

## 21 Rural

Please note: Variations to parts of this chapter have been decided by Council on 7 March 2019 as part of Stage 2 of the PDP. You can view the Stage 2 Decisions, appeals and section 274 notices on our website. The appeal and section 274 periods for the Stage 1 and 2 Decisions have closed.

*This table identifies provisions subject to and consequentially affected by appeals:*

Provision Subject To Appeal (identified in red text in the relevant chapter/s)	Appellant Court Number	Consequentially Affected Provisions
Section 21.1	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56  Cardrona Alpine Resort Limited ENV-2018-CHC-117  Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133  Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received)	Objective 21.2.1, Policy 21.2.1.11, Objective 21.2.5, Objective 21.2.9, Policy 21.2.9.1, Policy 21.2.9.3, Objective 3.2.1.8  Section 33.1
Objective 21.2.1	Mt Cardrona Station Limited ENV-2018-CHC-83  Darby Planning Limited ENV-2018-CHC-150  Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Canyon Food & Brew Company) ENV-2018-CHC-146  SYZ Investments Limited ENV-2018-CHC-130	Section 21.1, Policy 21.2.1.1, Policy 21.2.4.2, Objective 21.2.9, Section 6.2  Objective 21.2.9, Policy 21.2.9.3, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Strategic Policy 3.3.21  Objective 21.2.9, Policy 21.2.9.3, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Strategic Policy 3.3.21  Objective 21.2.9, Policy 21.2.9.3, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Strategic Policy 3.3.21  Strategic Policy 3.3.22, Policy 4.2.2.21, Policy 6.3.12, Policy 6.3.19, Rule 27.5.8, Rule 27.5.11
Policy 21.2.1.1	Mt Cardrona Station Limited ENV-2018-CHC-83  Darby Planning Limited ENV-2018-CHC-150	Section 21.1, Policy 21.2.4.2, Objective 21.2.9, Section 6.2  Objective 21.2.9, Policy 21.2.9.3, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Strategic Policy 3.3.21

	<p>Real Journeys Limited ENV-2018-CHC-131</p> <p>Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138</p> <p>Real Journeys (trading as Canyon Food &amp; Brew Company) ENV-2018-CHC-146</p> <p>SYZ Investments Limited ENV-2018-CHC-130</p> <p>Queenstown Park Limited ENV-2018-CHC-127</p>	<p>Objective 21.2.9, Policy 21.2.9.3, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Strategic Policy 3.3.21</p> <p>Objective 21.2.9, Policy 21.2.9.3, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Strategic Policy 3.3.21</p> <p>Objective 21.2.9, Policy 21.2.9.3, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Strategic Policy 3.3.21</p> <p>Strategic Policy 3.3.22, Policy 4.2.2.21, Policy 6.3.12, Policy 6.3.19, Rule 27.5.8, Rule 27.5.11</p> <p>Section 6.2, Policy 21.2.9.4</p>
<b>Policy 21.2.1.5</b>	<p>Real Journeys Limited ENV-2018-CHC-131</p> <p>Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138</p>	<p>Policy 12.2.3.5, Policy 13.2.5.3</p> <p>Policy 12.2.3.5, Policy 13.2.5.3</p>
<b>Policy 21.2.1.10</b>	<p>Queenstown Park Limited ENV-2018-CHC-127</p>	<p>Policy 21.2.1.11, Policy 21.2.9.3</p>
<b>Policy 21.2.1.11</b>	<p>Real Journeys Limited ENV-2018-CHC-131</p> <p>Real Journeys (trading as Canyon Food &amp; Brew Company) ENV-2018-CHC-146</p> <p>Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133</p> <p>Queenstown Park Limited ENV-2018-CHC-127</p>	<p>Policy 21.2.1.10, Policy 21.2.9.4</p>
<b>Policy 21.2.1.12</b>	<p>Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (further particulars received)</p>	
<b>Policy 21.2.1.15</b>	<p>Darby Planning Limited ENV-2018-CHC-150</p> <p>Real Journeys Limited ENV-2018-CHC-131</p> <p>Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138</p> <p>Real Journeys (trading as Canyon Food &amp; Brew Company) ENV-2018-CHC-146</p> <p>Queenstown Park Limited ENV-2018-CHC-127</p>	
<b>Objective 21.2.4</b>	<p>Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received)</p>	

<p><b>Policy 21.2.4.2</b></p>	<p>Darby Planning Limited ENV-2018-CHC-150</p> <p>Real Journeys Limited ENV-2018-CHC-131</p> <p>Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138</p> <p>Real Journeys (trading as Canyon Food &amp; Brew Company) ENV-2018-CHC-146</p> <p>New Zealand Tungsten Mining Limited ENV-2018-CHC-151</p> <p>Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received)</p>	
<p><b>Objective 21.2.5</b></p>	<p>New Zealand Tungsten Mining Limited ENV-2018-CHC-151</p>	<p>Policy 21.2.5.4</p>
<p><b>Policy 21.2.5.1</b></p>	<p>New Zealand Tungsten Mining Limited ENV-2018-CHC-151</p>	
<p><b>Objective 21.2.6</b></p>	<p>Mt Cardrona Station Limited ENV-2018-CHC-83</p> <p>Cardrona Alpine Resort Limited ENV-2018-CHC-117</p>	<p>Policy 21.2.6.4, Policy 21.2.6.5, Provision 21.3.3.6, Rule 21.4, Rule 21.4.24, Rule 21.4.25, Rule 21.7.2, Rule 21.12, Rule 21.4.19</p>
<p><b>Policy 21.2.6.1</b></p>	<p>Cardrona Alpine Resort Limited ENV-2018-CHC-117</p>	<p>Policy 21.2.6.4, Policy 21.2.6.5, Provision 21.3.3.6, Rule 21.4, Rule 21.4.24, Rule 21.4.25, Rule 21.7.2, Rule 21.12, Rule 21.4.19</p>
<p><b>Policy 21.2.6.4</b></p>	<p>Soho Ski Area Ltd &amp; Blackmans Creek No. 1 LP ENV-2018-CHC-104</p> <p>Mt Cardrona Station Limited ENV-2018-CHC-83</p>	<p>Definition "Passenger Lift System"</p>
<p><b>Policy 21.2.7.1</b></p>	<p>Real Journeys Limited ENV-2018-CHC-131</p> <p>Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138</p>	
<p><b>Objective 21.2.8</b></p>	<p>Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (further particulars received)</p>	
<p><b>Policy 21.2.8.1</b></p>	<p>Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133</p>	
<p><b>Objective 21.2.9</b></p>	<p>Darby Planning Limited ENV-2018-CHC-150</p> <p>Real Journeys Limited ENV-2018-CHC-131</p>	<p>Policy 21.2.4.2, Policy 21.2.9.1, Policy 21.2.9.2, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Objective 21.2.11, Strategic Policy 3.3.21, Section 6.2</p> <p>Policy 21.2.4.2, Policy 21.2.9.1, Policy 21.2.9.2, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Objective 21.2.11, Strategic Policy 3.3.21, Section 6.2</p>

	<p>Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138</p> <p>Real Journeys (trading as Canyon Food &amp; Brew Company) ENV-2018-CHC-146</p> <p>SYZ Investments Limited ENV-2018-CHC-130</p>	<p>Policy 21.2.4.2, Policy 21.2.9.1, Policy 21.2.9.2, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Objective 21.2.11, Strategic Policy 3.3.21, Section 6.2</p> <p>Policy 21.2.4.2, Policy 21.2.9.1, Policy 21.2.9.2, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Objective 21.2.11, Strategic Policy 3.3.21, Section 6.2</p> <p>Strategic Policy 3.3.22, Policy 4.2.2.21, Policy 6.3.12, Policy 6.3.19, Policy 21.21.1.1, Rule 21.21.2, Rule 27.5.8, Rule 27.5.11</p>
<b>Policy 21.2.9.2</b>	<p>Darby Planning Limited ENV-2018-CHC-150</p> <p>Real Journeys Limited ENV-2018-CHC-131</p> <p>Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138</p> <p>Real Journeys (trading as Canyon Food &amp; Brew Company) ENV-2018-CHC-146</p> <p>SYZ Investments Limited ENV-2018-CHC-130</p> <p>New Zealand Tungsten Mining Limited ENV-2018-CHC-151</p> <p>Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (further particulars received)</p>	<p>Policy 21.2.4.2, Policy 21.2.9.1, Policy 21.2.9.2, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Objective 21.2.11, Strategic Policy 3.3.21, Section 6.2</p> <p>Policy 21.2.9.1</p>
<b>Policy 21.2.9.3</b>	<p>Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56</p> <p>Real Journeys Limited ENV-2018-CHC-131</p> <p>Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138</p> <p>Real Journeys (trading as Canyon Food &amp; Brew Company) ENV-2018-CHC-146</p> <p>SYZ Investments Limited ENV-2018-CHC-130</p>	
<b>Objective 21.2.10</b>	<p>Mt Cardrona Station Limited ENV-2018-CHC-83</p>	<p>Policy 21.2.9.3, Policy 21.2.10.1</p>

	Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Rule 21.4.13, Rules 21.9.1, 21.9.2, 21.9.3, and 21.9.4
Policy 21.2.10.1	Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Rule 21.4.13, Rules 21.9.1, 21.9.2, 21.9.3, and 21.9.4
Policy 21.2.10.2	Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Rule 21.4.13, Rules 21.9.1, 21.9.2, 21.9.3, and 21.9.4
Policy 21.2.10.3	Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Rule 21.4.13, Rules 21.9.1, 21.9.2, 21.9.3, and 21.9.4
Policy 21.2.10.4	Mt Cardrona Station Limited ENV-2018-CHC-83  Queenstown Park Limited ENV-2018-CHC-127	Policy 21.2.9.3, Policy 21.2.10.1, Policy 21.2.10.4  Strategic Policy 3.3.21, Rule 21.4.13, Rules 21.9.1, 21.9.2, 21.9.3, and 21.9.4
Objective 21.2.11	Cardrona Alpine Resort Limited ENV-2018-CHC-117  Fairfax & Others ENV-2018-CHC-096  Te Anau Developments Limited ENV-2018-CHC-106	
Policy 21.2.11.1	Cardrona Alpine Resort Limited ENV-2018-CHC-117  Fairfax & Others ENV-2018-CHC-096  Te Anau Developments Limited ENV-2018-CHC-106	
Policy 21.2.11.2	Cardrona Alpine Resort Limited ENV-2018-CHC-117  Fairfax & Others ENV-2018-CHC-096  Aircraft Owners and Pilots and Owners Association (NZ) Incorporated ENV-2019-CHC-132  Te Anau Developments Limited ENV-2018-CHC-106	Objective 21.2.11, Policies 21.2.11.1, 21.2.11.2 and 21.2.11.3
Objective 21.2.12	Queenstown Wharves GP Limited ENV-2018-CHC-142  Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138  Real Journeys (trading as Canyon Food & Brew Company) ENV-2018-CHC-146	Policy 21.2.12.5  Policy 12.2.5.3, Policy 12.2.5.6  Policy 12.2.5.3, Policy 12.2.5.6  Policy 12.2.5.3, Policy 12.2.5.6
Policy 21.2.12.2	Real Journeys Limited ENV-2018-CHC-131	

	Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138  Queenstown Park Limited ENV-2018-CHC-127	
<b>Policy 21.2.12.3</b>	Queenstown Wharves GP Limited ENV-2018-CHC-142  Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138	Policy 21.2.12.9, Policy 21.2.12.10  Policy 21.2.12.8  Policy 21.2.12.8
<b>Policy 21.2.12.4</b>	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138	
<b>Policy 21.2.12.8</b>	Queenstown Wharves GP Limited ENV-2018-CHC-142  Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138  Kawarau Jet Services Holdings Limited ENV-2018-CHC-082	Objective 21.21.3
<b>Policy 21.2.12.9</b>	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138  Kawarau Jet Services Holdings Limited ENV-2018-CHC-082	
<b>Policy 21.2.12.10</b>	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138  Kawarau Jet Services Holdings Limited ENV-2018-CHC-082	
<b>Objective 21.2.13</b>	Transpower ENV-2018-CHC-114 (further particulars received)	
<b>Other Provisions and Rules 21.3.3.5</b>	New Zealand Tungsten Mining Limited ENV-2018-CHC-151	
<b>Rule 21.4.17</b>	Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Rule 21.4.13, Rules 21.9.1, 21.9.2, 21.9.3 and 21.9.4
<b>Rule 21.4.19</b>	Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Policy 21.2.9.3
<b>Rule 21.4.25</b>	Soho Ski Area Ltd & Blackmans Creek No. 1 LP ENV-2018-CHC-104  Mt Cardrona Station Limited ENV-2018-CHC-83  Cardrona Alpine Resort Limited	Policy 21.2.6.2, Policy 21.2.6.4

	ENV-2018-CHC-117 Treble Cone Investments Limited ENV-2018-CHC-107	
Rule 21.4.27	Te Anau Developments Limited ENV-2018-CHC-106	
Rule 21.4.28	Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138  Te Anau Developments Limited ENV-2018-CHC-106	
Rule 21.4.34	Cardrona Alpine Resort Limited ENV-2018-CHC-117	
Rule 21.5.7	Cardrona Alpine Resort Limited ENV-2018-CHC-117	
Rule 21.7 Table 4	Mt Cardrona Station Limited ENV-2018-CHC-83  New Zealand Tungsten Mining Limited ENV-2018-CHC-151	Rule 21.7
Rule 21.7.3	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	
Rule 21.8.1.3	New Zealand Tungsten Mining Limited ENV-2018-CHC-151	
Rule 21.9.1	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Canyon Food & Brew Company) ENV-2018-CHC-146  Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Objective 21.2.1, Policy 21.2.10.1
<del>Rule 21.10.1.1</del>	<del>New Zealand Tungsten Mining Limited ENV-2018-CHC-151 (relief withdrawn)</del>	
<del>Rule 21.10.1.2</del>	<del>New Zealand Tungsten Mining Limited ENV-2018-CHC-151 (relief withdrawn)</del>	
Rule 21.10.2.2	Fairfax & Others ENV-2018-CHC-096  Aircraft Owners and Pilots and Owners Association (NZ) Incorporated ENV-2019-CHC-132	Rule 21.10.1
Rule 21.10.2.3	Fairfax & Others ENV-2018-CHC-096  Aircraft Owners and Pilots and Owners Association (NZ) Incorporated ENV-2019-CHC-132	Rule 21.10.1.4  Objective 21.2.11, Policies 21.2.11.1, 21.2.11.2 and 21.2.11.3
Rule 21.11, Table 8	New Zealand Tungsten Mining Limited ENV-2018-CHC-151	
Rule 21.14.2	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	

Rule 21.15.6	Queenstown Wharves GP Limited ENV-2018-CHC-142	Policy 6.3.30
Rule 21.15.7	Queenstown Wharves GP Limited ENV-2018-CHC-142  Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138	Policy 6.3.30
Rule 21.15.8	Queenstown Wharves GP Limited ENV-2018-CHC-142  Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138	Policy 6.3.30
Rule 21.16.2	Queenstown Wharves GP Limited ENV-2018-CHC-142	Policy 6.3.30
Rule 21.16.3.1	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138	
Section 21.21 – All assessment matters	Darby Planning Limited ENV-2018-CHC-150  Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138  Real Journeys (trading as Canyon Food & Brew Company) ENV-2018-CHC-146  SYZ Investments Limited ENV-2018-CHC-130	Strategic Objectives 3.2.5, 3.2.5.1, and 3.2.5.2  Strategic Objectives 3.2.5, 3.2.5.1, and 3.2.5.2  Strategic Objectives 3.2.5, 3.2.5.1, and 3.2.5.2  Strategic Objectives 3.2.5, 3.2.5.1, and 3.2.5.2
Section 21.21.1.1	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56  Willowridge Developments Limited ENV-2018-CHC-115  New Zealand Tungsten Mining Limited ENV-2018-CHC-151	Policy 6.3.12, Policy 4.2.1.5, Policy 4.2.2.14  Strategic Objective 3.2.5.1, Strategic Policy 3.3.30, Policy 6.3.12, Rule 21.21.1.4
Section 21.21.1.3	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	
Section 21.21.1.4	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56  New Zealand Tungsten Mining Limited ENV-2018-CHC-151	
Section 21.21.1.5	Upper Clutha Environmental Society Incorporated	



	ENV-2018-CHC-56	
Section 21.21.1.6	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	
Section 21.21.2	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56  Queenstown Airport Corporation Limited ENV-2018-CHC-093 (further particulars received)	
Section 21.21.3.3.b	New Zealand Tungsten Mining Limited ENV-2018-CHC-151	

***This table identifies new provisions sought to be added:***

Appellant Court Number	Provision/s Sought to be Added into Chapter 21
New Zealand Tungsten Mining Limited ENV-2018-CHC-151	Insert new paragraph to Section 21.1 Zone Purpose as follows: <u>Mining activity, including exploration and drilling, have often existed within rural areas which may be subject to a landscape classification, and have had no lasting adverse effects. These activities can provide significant ongoing economic, heritage and social benefits to the district where the environmental effects are managed appropriately. Many of the natural and outstanding landscapes in the District have already been significantly modified through mining activity and this adds to the special character of particular landscapes.</u>
Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	Insert new Rule 21.4.9.a: The use of land or buildings for residential activity within ONL/ONF is a non-complying activity.
Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	Insert new Rule 21.4.10.a: The identification of a building platform not less than 70m <sup>2</sup> and not greater than 1000m <sup>2</sup> within ONL/ONF is a non-complying activity.
Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	Insert a new assessment matter regarding the effects on openness of the landscape, based on the ODP 5.4.2.2.1(a).
Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	Insert new assessment matter to Section 21.21.1.4(g) requiring that proposed new boundaries will not give rise to artificial or unnatural lines (such as planting and fencing) or otherwise adversely affect the natural form of the landscape.
Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	Insert new assessment matter regarding cumulative effects of subdivision and development on the landscape, based on the ODP 5.4.2.2.1(e).
Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	Insert new assessment matters for Rural Character Landscape, based on ODP 5.4.2.2.3(a)-(e).
Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	Include more overt and explicit Rural Zone objectives, policies, assessment matters and rules that reflect the critical role that landscape values and their protection play in maintaining and developing the Queenstown Lakes District and national economy,

	consistent with the economic and landscape evidence presented to Council's PDP Review Hearing Panel.
Soho Ski Area Ltd & Blackmans Creek No. 1 LP ENV-2018-CHC-104	Insert new policy: <u>Recognise and provide for the functional dependency of ski area activities to transportation infrastructure, such as vehicle access and passenger lift based or other systems, by enabling the linking of Ski Area Sub Zones on-mountain facilities to the District's road and transportation network.</u>
Soho Ski Area Ltd & Blackmans Creek No. 1 LP ENV-2018-CHC-104	Insert new Rule within Table 1 - Activities - Rural Zone to include as a restricted discretionary activity: <u>the establishment of land based vehicle access and any base or terminal buildings associated with the operation of, but not located within, a Ski Area Sub-Zone.</u>
Mt Cardrona Station Limited ENV-2018-CHC-83  Treble Cone Investments Limited ENV-2018-CHC-107	Insert new Rule to include <u>the establishment of land based vehicle access and any base or terminal buildings associated with the operation of but not located within a SASZ as a restricted discretionary activity.</u>
Mt Cardrona Station Limited ENV-2018-CHC-83	Amend the title of Table 4 of Rule 21.7 to clarify that "Passenger Lift Systems" and buildings within the SASZ are excluded from Table 4.
Cardrona Alpine Resort Limited ENV-2018-CHC-117	Insert a new policy to recognise and provide for year round activities and associated development at the Cardrona Alpine Resort (and all Ski Areas) as follows: <u>Enable the continued growth and development of Ski Areas and the Cardrona Alpine Resort as year round destinations for ski area activities, tourism and accommodation within the identified Sub-Zones. where the effects of the development are cumulatively minor.</u>
Cardrona Alpine Resort Limited ENV-2018-CHC-117	Rename the Ski Area Sub Zone at Cardrona to "Cardrona Alpine Resort", wherever it is referred to in the PDP.
Cardrona Alpine Resort Limited ENV-2018-CHC-117	Amend title for Rule 21.12, Table 9 – Activities in the Ski Area Sub-Zone, to ensure the rules apply to activities within the Cardrona Alpine Resort.
Cardrona Alpine Resort Limited ENV-2018-CHC-117	Insert a new rule in Chapter 21 to ensure that no activity is non-complying or prohibited in the Cardrona Alpine Resort: <u>21.12.x Within the Cardrona Alpine Resort Ski Area / Sub Zone any activity that is not specifically provided for as a permitted, controlled, or restricted discretionary activity is a Restricted Discretionary Activity.</u>  <u>Discretion is restricted to:</u> <u>a. benefits of the proposal;</u> <u>b. location, design and appearance in respect of landscape and visual amenity effects;</u> <u>c. effects on the transport network;</u> <u>d. provision of water supply, sewage treatment and disposal;</u> <u>e. any cumulative effects;</u> <u>f. natural hazards;</u> <u>g. logistical and practical constraints;</u> <u>h. measures taken to avoid or mitigate adverse effects of dust and sedimentation on waterbodies and neighbouring sites;</u> <u>i. the extent of vegetation removal and whether or not remedial vegetation should be planted to replace or offset the loss of any indigenous vegetation, and if so the type, extent and location of remedial vegetation to be planted.</u>
Cardrona Alpine Resort Limited ENV-2018-CHC-117	Insert a new rule or standards in Chapter 21 as follows: <u>Rule 21.12x Earthworks and vegetation clearance in the Cardona Ski Area Sub Zone / Alpine Resort Area are permitted provided:</u> <u>a. Earthworks are undertaken in a way that prevents sediment entering water bodies, stormwater networks or going across the boundary of the site.</u> <u>b. No material being transported from one site to another is deposited on any road.</u> <u>c. Any person carrying out earthworks shall implement dust control measures to minimise nuisance effects of dust beyond the boundary of the site.</u>

