

What rights will be lost for property owners under the Wakatipu Basin Variation?

A number of landowners in the Wakatipu Basin of the Queenstown Lakes District are set to lose development rights under Council's proposed 'Wakatipu Basin Variation'. Any person can submit on the Variation through the public submission process, which closes 23 February 2018.

Queenstown Lakes District Council (**Council**) notified a variation to its District Plan Review (**DPR**) on 23 November 2017. You can check whether your land is captured by the Basin Variation by viewing the following map: [Map 13d Wakatipu Basin](#). The result of the Variation is to provide a new zoning regime across the Basin as follows:

- All of the Basin is classified as 'Wakatipu Basin Rural Amenity Zone' (**WBRAZ**); the purpose of this Zone is largely to protect and enhance landscape and visual amenity values by restricting further subdivision and development through a non-complying subdivision rule for lots less than 80ha and by including more onerous landscape assessment matters.
- Part of the WBRAZ is then overlaid with the Wakatipu Basin Lifestyle Precinct (**WB Precinct**) which provides for subdivision to a minimum lot size of 6000m² with a 1ha average.

WBRAZ and WB Precinct replace what are currently the Rural General Zone, Rural Residential and Rural Lifestyle Zones in the Basin, and both the location and rules are materially different.

Currently, if you own land in the Basin which is zoned Rural Residential you have the following 'rights' for development (subject to established standards):

- Construction of buildings within a complying density of 4,000m² allotments;
- Subdivision within a complying density of 4,000m² allotments.

If you own land within the Rural Lifestyle Zone or the Rural General Zone with an approved building platform you have the following 'rights' (subject to established standards):

- The construction of a building subject to size restrictions within a building platform;
- The addition to, or alteration of, existing buildings within a building platform, subject to percentage increase limitations.

Each of those rights is currently a 'controlled activity' under the Operative District Plan. This means Council cannot refuse consent for such applications if standards are met. The Basin Variation proposes a fundamental shift to that planning regime, so that these activities become 'restricted discretionary' and subject to broader landscape assessment matters. That shift in activity status means that Council could refuse consent for an activity which currently is an established development right.

Anyone interested in the value of existing development rights or the certainty of development potential of their land in the Basin should be aware of these changes and consider submitting to the Variation. Submissions close 23 February 2018.

Want to know more?

In addition to the above, a number of other important changes are being proposed in the DPR. If you want assistance understanding the impact of these proposed changes, or to make a submission to the DPR, please contact our [specialist local team](#).