and activities.</li> </ul>

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		<p>4. Subdivision - Under proposed Rules TRB.1 the proposal seeks to make subdivision a permitted activity. NZTA suggests that this rule might in fact be ultra vires. There is also a requirement under Section 106 for the Council to be satisfied that the road being SH 94 is road for the purposes of any specific subdivision under Section 93 of the Government Roding Powers Act. These are both matters over which the Council has to exercise some discretion and places a constant constraint of the ability of a subdivision to be considered a permitted activity.</p> <p>5. Rules - Concern about terminology used in proposal. NZTA submits that it is not appropriate to define a fully discretionary activity and seek to limit the matters over which the Council can exercise its discretion. Either the matters are fully discretionary or it is restricted discretionary. NZTA submits that it is appropriate for activities that will not comply with the Master Development Plan to be at least fully discretionary (if not non-complying) and that the limits currently promoted should be removed.</p>	<p>4. Subdivision - That Rule TRB.1 be amended to remove subdivision of any description as a permitted activity; and that Rule TRB.2 be amended and/or strengthened to require subdivision promoted for any area of land for which a Master Development Plan has been approved by Council as a restricted discretionary activity with the Council's discretion restricted to among a variety of matters, the consistency of the proposed subdivision with the outcomes and direction of the Master Development Plan.</p> <p>5. Rules - That Rule TRB.3 be amended by removing the limits to the Council's discretion set out under subsection (c).</p>