	<p><u>d. Earthworks shall be setback a minimum distance of 5 metres from the bed of any water body (this rule shall not apply to any artificial watercourse, lake or wetland).</u></p> <p><u>e. Earthworks shall not expose any groundwater, or cause artificial drainage of any groundwater aquifer.</u></p> <p><u>Earthworks and vegetation clearance carried out in the Cardrona Alpine Resort Area not permitted by the Rule above is a controlled activity. Control is reserved to the following:</u></p> <p><u>a. Measures taken to avoid or mitigate adverse effects of dust and sedimentation on waterbodies and neighbouring sites.</u></p> <p><u>b. The design of earthworks in respect of landscape and visual amenity values.</u></p> <p><u>c. Effects on water bodies, ecosystem services and indigenous biodiversity, in particular whether or not remedial vegetation should be planted to replace or offset the loss of any indigenous vegetation, and if so the type, extent and location of remedial vegetation to be planted.</u></p> <p><u>d. Managing effects on infrastructure, adjacent sites and public roads.</u></p> <p><u>e. Management of land stability and natural hazard risks</u></p> <p><u>Earthworks and vegetation clearance activities carried out in the Cardrona Alpine Resort Area are not subject to any other earthworks or vegetation clearance provisions in the district plan.</u></p>
Cardrona Alpine Resort Limited ENV-2018-CHC-117	Include an exclusion from public and limited notification in 21.20 for earthworks and vegetation clearance within the Cardrona Ski Area Sub Zone / Resort Zone.
Cardrona Alpine Resort Limited ENV-2018-CHC-117	Insert the following assessment matters into 21.21 for restricted discretionary and discretionary activities (and non-complying activities if the status of Rule 21.4.25 is not changed from non-complying to discretionary as sought): <u>Benefits of the proposal</u> <u>Logistical and/or practical constraints</u>
Treble Cone Investments Limited ENV-2018-CHC-107	Insert new policy 21.2.6.xx: <u>Recognise and provide for the functional dependency of ski area activities to transportation infrastructure, such as vehicle access and passenger lift based or other systems, by enabling the linking of Ski Area Sub Zones on-mountain facilities to the District's road and transportation network.</u>
Queenstown Wharves GP Limited ENV-2018-CHC-142	Insert a new policy as follows: <u>Recognise that the Kawarau River between the Kawarau Falls Bridge and Bungy Bridge and the Frankton Arm provide an important resource for water-based transport.</u>
Queenstown Airport Corporation Limited ENV-2018-CHC-093 (further particulars received)	Insert new provision 21.21.3.4 and footnote as follows: <u>In the case of regionally significant infrastructure, the extent to which the effects arising from that infrastructure are managed in accordance with the guidance provided by Policy 4.3.4 of the Otago Regional Policy Statement.1</u> <u>1 Decisions version, as confirmed by the Environment Court Consent Order signed and dated 6 July 2018.</u>
Real Journeys Limited ENV-2018-CHC-131 (further particulars received)  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138 (further particulars received)	Insert new policy to protect established key tourism activities: <u>Protect key tourism and transport activities by ensuring the following principles are applied when considering proposals that will occupy water space:</u> <u>i. activities that promote the districts heritage and contribute public benefit should be encouraged;</u> <u>ii. activities that result in adverse effects on established activities should be discouraged;</u> <u>iii. long term occupation of water space should be avoided unless it has been strategically planned and is integrated with adjoining land and water use;</u> <u>iv. occupation of water space shall not interfere with key navigational routes and manoeuvring areas;</u> <u>v. adverse effects on the continued operation, safety and navigation of the "TSS Earnslaw"; and.</u> <u>vi. activities that adversely affect the operation, safety, navigation, and ability to maintain or upgrade the "TSS Earnslaw" and her supporting slipway facilities, are to be avoided.</u>
Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited)	Include in Rule 21.15.6 provision for extensions and upgrades or replacement to existing structures, within defined standards, as a controlled activity, and ensure that maintenance of existing structures is not captured by this rule and is otherwise permitted.

ENV-2018-CHC-138	
Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138	Insert a new rule, and matters of control, to control Commercial boating activities carried out for the purposes of the water based transport. Suggested wording: <u>Commercial boating activities and water transport are controlled activities in respect of:</u> <ul style="list-style-type: none"> <li>• <u>Location, scale and intensity of the activity.</u></li> <li>• <u>Amenity effects, including loss of privacy, remoteness or isolation.</u></li> <li>• <u>Congestion and safety, including effects on other commercial operators and recreational users.</u></li> <li>• <u>Waste disposal.</u></li> <li>• <u>Cumulative effects.</u></li> <li>• <u>Parking, access safety and transportation effects.</u></li> </ul>
Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138	Insert an exclusion from Rule 21.5.6 for jetties associated with the operation of a water based transport activity.
Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133	Insert a new policy: <u>Avoid the degradation of natural wetlands.</u>
Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133	Reinstate and amend Objective 21.2.9 to state: <u>Ensure commercial activities do not degrade landscape and nature conservation values, rural amenity, or impinge on farming activities.</u>
Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133	Insert a new standard in Rule 21.5 Table 2: <u>All winter break feed areas shall have well vegetated buffers at least 3m wide along all water courses they drain into.</u>
Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133	Reinstate Rule 21.5.7 in the notified Plan, with addition of deer and beef cattle.
Kawarau Jet Services Holdings Limited ENV-2018-CHC-082	Insert new rule to provide for water based public ferry systems as a restricted discretionary activity to implement Policy 21.2.12.8, with one of the matters of discretion being the effects of the activity on the safety of all users of the waterways.
New Zealand Tungsten Mining Limited ENV-2018-CHC-151	Insert a new policy: <u>Recognise that exploration, prospecting and small-scale alluvial gold mining are activities with low environmental effects.</u>
New Zealand Tungsten Mining Limited ENV-2018-CHC-151	Insert a new policy: <u>Enable mining activity, including prospecting and exploration, where they are carried out in a manner which avoids, remedies or mitigates adverse effects on the environment.</u>
New Zealand Tungsten Mining Limited ENV-2018-CHC-151	Insert a new policy: <u>Identify the location and extent of existing or pre-existing mineral resources in the region and encourage future mining activity to be carried out in these locations.</u>
Fairfax & Others ENV-2018-CHC-096	Insert a new policies: <u>21.2.11.x Applications for informal airport activity establishment / use which breaches Table 7 are provided for, subject to adequately managing any potential adverse effects on rural amenity values.</u>  <u>21.2.11.xx Assessment of informal airport activity use which breaches Table 7 should consider the degree and extent to which non-compliance with Table 7 results in adverse effects on amenity values.</u>
Ngai Tahu Tourism Limited ENV-2018-CHC-134 (appeal withdrawn)	In addition to rezoning SEC 1 SO 23662 SEC 4 SO 23901, PT SEC 3 SO 23901 BLK XIX SHOTOVER SD – Morning Star Beach Recreation Reserve, SEC 133 BLK XIX SHOTOVER SD, LOTS 1-2 DP 25724, and the adjoining road reserve/marginal strip from Rural General to Rural Visitor, adopt the operative Rural Visitor Zones provisions for the land, with an

	<del>amendment to those provisions to change the activity status of residential activities and development from permitted to discretionary.</del>
Queenstown Park Limited ENV-2019-CHC-127	In addition to rezoning approximately 1,800 ha of Queenstown Park Limited land on the true right bank of the Kawerau River from Rural to a new "Queenstown Park Special Zone" (requested to be shown as a special zone or resort zone on the relevant planning maps), apply to the land zoned "Queenstown Park Special Zone" a package of new zone provisions (including a Structure Plan and Gondola Corridor) as included in Appendix 1 and 2 to the appeal.
Aircraft Owners and Pilots and Owners Association (NZ) Incorporated ENV-2019-CHC-132	Amend Chapter 21 objectives and policies relevant to informal airports (Objective 21.2.11 and associated policies) to provide for permitted informal airport activity use.
Queenstown Park Limited ENV-2018-CHC-127	Insert a new Policy 21.2.3.4 as follows: <u>Provide for diversification of land use where water quality benefits can be achieved.</u>
Queenstown Park Limited ENV-2018-CHC-127	Insert in Table 1 – Activities Generally, a new activity as follows: <u>Commercial Activities linked to the natural and physical resources of the rural area.</u> Activity Status = Controlled Matters of control limited to the location of the activity and buildings, and rural amenity and landscape character.
Queenstown Park Limited ENV-2018-CHC-127	Insert in Table 1 – Activities Generally, a new activity as follows: <u>Commercial Activities complementing Passenger Lift Systems.</u> Activity Status = Controlled Matters of control limited to the same as those for Rule 21.4.14, i.e <ul style="list-style-type: none"> <li>a. the impact on landscape values from any alignment, earthworks, design and surface treatment, including measures to mitigate landscape effects including visual quality and amenity values;</li> <li>b. the route alignment and the whether any system or access breaks the line and form of skylines, ridges, hills and prominent slopes;</li> <li>c. earthworks associated with construction of the Passenger Lift System;</li> <li>d. the materials used, colours, lighting and light reflectance;</li> <li>e. geotechnical matters;</li> <li>f. ecological values and any proposed ecological mitigation works.;</li> <li>g. balancing environmental considerations with operational requirements of Ski Area Activities;</li> <li>h. the positive effects arising from providing alternative non-vehicular access and linking Ski Area Sub-Zones to the roading network</li> </ul>
Queenstown Park Limited ENV-2018-CHC-127	Insert in Table 1 – Activities Generally, a new activity as follows: <u>Commercial Water Transport.</u> Activity Status = Controlled
Queenstown Park Limited ENV-2018-CHC-127	Insert in Table 1 – Activities Generally, a new activity as follows: <u>Restaurant/Cafe.</u> Activity Status = Controlled
Te Anau Developments Limited ENV-2018-CHC-106	Insert new rule as follows: <u>Construction of dwellings or noise sensitive activities within 500m of an existing airstrip shall be a restricted discretionary activity. Council's discretion shall be restricted to the protection of the operation of the existing airport in terms of reverse sensitivity effects.</u>
Airbnb Australia Pty Ltd ENV-2019-CHC-061	Amend the permitted activity standards in the Rural (21.9.6), Rural Residential and Rural Lifestyle (22.5.15), Gibbston Character (23.5.13), Wakatipu Basin Rural Amenity (24.5.22 and 24.5.23) zones as follows: Add the following standard: <u>Must comply with the noise limits for the relevant zone in Rules 36.5.1 to 36.5.4 in Chapter 36 Noise.</u>
Airbnb Australia Pty Ltd ENV-2019-CHC-061	1. Delete non-compliance activities status statements or letters in the 'non-compliance status' column in Rules 7.5.19, 8.5.18, 9.5.15, 10.5.10, 11.5.14, 22.5.15, 23.5.13, 41.5.1.13, and replace with 'C' to indicate controlled activity status for non-compliance.

	<p>2. Delete all matters of discretion listed in the 'non-compliance status' column in Rules 7.5.19, 8.5.18, 9.5.15, 10.5.10, 11.5.14, 22.5.15 and replace with the following; and add the following to the 'non-compliance status' column of Rules 22.5.15, 23.5.13 and 41.5.1.13:</p> <p><u>Control is reserved to:</u></p> <p><u>a. The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood;</u></p> <p><u>b. The keeping of records of Homestay use, and availability of records for Council inspection; and</u></p> <p><u>c. Monitoring requirements, including imposition of an annual monitoring charge.</u></p> <p><u>3. Amend Rules 21.9.6 and 24.5.22 as follows (in the 'non-compliance status' column):</u></p> <p><u>Control is reserved to:</u></p> <p><u>a. The scale of the activity, including the number of guests per night and the number guest nights the activity operates in a 12 month period;</u></p> <p><u>b. The management of noise, rubbish and outdoor activities;</u></p> <p><u>a. The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood;</u></p> <p><u>and re-number (b) and (c) to (c) and (d).</u></p> <p>4. Amend the 'non-compliance status' columns of rules 16.5.13, 42.5.10 and 43.5.15 as follows:</p> <p><u>Control is reserved to:</u></p> <p><u>a. The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood;</u></p> <p><u>a. The location, nature and scale of activities;</u></p> <p><u>b. The location, and provision, and screening of parking and access;</u></p> <p><u>c. The management of noise, rubbish and outdoor activities;</u></p> <p><u>and re-number (d) and (e) to (b) and (c).</u></p>
<p>Airbnb Australia Pty Ltd ENV-2019-CHC-061</p>	<p>Amend the permitted activity standards for RVAs in these rules as follows:</p> <ul style="list-style-type: none"> <li>• Must not exceed a cumulative total of <del>120</del> 90 nights occupation by paying guests on a site per 12 month period.</li> <li>• Must comply with the noise limits for the relevant zone in Rules 36.5.1 to 36.5.4 in Chapter 36 Noise.</li> </ul> <p>...</p> <p><del>• Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</del></p>
<p>Airbnb Australia Pty Ltd ENV-2019-CHC-061</p>	<p>1. For Rules 7.5.18; 8.5.17; 9.5.14; 10.5.9; 11.5.13:</p> <p>a. delete all text within the 'non-compliance status' column except for the following two matters (which have different numbering for each rule):</p> <p><i>"The keeping of records of RVA use, and availability of records for Council inspection; and Monitoring requirements, including imposition of an annual monitoring charge."</i></p> <p>b. Insert into the 'non-compliance status' column, above the two remaining matters</p> <ul style="list-style-type: none"> <li>- 'C' (to indicate controlled activity status).</li> <li>- the statement "<u>Control is reserved to:</u>"</li> <li>- the following new matter of control: "<u>The location and provision of parking and access for the construction of new residential dwellings to be used for RVA</u>"</li> </ul> <p>2. For Rules 16.5.12; 21.9.5; 24.5.20; 42.5.9; 43.5.14, within the 'non-compliance status' column, make the following changes:</p> <p>a. delete all matters of control, except the following two (which have different numbering for each rule):</p> <p><i>"The keeping of records of RVA use, and availability of records for Council inspection; and Monitoring requirements, including imposition of an annual monitoring charge."</i></p> <p>b. add the following new matter of control: "<u>The location and provision of parking and access for the construction of new residential dwellings to be used for RVA</u>"</p> <p>3. For Rules 22.5.14; 23.5.12; 41.5.1.12, within the 'non-compliance status' column, make the following changes:</p> <ul style="list-style-type: none"> <li>a. delete "D" and replace with "C" (to indicate controlled activity status).</li> <li>b. Add the following text: "<u>Control is reserved to:</u>"</li> <li>c. Add the following matters of control:</li> </ul>

	<p>a. <u>The location and provision of parking and access for the construction of new residential dwellings to be used for RVA;</u></p> <p>b. <u>The keeping of records of RVA use, and availability of records for Council inspection;</u></p> <p>and</p> <p>c. <u>Monitoring requirements, including imposition of an annual monitoring charge.</u></p>
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## 21.1 Zone Purpose

There are four rural zones in the District. The Rural Zone is the most extensive of these. The Gibbston Valley is recognised as a special character area for viticulture production and the management of this area is provided for in Chapter 23: Gibbston Character Zone.

Opportunities for rural living activities are provided for in the Rural-Residential and Rural Lifestyle Zones (Chapter 22).

The purpose of the Rural Zone is to enable farming activities and provide for appropriate other activities that rely on rural resources while protecting, maintaining and enhancing landscape values, ecosystem services, nature conservation values, the soil and water resource and rural amenity.

A wide range of productive activities occur in the Rural Zone and because the majority of the District’s distinctive landscapes comprising open spaces, lakes and rivers with high visual quality and cultural value are located in the Rural Zone, there also exists a wide range of living, recreation, commercial and tourism activities and the desire for further opportunities for these activities.

Ski Area Sub-Zones are located within the Rural Zone. These Sub-Zones recognise the contribution tourism infrastructure makes to the economic and recreational values of the District. The purpose of the Ski Area Sub-Zones is to enable the continued development of Ski Areas as year round destinations for ski area, tourism and recreational activities within the identified Sub-Zones where the effects of the development are cumulatively minor.

In addition, the Rural Industrial Sub-Zone includes established industrial activities that are based on rural resources or support farming and rural productive activities.

A substantial proportion of the Outstanding Natural Landscapes of the district comprises private land managed in traditional pastoral farming systems. Rural land values tend to be driven by the high landscape and amenity values in the district. The long term sustainability of pastoral farming will depend upon farmers being able to achieve economic returns from utilising the natural and physical resources of their properties. For this reason, it is important to acknowledge the potential for a range of alternative uses of rural properties that utilise the qualities that make them so valuable.

The Rural Zone is divided into two areas. The first being the area for Outstanding Natural Landscapes and Outstanding Natural Features. The second area being the Rural Character Landscape. These areas give effect to Chapter 3 – Strategic Direction: Objectives 3.2.5.1 and 3.2.5.2, and the policies in Chapters 3 and 6 that implement those objectives.

Section 21.1 Zone Purpose and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend the fourth paragraph of Section 21.1: Ski Area Sub-Zones <u>and the Cardrona Alpine Resort</u> are located within the Rural Zone. These Sub-Zones recognise the contribution tourism infrastructure makes to the economic and recreational values of the District. The purpose of the Ski Area Sub-Zones <u>and the Cardrona Alpine Resort</u> is to enable the	Cardrona Alpine Resort Limited ENV-2018-CHC-117	

continued development of Ski Areas as year round destinations for ski area, tourism and recreational activities within the identified Sub-Zones where the effects of the development are cumulatively minor.		
Amend the sixth paragraph of Section 21.1:  A substantial proportion of the Outstanding Natural Landscapes of the district comprises private land managed in traditional pastoral farming systems. <del>Rural land values tend to be driven by the high landscape and amenity values in the district. The long term sustainability of pastoral farming will depend upon farmers being able to achieve economic returns from utilising the natural and physical resources of their properties. For this reason, it is</del> important to acknowledge the potential for a range of alternative <del>farming uses of rural properties that utilise the qualities that make them so valuable.</del>	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	Objective 21.2.1, Policy 21.2.1.11, Objective 21.2.5, Objective 21.2.9, Policy 21.2.9.1, Policy 21.2.9.3, Objective 3.2.1.8
Amend Section 21.1 to include the following paragraphs: ... <u>Recognise that the greatest loss of biodiversity has been on the basin floors.</u>  <u>Recognise that extensive low-intensity pastoral farming based on grassland-shrubland ecosystems contributes to the district's nature conservation, landscape, recreation and tourism values.</u>  <u>Recognise the importance of healthy tall tussock grassland for catchment water yield.</u>	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133	Section 33.1
Amend Section 21.1: ... In addition, the Rural Industrial Sub-Zone includes established industrial activities that are based on rural resources or support farming and rural productive activities. <u>It is also important to recognise that infrastructure is an established activity in the Rural Zone and has a functional, technical or operational need to be located in the rural area. It is important that such infrastructure is enabled to be operated, maintained, upgraded and developed safely, effectively and efficiently.</u>	Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received)	

## 21.2 Objectives and Policies

### 21.2.1 **Objective - A range of land uses, including farming and established activities, are enabled while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.**

Objective 21.2.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Objective 21.2.1: A range of land uses, including farming, <u>activities that rely on rural resources</u> , and established activities, are enabled while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values	Mt Cardrona Station Limited ENV-2018-CHC-83	Section 21.1, Policy 21.2.1.1, Policy 21.2.4.2, Objective 21.2.9, Section 6.2
Amend Objective 21.2.1: A range of land uses, including farming, <u>and other activities which rely on the rural land resource</u> , and established activities, are enabled <del>while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.</del>	Darby Planning Limited ENV-2018-CHC-150	Objective 21.2.9, Policy 21.2.9.3, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Strategic Policy 3.3.21



Amend Objective 21.2.1: Objective - A range of land uses, including farming, <u>tourism activity</u> , and established activities, are enabled <del>while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.</del>	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Canyon Food & Brew Company) ENV-2018-CHC-146	Objective 21.2.9, Policy 21.2.9.3, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Strategic Policy 3.3.21
Amend Objective 21.2.1: Objective - A range of land uses, including farming, <u>rural living</u> , and established activities, are enabled <del>while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.</del>	SYZ Investments Limited ENV-2018-CHC-130	Strategic Policy 3.3.22, Policy 4.2.2.21, Policy 6.3.12, Policy 6.3.19, Rule 27.5.8, Rule 27.5.11

## Policies

- 21.2.1.1 **Enable farming activities while protecting, maintaining and enhancing the values of indigenous biodiversity, ecosystem services, recreational values, the landscape and surface of lakes and rivers and their margins.**

Policy 21.2.1.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 21.2.1.1: Enable farming <u>and other activities that require a rural location, and other established</u> activities, while <del>protecting, maintaining and or</del> enhancing the values of indigenous biodiversity, ecosystem services, recreational values, the landscape and surface of lakes and rivers and their margins.	Mt Cardrona Station Limited ENV-2018-CHC-83	Section 21.1, Policy 21.2.4.2, Objective 21.2.9, Section 6.2
Amend Policy 21.2.1.1: Enable farming <u>and tourism</u> activities <del>while protecting, maintaining and enhancing the values of indigenous biodiversity, ecosystem services, recreational values, the landscape and surface of lakes and rivers and their margins.</del>	Darby Planning Limited ENV-2018-CHC-150  Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138  Real Journeys (trading as Canyon Food & Brew Company) ENV-2018-CHC-146	Objective 21.2.9, Policy 21.2.9.3, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Strategic Policy 3.3.21
Amend Policy 21.2.1.1: Enable farming <u>and rural living</u> activities <del>while protecting, maintaining and enhancing the values of indigenous biodiversity, ecosystem services, recreational values, the landscape and surface of lakes and rivers and their margins.</del>	SYZ Investments Limited ENV-2018-CHC-130	Strategic Policy 3.3.22, Policy 4.2.2.21, Policy 6.3.12, Policy 6.3.19, Rule 27.5.8, Rule 27.5.11
Amend Policy 21.2.1.1: Enable <u>a range of farming</u> activities while protecting, maintaining and enhancing the values of indigenous biodiversity, ecosystem services, recreational values, the landscape and surface of lakes and rivers and their margins.	Queenstown Park Limited ENV-2018-CHC-127	Section 6.2, Policy 21.2.9.4

- 21.2.1.2 Allow Farm Buildings associated with landholdings of 100 hectares or more in area while managing effects of the location, scale and colour of the buildings on landscape values.
- 21.2.1.3 Require buildings to be set back a minimum distance from internal boundaries and road boundaries in order to mitigate potential adverse effects on landscape character, visual amenity, outlook from neighbouring properties and to avoid adverse effects on established and anticipated activities.
- 21.2.1.4 Minimise the dust, visual, noise and odour effects of activities by requiring them to locate a greater distance from formed roads, neighbouring properties, waterbodies and zones that are likely to contain residential and commercial activity.
- 21.2.1.5 **Have regard to the location and direction of lights so they do not cause glare to other properties, roads, public places or views of the night sky.**

Policy 21.2.1.5 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 21.2.1.5: Have regard to the location and direction of lights so they do not cause glare to other properties, <u>waterways</u> , roads, public places or views of the night sky.	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138	Policy 12.2.3.5, Policy 13.2.5.3

- 21.2.1.6 Avoid adverse cumulative impacts on ecosystem services and nature conservation values.
- 21.2.1.7 Have regard to the spiritual beliefs, cultural traditions and practices of Tangata whenua.
- 21.2.1.8 Have regard to fire risk from vegetation and the potential risk to people and buildings, when assessing subdivision and development in the Rural Zone.
- 21.2.1.9 Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.
- 21.2.1.10 **Commercial activities in the Rural Zone should have a genuine link with the rural land or water resource, farming, horticulture or viticulture activities, or recreation activities associated with resources located within the Rural Zone.**

Policy 21.2.1.10 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 21.2.1.10: <u>Provide for Commercial activities in the Rural Zone <del>should</del> that have a genuine link with the rural land or water resource, farming, horticulture or viticulture activities, or recreation activities associated with resources located within the Rural Zone.</u>	Queenstown Park Limited ENV-2018-CHC-127	Policy 21.2.1.11, Policy 21.2.9.3

- 21.2.1.11 **Provide for the establishment of commercial, retail and industrial activities only where these would protect, maintain or enhance rural character, amenity values and landscape values.**

Policy 21.2.1.11 and relief sought	Appellant Court Number	Consequentially Affected Provisions
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Amend Policy 21.2.1.11: Provide for the establishment of commercial, retail and industrial activities <del>only</del> where these would protect, maintain or enhance rural character, amenity values and landscape values.	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Canyon Food & Brew Company) ENV-2018-CHC-146	
Amend Policy 2.2.1.11: <del>Provide for</del> <u>Avoid</u> the establishment of commercial, retail, <u>forestry</u> and industrial activities <del>only</del> where <del>these they</del> would <del>protect, maintain or enhance</del> <u>degrade</u> rural <u>quality or</u> character, amenity, <u>nature conservation</u> values and landscape values.	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133	
Delete Policy 2.2.1.11	Queenstown Park Limited ENV-2018-CHC-127	Policy 21.2.1.10, Policy 21.2.9.4

- 21.2.1.12 **Encourage production forestry to be consistent with topography and vegetation patterns, to locate outside of the Outstanding Natural Features and Landscapes and outside of significant natural areas, and ensure production forestry does not degrade the landscape character or visual amenity values of the Rural Character Landscape.**

Policy 21.2.1.12 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 2.2.1.12: <del>Encourage</del> <u>Ensure</u> production forestry to be consistent with topography and vegetation patterns, to locate outside of the Outstanding Natural Features and Landscapes and outside of significant natural areas, and ensure production forestry does not degrade the landscape character or visual amenity <u>or nature conservations</u> values of the Rural <del>Character</del> Landscape.	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (as per further particulars received)	

- 21.2.1.13 Ensure forestry harvesting avoids adverse effects with regards to siltation and erosion and sites are rehabilitated to minimise runoff, erosion and effects on landscape values.
- 21.2.1.14 Limit exotic forestry to species that do not have potential to spread and naturalise.
- 21.2.1.15 **Ensure traffic from new commercial activities does not diminish rural amenity or affect the safe and efficient operation of the roading and trail network, or access to public places.**

Policy 21.2.1.15 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 21.2.1.15: Ensure traffic from new commercial activities does not <u>have inappropriate adverse effects on</u> <del>diminish</del> rural amenity or affect the safe and efficient operation of the roading and trail network, or access to public places.	Darby Planning Limited ENV-2018-CHC-150  Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138	

	Real Journeys (trading as Canyon Food & Brew Company) ENV-2018-CHC-146	
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21.2.1.16 Provide for a range of activities that support the vitality, use and enjoyment of the Queenstown Trail and Upper Clutha Tracks networks on the basis that landscape and rural amenity is protected, maintained or enhanced and established activities are not compromised.

**21.2.2 Objective - The life supporting capacity of soils is sustained.**

**Policies**

21.2.2.1 Allow for the establishment of a range of activities that utilise the soil resource in a sustainable manner.

21.2.2.2 Maintain the productive potential and soil resource of Rural Zoned land and encourage land management practices and activities that benefit soil and vegetation cover.

21.2.2.3 Protect the soil resource by controlling activities including earthworks, indigenous vegetation clearance and prohibit the planting and establishment of identified wilding exotic trees with the potential to spread and naturalise.

**21.2.3 Objective - The life supporting capacity of water is safeguarded through the integrated management of the effects of activities.**

**Policies**

21.2.3.1 In conjunction with the Otago Regional Council, regional plans and strategies:

- a. encourage activities that use water efficiently, thereby conserving water quality and quantity;
- b. discourage activities that adversely affect the potable quality and life supporting capacity of water and associated ecosystems.

**21.2.4 Objective - Situations where sensitive activities conflict with existing and anticipated activities are managed to minimise conflict between incompatible land uses.**

Objective 21.2.4 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Objective 21.2.4: Situations where sensitive activities conflict with existing and anticipated rural activities are managed to minimise conflict between incompatible land uses.	Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received)	

**Policies**

21.2.4.1 New activities must recognise that permitted and established activities in the Rural Zone may result in effects such as odour, noise, dust and traffic generation that are

reasonably expected to occur and will be noticeable to residents and visitors in rural areas.

**21.2.4.2 Control the location and type of non-farming activities in the Rural Zone, so as to minimise conflict between permitted and established activities and those that may not be compatible with such activities**

Policy 21.2.4.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 21.2.4.2: Control the location and type of <u>new activities</u> <del>non-farming activities</del> in the Rural Zone, so as to minimise conflict between permitted and established activities and those that may not be compatible with such activities.	Darby Planning Limited ENV-2018-CHC-150  Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138  Real Journeys (trading as Canyon Food & Brew Company) ENV-2018-CHC-146	
Amend Policy 21.2.4.2: <del>Manage</del> Control the location and type of non-farming activities in the Rural Zone, so as to <del>manage</del> <u>minimise</u> conflict between permitted and established activities and those that may not be compatible with such activities.	New Zealand Tungsten Mining Limited ENV-2018-CHC-151	
Amend Policy 21.2.4.2: Control the location and type of non-farming activities in the Rural Zone, so as to minimise conflict between permitted and established <u>rural</u> activities and those that may not be compatible with such activities.	Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received)	

**21.2.5 Objective - Mineral extraction opportunities are provided for on the basis the location, scale and effects would not degrade amenity, water, wetlands, landscape and indigenous biodiversity values.**

Objective 21.2.5 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Objective 21.2.5: Mineral extraction opportunities are provided for on the basis the location, scale and effects would not <del>degrade</del> <u>cause permanent degradation to</u> amenity, water, wetlands, landscape and indigenous biodiversity values.	New Zealand Tungsten Mining Limited ENV-2018-CHC-151	Policy 21.2.5.4

## Policies

**21.2.5.1 Have regard to the importance and economic value of locally mined high-quality gravel, rock and other minerals including gold and tungsten.**

Policy 21.2.5.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions

Amend Policy 21.2.5.1: Have regard to the importance and economic value of locally mined high-quality gravel, rock and <u>the importance of the local economic and export contribution from the mining of other minerals including gold and tungsten.</u>	New Zealand Tungsten Mining Limited ENV-2018-CHC-151	

- 21.2.5.2 Provide for prospecting and small scale mineral exploration and recreational gold mining as activities with limited environmental impact.
- 21.2.5.3 Ensure that during and following the conclusion of mineral extractive activities, sites are progressively rehabilitated in a planned and co-ordinated manner, to enable the establishment of a land use appropriate to the area.
- 21.2.5.4 Ensure potentially significant adverse effects of extractive activities (including mineral exploration) are avoided, or remedied particularly where those activities have potential to degrade landscape quality, character and visual amenity, indigenous biodiversity, lakes and rivers, potable water quality and the life supporting capacity of water.
- 21.2.5.5 Avoid or mitigate the potential for other land uses, including development of other resources above, or in close proximity to mineral deposits, to adversely affect the extraction of known mineral deposits.
- 21.2.5.6 Encourage use of environmental compensation as a means to address unavoidable residual adverse effects from mineral extraction.
- 21.2.6 Objective - The future growth, development and consolidation of Ski Areas Activities within identified Ski Area Sub-Zones, is provided for, while adverse effects on the environment are avoided, remedied or mitigated.**

Objective 21.2.6 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Objective 21.2.6: The future growth, development and consolidation of Ski Areas Activities within identified Ski Area Sub-Zones <u>and their integration with adjacent zones</u> , is provided for, while adverse effects on the environment are avoided, remedied or mitigated.	Mt Cardrona Station Limited ENV-2018-CHC-83	
Amend Objective 21.2.6: The future growth, development and consolidation of Ski Areas Activities within identified Ski Area Sub-Zones <u>and the Cardrona Alpine Resort</u> , is provided for, while adverse effects on the environment are avoided, remedied or mitigated.	Cardrona Alpine Resort Limited ENV-2018-CHC-117	Policy 21.2.6.4, Policy 21.2.6.5, Provision 21.3.3.6, Rule 21.4, Rule 21.4.24, Rule 21.4.25, Rule 21.7.2, Rule 21.12, Rule 21.4.19

## Policies

- 21.2.6.1 **Identify Ski Area Sub-Zones and encourage Ski Area Activities and complementary tourism activities to locate and consolidate within the Sub-Zones.**

Policy 21.2.6.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions

Amend Policy 21.2.6.1: Identify Ski Area Sub-Zones and encourage Ski Area Activities and complementary tourism activities to locate and consolidate within the Sub-Zones <u>and the Cardrona Alpine Resort</u> .	Cardrona Alpine Resort Limited ENV-2018-CHC-117	Policy 21.2.6.4, Policy 21.2.6.5, Provision 21.3.3.6, Rule 21.4, Rule 21.4.24, Rule 21.4.25, Rule 21.7.2, Rule 21.12, Rule 21.4.19
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21.2.6.2 Control the visual impact of roads, buildings and infrastructure associated with Ski Area Activities.

21.2.6.3 Provide for the continuation of existing vehicle testing facilities within the Waiorau Snow Farm Ski Area Sub- Zone on the basis that the landscape and indigenous biodiversity values are not further degraded.

21.2.6.4 **Provide for appropriate alternative (non-road) means of transport to and within Ski Area Sub-Zones, by way of passenger lift systems and ancillary structures and facilities.**

Policy 21.2.6.4 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Provide for appropriate <del>alternative (non-road)</del> means of transport to and within Ski Area Sub-Zones, by way of passenger lift systems <u>or other systems, vehicle access</u> and ancillary structures and facilities.	Soho Ski Area Ltd & Blackmans Creek No. 1 LP ENV-2018-CHC-104  Treble Cone Investments Limited ENV-2018-CHC-107	
Provide for appropriate alternative (non-road) means of transport to and within Ski Area Sub-Zones, by way of passenger lift systems and <u>other ancillary</u> structures and facilities.	Mt Cardrona Station Limited ENV-2018-CHC-83	Definition "Passenger Lift System"

21.2.6.5 Provide for Ski Area Sub-Zone Accommodation activities within Ski Area Sub-Zones, which are complementary to outdoor recreation activities within the Ski Area Sub-Zone, that can realise landscape and conservation benefits and that avoid, remedy or mitigate adverse effects on the environment.

**21.2.7 Objective - An area that excludes activities which are sensitive to aircraft noise, is retained within an airport's Outer Control Boundary, to act as a buffer between airports and Activities Sensitive to Aircraft Noise.**

## Policies

21.2.7.1 **Prohibit all new activities sensitive to aircraft noise on Rural Zoned land within the Outer Control Boundary at Queenstown Airport and Wanaka Airport to avoid adverse effects arising from aircraft operations on future activities sensitive to aircraft noise.**

Policy 21.2.7.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions

Amend Policy 21.2.7.1 <del>Prohibit</del> <u>Discourage</u> all new activities sensitive to aircraft noise on Rural Zoned land within the Outer Control Boundary at Queenstown Airport and Wanaka Airport to avoid, <u>remedy or mitigate</u> adverse effects arising from aircraft operations on future activities sensitive to aircraft noise.	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138	
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21.2.7.2 Identify and maintain areas containing activities that are not sensitive to aircraft noise, within an airport’s outer control boundary, to act as a buffer between the airport and activities sensitive to aircraft noise.

21.2.7.3 Retain open space within the outer control boundary of airports in order to provide a buffer, particularly for safety and noise purposes, between the airport and other activities.

21.2.7.4 Require as necessary mechanical ventilation for any alterations or additions to Critical Listening Environment within any existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Outer Control Boundary and require sound insulation and mechanical ventilation for any alterations or additions to Critical Listening Environment within any existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Air Noise Boundary.

**21.2.8 Objective - Subdivision, use and development in areas that are unsuitable due to identified constraints not addressed by other provisions of this Plan, is avoided, or the effects of those constraints are remedied or mitigated.**

Objective 21.2.8 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Replace Objective 21.2.8 with: <u>Avoid subdivision and development in areas that are identified as being unsuitable for development.</u>	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (as per further particulars received)	

## Policies

21.2.8.1 **Prevent subdivision and development within the building restriction areas identified on the District Plan maps, in particular:**

- a. **in the Glenorchy area, protect the heritage value of the visually sensitive Bible Face landform from building and development and to maintain the rural backdrop that the Bible Face provides to the Glenorchy Township; in Ferry Hill, within the building line restriction identified on the planning maps.**

Policy 21.2.8.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions



Delete Policy 21.2.8.1 and replace with the following: <u>Assess subdivision and development proposals against the applicable District Wide chapters, in particular, the objectives and policies of the Natural Hazards, Indigenous Vegetation, Wilding and Exotic Trees and Landscape chapters.</u>	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133	
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**21.2.9 Objective - Provision for diversification of farming and other rural activities that protect landscape and natural resource values and maintains the character of rural landscapes.**

Objective 21.2.9 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Objective 21.2.9: Provision for diversification of farming and other rural activities that <u>have a functional need for location within the rural land resource</u> <del>protect landscape and natural resource values and maintains the character of rural landscapes.</del>	Darby Planning Limited ENV-2018-CHC-150  Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138  Real Journeys (trading as Canyon Food & Brew Company) ENV-2018-CHC-146	Policy 21.2.4.2, Policy 21.2.9.1, Policy 21.2.9.2, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Objective 21.2.11, Strategic Policy 3.3.21, Section 6.2
Amend Objective 21.2.9: Provision for diversification of farming and other rural activities that <del>protect landscape and natural resource values and maintains the character of rural landscapes.</del>	SYZ Investments Limited ENV-2018-CHC-130	Strategic Policy 3.3.22, Policy 4.2.2.21, Policy 6.3.12, Policy 6.3.19, Policy 21.21.1.1, Rule 21.21.2, Rule 27.5.8, Rule 27.5.11

## Policies

21.2.9.1 Encourage revenue producing activities that can support the long-term sustainability of the rural areas of the district and that maintain or enhance landscape values and rural amenity.

21.2.9.2 **Ensure that revenue producing activities utilise natural and physical resources (including existing buildings) in a way that maintains and enhances landscape quality, character, rural amenity, and natural resources**

Policy 21.2.9.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 21.2.9.2: Ensure that revenue producing activities utilise natural and physical resources (including existing buildings) <del>in a way that maintains and enhances landscape quality, character, rural amenity, and natural resources.</del>	Darby Planning Limited ENV-2018-CHC-150	Policy 21.2.4.2, Policy 21.2.9.1, Policy 21.2.9.2, Objective 21.2.10, Policies 21.2.10.1, 21.2.10.2, 21.2.10.3, and 21.2.10.4, Objective 21.2.11, Strategic Policy 3.3.21, Section 6.2

Delete Policy 21.2.9.2	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138  Real Journeys (trading as Canyon Food & Brew Company) ENV-2018-CHC-146	
Amend Policy 21.2.9.2: <del>Ensure that</del> Provide for revenue producing activities utilise natural and physical resources (including existing buildings) in a way that maintains and enhances landscape quality, character, rural amenity, and natural resources	SYZ Investments Limited ENV-2018-CHC-130	
Amend Policy 21.2.9.2: Ensure that revenue producing activities utilise natural and physical resources (including existing buildings) in a way that maintains <del>and</del> or enhances landscape quality, character, rural amenity, and natural resources	New Zealand Tungsten Mining Limited ENV-2018-CHC-151	Policy 21.2.9.1
Delete Policy 21.2.9.2 and replace with the following: <u>Avoid the establishment of commercial, retail, forestry and industrial activities where they would degrade rural quality or character, amenity, nature conservation values, and landscape.</u>	Royal Forest and Bird Protection Society of New Zealand ENV-2018-CHC-133 (as per further particulars received)	

**21.2.9.3 Provide for the establishment of activities such as tourism, commercial recreation or visitor accommodation located within farms where these enable landscape values and indigenous biodiversity to be sustained in the longer term.**

Policy 21.2.9.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Policy 21.2.9.3.	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	
Amend Policy 21.2.9.3: Provide for the establishment <u>and operation</u> of activities such as tourism, commercial recreation or visitor accommodation located within <u>the Rural Zone, particularly farms</u> where these enable landscape values and indigenous biodiversity to be sustained in the longer term.	Darby Planning Limited ENV-2018-CHC-150  Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138  Real Journeys (trading as Canyon Food & Brew Company) ENV-2018-CHC-146	
Amend Policy 21.2.9.3: Provide for the establishment of activities such as tourism, commercial recreation, <u>rural living</u> or visitor accommodation located within <u>the Rural Zone, particularly farms</u> where these enable landscape	SYZ Investments Limited ENV-2018-CHC-130	

values and indigenous biodiversity to be sustained in the longer term.		
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**21.2.10 Objective – Commercial Recreation in the Rural Zone is of a nature and scale that is commensurate to the amenity values of the location.**

Objective 21.2.10 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Objective 21.2.10: Commercial Recreation in the Rural Zone <u>recognises and provides for</u> <del>is of a nature and scale that is commensurate to the</del> amenity values of the location.	Mt Cardrona Station Limited ENV-2018-CHC-83	Policy 21.2.9.3, Policy 21.2.10.1
Delete Objective 21.2.10	Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Rule 21.4.13, Rules 21.9.1, 21.9.2, 21.9.3, and 21.9.4

## Policies

**21.2.10.1 The group size of commercial recreation activities will be managed so as to be consistent with the level of amenity anticipated in the surrounding environment.**

Policy 21.2.10.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Policy 21.2.10.1	Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Rule 21.4.13, Rules 21.9.1, 21.9.2, 21.9.3, and 21.9.4

**21.2.10.2 To manage the adverse effects of commercial recreation activities so as not to degrade rural quality or character or visual amenities and landscape values.**

Policy 21.2.10.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Policy 21.2.10.2	Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Rule 21.4.13, Rules 21.9.1, 21.9.2, 21.9.3, and 21.9.4

**21.2.10.3 To avoid, remedy or mitigate any adverse effects commercial activities may have on the range of recreational activities available in the District and the quality of the experience of the people partaking of these opportunities.**

Policy 21.2.10.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions

Delete Policy 21.2.10.3	Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Rule 21.4.13, Rules 21.9.1, 21.9.2, 21.9.3, and 21.9.4
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- 21.2.10.4 To ensure the scale and location of buildings, noise and lighting associated with commercial recreation activities are consistent with the level of amenity existing and anticipated in the surrounding environment.

Policy 21.2.10.4 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Policy 21.2.10.4	Mt Cardrona Station Limited ENV-2018-CHC-83  Queenstown Park Limited ENV-2018-CHC-127	Policy 21.2.9.3, Policy 21.2.10.1, Policy 21.2.10.4  Strategic Policy 3.3.21, Rule 21.4.13, Rules 21.9.1, 21.9.2, 21.9.3, and 21.9.4

- 21.2.11 Objective - The location, scale and intensity of informal airports is managed to maintain amenity values while protecting informal airports from incompatible land uses.

Objective 21.2.11 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Objective 21.2.11: The location, scale and intensity of <u>new</u> informal airports is managed to maintain amenity values while protecting <u>existing</u> informal airports from incompatible land uses.	Cardrona Alpine Resort Limited ENV-2018-CHC-117	
Amend Objective 21.2.11: The location, scale and intensity of informal airports <del>is managed to maintain</del> <u>are located to manage</u> amenity values while protecting informal airports from incompatible land uses.	Fairfax & Others ENV-2018-CHC-096	
Amend Objective 21.2.11: The location, scale and intensity of <u>new</u> informal airports is managed to maintain amenity values while protecting <u>existing</u> informal airports from incompatible land uses.	Te Anau Developments Limited ENV-2018-CHC-106	

## Policies

- 21.2.11.1 Ensure informal airports are located, operated and managed so as to maintain the surrounding rural amenity.

Policy 21.2.11.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 21.2.11.1: Ensure <u>new</u> informal airports are located, operated and managed so as to maintain the surrounding rural amenity.	Cardrona Alpine Resort Limited ENV-2018-CHC-117  Fairfax & Others	

	ENV-2018-CHC-096  Te Anau Developments Limited ENV-2018-CHC-106	
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**21.2.11.2 Protect rural amenity values, and amenity of other zones from the adverse effects that can arise from informal airports.**

Policy 21.2.11.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 21.2.11.2: Protect rural amenity values, and amenity of other zones from the adverse effects that can arise from <u>new</u> informal airports.	Cardrona Alpine Resort Limited ENV-2018-CHC-117  Te Anau Developments Limited ENV-2018-CHC-106	
Amend Policy 21.2.11.2: <del>Protect</del> <u>Provide for</u> rural amenity values, and amenity of other zones from the adverse effects that can arise from <u>new</u> informal airports.	Fairfax & Others ENV-2018-CHC-096  Aircraft Owners and Pilots and Owners Association (NZ) Incorporated ENV-2019-CHC-132	Objective 21.2.11, Policies 21.2.11.1, 21.2.11.2 and 21.2.11.3

**21.2.11.3 Protect lawfully established and anticipated permitted informal airports from the establishment of incompatible activities in the immediate vicinity.**

**21.2.12 Objective - The natural character of lakes and rivers and their margins is protected, maintained or enhanced, while providing for appropriate activities on the surface of lakes and rivers, including recreation, commercial recreation and public transport.**

Objective 21.2.12 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Objective 21.2.12: Objective – <u>Avoid, remedy or mitigate any adverse effects on the natural character of lakes and rivers and their margins is protected, maintained or enhanced</u> , while providing for appropriate activities on the surface of lakes and rivers, including recreation, commercial recreation and public transport.	Queenstown Wharves GP Limited ENV-2018-CHC-142	Policy 21.2.12.5
Amend Objective 21.2.12: Objective - The natural character of lakes and rivers and their margins is protected <u>from inappropriate development, maintained or enhanced</u> , while providing for appropriate activities on the surface of lakes and rivers, including recreation, commercial recreation and <u>public transport and associated infrastructure</u> .	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138  Real Journeys (trading as Canyon Food & Brew Company) ENV-2018-CHC-146	Policy 12.2.5.3, Policy 12.2.5.6

**Policies**

- 21.2.12.1 Have regard to statutory obligations, wāhi Tūpuna and the spiritual beliefs, and cultural traditions of tangata whenua where activities are undertaken on the surface of lakes and rivers and their margins.
- 21.2.12.2 **Enable people to have access to a wide range of recreational experiences on the lakes and rivers, based on the identified characteristics and environmental limits of the various parts of each lake and river.**

Policy 21.2.12.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 21.2.12.2: Enable people to have access to a wide range of recreational experiences on the lakes and rivers, <del>based on the identified characteristics and environmental limits of the various parts of each lake and river.</del>	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138	
Amend Policy 21.2.12.2: Enable people to have access to a wide range of recreational <u>and educational</u> experiences on, <u>along and near</u> the lakes and rivers, based on the identified characteristics and environmental limits of the various parts of each lake and river.	Queenstown Park Limited ENV-2018-CHC-127	

- 21.2.12.3 **Avoid or mitigate the adverse effects of frequent, large-scale or intrusive commercial activities such as those with high levels of noise, vibration, speed and wash, in particular motorised craft, in areas of high passive recreational use, significant nature conservation values and wildlife habitat.**

Policy 21.2.12.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 21.2.12.3 to clarify that it does not apply to the Kawarau River or the Frankton Arm.	Queenstown Wharves GP Limited ENV-2018-CHC-142	Policy 21.2.12.9, Policy 21.2.12.10
Amend Policy 21.2.12.3: <del>Avoid or mitigate</del> <u>Recognise the importance of providing a water based transport system while avoiding, remedying or mitigating</u> the adverse effects of <u>newly proposed</u> frequent, large-scale or intrusive commercial activities such as those with high levels of noise, vibration, speed and wash, in particular motorised craft, in areas of high passive recreational use, significant nature conservation values and wildlife habitat	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138	Policy 21.2.12.8

- 21.2.12.4 **Have regard to the whitewater values of the District's rivers and, in particular, the values of parts of the Kawarau, Nevis and Shotover Rivers as three of the few remaining major unmodified whitewater rivers in New Zealand, and to support measures to protect this characteristic of rivers.**

Policy 21.2.12.4 and relief sought	Appellant Court Number	Consequentially Affected Provisions

<p>Amend Policy 21.2.12.4: Have regard to the whitewater values of the District's rivers and, in particular, the values of parts of the Kawarau, Nevis and Shotover Rivers as three of the few remaining major unmodified whitewater rivers in New Zealand, and to support measures to protect this characteristic of rivers, <u>while ensuring the safe maintenance and operation of established activities in these locations.</u></p>	<p>Real Journeys Limited ENV-2018-CHC-131</p> <p>Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138</p>	
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- 21.2.12.5 Protect, maintain or enhance the natural character and nature conservation values of lakes, rivers and their margins from inappropriate activities with particular regard to nesting and spawning areas, the intrinsic value of ecosystem services and areas of indigenous fauna habitat and recreational values.
- 21.2.12.6 Recognise and provide for the maintenance and enhancement of public access to and enjoyment of the margins of the lakes and rivers.
- 21.2.12.7 Ensure that the location, design and use of structures and facilities are such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities on the lakes and rivers are avoided, remedied or mitigated.
- 21.2.12.8 **Encourage development and use of water based public ferry systems including necessary infrastructure and marinas, in a way that avoids adverse effects on the environment as far as possible, or where avoidance is not practicable, remedies and mitigates such adverse effects.**

Policy 21.2.12.8 and relief sought	Appellant Court Number	Consequentially Affected Provisions
<p>Amend Policy 21.2.12.8: Encourage development and use of water based public ferry systems including necessary infrastructure and marinas, <del>in a way that avoids adverse effects on the environment as far as possible, or where avoidance is not practicable, remedies and mitigates such adverse effects.</del></p>	<p>Queenstown Wharves GP Limited ENV-2018-CHC-142</p>	
<p>Amend Policy 21.2.12.8: Encourage development and use of water based <del>transport public ferry systems</del> including necessary infrastructure and marinas, in a way that avoids adverse <del>inappropriate</del> effects on the environment as far as possible, or <del>otherwise where avoidance is not practicable,</del> remedies and mitigates such adverse effects.</p>	<p>Real Journeys Limited ENV-2018-CHC-131</p> <p>Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138</p>	
<p>Amend Policy 21.2.12.8 to reflect that it is not always practical to remedy or mitigate effects, and that effects should be considered against the positive effects of a public ferry system.</p>	<p>Kawarau Jet Services Holdings Limited ENV-2018-CHC-082</p>	<p>Objective 21.21.3</p>

- 21.2.12.9 **Take into account the potential adverse effects on nature conservation values from the boat wake of commercial boating activities, having specific regard to the intensity and nature of commercial jet boat activities and the potential for turbidity and erosion.**

Policy 21.2.12.9 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Policy 21.2.12.9	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138	
Amend Policy 21.2.12.9 to recognise that management techniques can be used to appropriately manage effects from commercial jet boat use.	Kawarau Jet Services Holdings Limited ENV-2018-CHC-082	

**21.2.12.10** Ensure that the nature, scale and number of commercial boating operators and/or commercial boats on waterbodies do not exceed levels such that the safety of passengers and other users of the water body cannot be assured.

Policy 21.2.12.10 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 21.2.12.10: Ensure that the nature, scale and number of <u>newly proposed</u> commercial boating operators and/or commercial boats on waterbodies do not <u>adversely impact on exceed levels such that the safety of passengers and other users of the water body cannot be assured.</u>	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138	
Amend Policy 21.2.12.10: <u>Protect historical and well established commercial boating operations from incompatible activities and manage new commercial operations to</u> Ensure that the nature, scale and number of commercial boating operators and/or commercial boats on waterbodies do not exceed levels such that the safety of passengers and other users of the water body cannot be assured.	Kawarau Jet Services Holdings Limited ENV-2018-CHC-082	

**21.2.13** **Objective - Rural industrial activities and infrastructure within the Rural Industrial Sub-Zones will support farming and rural productive activities, while protecting, maintaining and enhancing rural character, amenity and landscape values.**

Objective 21.2.13 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Objective 21.2.13: Rural industrial activities and <u>servicing</u> infrastructure within the Rural Industrial Sub-Zones will support farming and rural productive activities, while protecting, maintaining and enhancing rural character, amenity and landscape values.	Transpower ENV-2018-CHC-114 (as per further particulars received)	



## Policies

- 21.2.13.1 Provide for rural industrial activities and buildings within established nodes of industrial development while protecting, maintaining and enhancing landscape and amenity values.
- 21.2.13.2 Provide for limited retail and administrative activities within the Rural Industrial Sub-Zone on the basis it is directly associated with and ancillary to the Rural Industrial Activity on the site.

## 21.3 Other Provisions and Rules

### 21.3.1 District Wide

Attention is drawn to the following District Wide chapters.

1	Introduction	2	Definitions	3	Strategic Direction
4	Urban Development	5	Tangata Whenua	6	Landscapes and Rural Character
25	Earthworks	26	Historic Heritage	27	Subdivision
28	Natural Hazards	29	Transport	30	Energy and Utilities
31	Signs	32	Protected Trees	33	Indigenous Vegetation
34	Wilding Exotic Trees	35	Temporary Activities and Relocated Buildings	36	Noise
37	Designations	Planning Maps			

### 21.3.2 Interpreting and Applying the Rules

- 21.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules.
- 21.3.2.2 Where an activity does not comply with a Standard listed in the Standards tables, the activity status identified by the 'Non-Compliance Status' column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 21.3.2.3 For controlled and restricted discretionary activities, the Council shall restrict the exercise of its control or discretion to the matters listed in the rule.
- 21.3.2.4 Development and building activities are undertaken in accordance with the conditions of resource subdivision consent and may be subject to monitoring by the Council.
- 21.3.2.5 **The existence of a farm building either permitted or approved by resource consent under Rule 21.4.2 or Table 5 – Standards for Farm Buildings shall not be considered the permitted baseline for residential or other non- farming activity development within the Rural Zone.**

Provision 21.3.3.5 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Rule 21.3.3.5: The existence of a farm building either permitted or approved by resource consent under Rule 21.4.2 or Table 5 – Standards for Farm Buildings shall not be considered the permitted baseline for residential <del>or other non-farming</del> activity development within the Rural Zone.	New Zealand Tungsten Mining Limited ENV-2018-CHC-151	

21.3.2.6 The Ski Area and Rural Industrial Sub-Zones, being Sub-Zones of the Rural Zone, require that all rules applicable to the Rural Zone apply unless stated to the contrary.

21.3.2.7 Building platforms identified on a site’s computer freehold register shall have been registered as part of a resource consent approval by the Council.

21.3.2.8 The surface and bed of lakes and rivers are zoned Rural, unless otherwise stated.

21.3.2.9 Internal alterations to buildings including the replacement of joinery is permitted.

21.3.2.10 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 except where the land is an ONL, ONF or contains an SNA.

21.3.2.11 These abbreviations are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

P	Permitted	C	Controlled
RD	Restricted Discretionary	D	Discretionary
NC	Non Complying	PR	Prohibited

### 21.3.3 Advice Notes

21.3.3.1 Compliance with any of the following standards, in particular the permitted standards, does not absolve any commitment to the conditions of any relevant resource consent, consent notice or covenant registered on the computer freehold register of any property.

21.3.3.2 In addition to any rules for mining, the Otago Regional Plan: Water, also has rules related to suction dredge mining.

21.3.3.3 Applications for building consent for permitted activities shall include information to demonstrate compliance with the following standards, and any conditions of the applicable resource consent conditions.

## 21.4 Rules – Activities

All activities, including any listed permitted activities shall be subject to the rules and standards contained in Tables 1 to 15.

Table 1 – Activities Generally

Table 2 – Standards Applying Generally in the Zone

Table 3 – Standards for Farm Activities (additional to those in Table 2)

Table 4 – Standards for Structures and Buildings (other than Farm Buildings) (additional to those in Table 2)

Table 5 – Standards for Farm Buildings (additional to those in Table 2)

Table 6 – Standards for Commercial Activities (additional to those in Table 2)

Table 7– Standards for Informal Airports (additional to those in Table 2)

Table 8 – Standards for Mining and Extraction Activities (additional to those in Table 2)

Table 9 – Activities in the Ski Area Sub-Zone (additional to those listed in Table 1)

Table 10 - Activities in Rural Industrial Sub-Zone (additional to those listed in Table 1)

Table 11 – Standards for Rural Industrial Sub-Zone

Table 12 – Activities on the Surface of Lakes and Rivers

Table 13 – Standards for Activities on the Surface of Lakes and Rivers Table 14 – Closeburn Station Activities

Table 15 – Closeburn Station: Standards for Buildings and Structures

	<b>Table 1 – Activities – Rural Zone</b>	<b>Activity Status</b>
	Farming Activities	
<b>21.4.1</b>	Farming Activity that complies with the standards in Table 2 and Table 3.	P
<b>21.4.2</b>	Construction of or addition to farm buildings that comply with the standards in Table 5.	P
<b>21.4.3</b>	Factory Farming limited to factory farming of pigs or poultry that complies with the standards in Table 2 and Table 3.	P
<b>21.4.4</b>	Factory Farming animals other than pigs or poultry.	NC
	Residential Activities	
<b>21.4.5</b>	One residential unit, which includes a single residential flat for each residential unit and any other accessory buildings, within any building platform approved by resource consent.	P
<b>21.4.6</b>	The construction and exterior alteration of buildings located within a building platform approved by resource consent, or registered on the applicable computer freehold register, subject to compliance with the standards in Table 2 and Table 4.	P

	<b>Table 1 – Activities – Rural Zone</b>	<b>Activity Status</b>						
<b>21.4.7</b>	The exterior alteration of any lawfully established building where there is not an approved building platform on the site, subject to compliance with the standards in Table 2 and Table 4.	P						
<b>21.4.8</b>	Domestic Livestock.	P						
<b>21.4.9</b>	The use of land or buildings for residential activity except as provided for in any other rule.	D						
<b>21.4.10</b>	The identification of a building platform not less than 70m <sup>2</sup> and not greater than 1000m <sup>2</sup> .	D						
<b>21.4.11</b>	The construction of any building including the physical activity associated with buildings including roading, access, lighting, landscaping and earthworks, not provided for by any other rule.	D						
	Commercial Activities							
<b>21.4.12</b>	Home Occupation that complies with the standards in Table 6.	P						
<b>21.4.13</b>	Commercial recreational activities that comply with the standards in Table 6.	P						
<b>21.4.14</b>	Roadside stalls that meet the standards in Table 6.	P						
<b>21.4.15</b>	Residential Visitor Accommodation and Homestays	P						
<b>21.4.16</b>	Retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site and that comply with the standards in Table 6, not undertaken through a roadside stall under Rule 21.4.14.  Control is reserved to:  a. the location of the activity and buildings; b. vehicle crossing location, car parking; c. rural amenity and landscape character.	C						
<b>21.4.17</b>	<b>Commercial activities ancillary to and located on the same site as commercial recreational or recreational activities.</b>	D						
	<table border="1"> <thead> <tr> <th><b>Rule 21.4.17 and relief sought</b></th> <th><b>Appellant Court Number</b></th> <th><b>Consequentially Affected Provisions</b></th> </tr> </thead> <tbody> <tr> <td>Amend the activity status of Rule 21.4.17 to Controlled, with control limited to the location of the activity and buildings, and rural amenity and landscape character.</td> <td>Queenstown Park Limited ENV-2018-CHC-127</td> <td>Strategic Policy 3.3.21, Rule 21.4.13, Rules 21.9.1, 21.9.2, 21.9.3 and 21.9.4</td> </tr> </tbody> </table>	<b>Rule 21.4.17 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>	Amend the activity status of Rule 21.4.17 to Controlled, with control limited to the location of the activity and buildings, and rural amenity and landscape character.	Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Rule 21.4.13, Rules 21.9.1, 21.9.2, 21.9.3 and 21.9.4	
<b>Rule 21.4.17 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>						
Amend the activity status of Rule 21.4.17 to Controlled, with control limited to the location of the activity and buildings, and rural amenity and landscape character.	Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Rule 21.4.13, Rules 21.9.1, 21.9.2, 21.9.3 and 21.9.4						

# RURAL 21

	<b>Table 1 – Activities – Rural Zone</b>	<b>Activity Status</b>						
<b>21.4.18</b>	Cafes and restaurants located in a winery complex within a vineyard.	D						
<b>21.4.19</b>	<p><b>Visitor Accommodation outside of a Ski Area Sub-Zone.</b></p> <table border="1"> <thead> <tr> <th><b>Rule 21.4.19 and relief sought</b></th> <th><b>Appellant Court Number</b></th> <th><b>Consequentially Affected Provisions</b></th> </tr> </thead> <tbody> <tr> <td>Amend the activity status of Rule 21.4.19 to Controlled, with control limited to the location of the activity and buildings, and rural amenity and landscape character.</td> <td>Queenstown Park Limited ENV-2018-CHC-127</td> <td>Strategic Policy 3.3.21, Policy 21.2.9.3</td> </tr> </tbody> </table>	<b>Rule 21.4.19 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>	Amend the activity status of Rule 21.4.19 to Controlled, with control limited to the location of the activity and buildings, and rural amenity and landscape character.	Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Policy 21.2.9.3	D
<b>Rule 21.4.19 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>						
Amend the activity status of Rule 21.4.19 to Controlled, with control limited to the location of the activity and buildings, and rural amenity and landscape character.	Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Policy 21.2.9.3						
<b>21.4.20</b>	Forestry Activities within the Rural Character Landscapes, except for Plantation Forestry where the Resource Management (Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017) Regulation 2017 prevails.	D						
<b>21.4.21</b>	<p>Retail Sales</p> <p>Retail sales where the access is onto a State Highway, with the exception of the activities provided for by Rule 21.4.14 or Rule 21.4.16.</p> <p>Other Activities</p>	NC						
<b>21.4.22</b>	Recreation and/or Recreational Activity.	P						
<b>21.4.23</b>	Informal Airports that comply with Table 7.	P						

	Table 1 – Activities – Rural Zone	Activity Status
21.4.24	<p>Passenger Lift Systems not located within a Ski Area Sub-Zone Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. the impact on landscape values from any alignment, earthworks, design and surface treatment, including measures to mitigate landscape effects including visual quality and amenity values;</li> <li>b. the route alignment and the whether any system or access breaks the line and form of skylines, ridges, hills and prominent slopes;</li> <li>c. earthworks associated with construction of the Passenger Lift System;</li> <li>d. the materials used, colours, lighting and light reflectance;</li> <li>e. geotechnical matters;</li> <li>f. ecological values and any proposed ecological mitigation works.;</li> <li>g. balancing environmental considerations with operational requirements of Ski Area Activities;</li> <li>h. the positive effects arising from providing alternative non-vehicular access and linking Ski Area Sub-Zones to the roading network.</li> </ul>	RD

Table 1 – Activities – Rural Zone		Activity Status										
21.4.25	<p>Ski Area Activities not located within a Ski Area Sub-Zone, with the exception of:</p> <ul style="list-style-type: none"> <li>a. non-commercial skiing which is permitted as recreation activity under Rule 21.4.22;</li> <li>b. commercial heli skiing not located within a Ski Area Sub-Zone is a commercial recreation activity and Rule 21.4.13 applies;</li> <li>c. Passenger Lift Systems to which Rule 21.4.24 applies.</li> </ul>	NC										
	<table border="1"> <thead> <tr> <th>Rule 21.4.25 and relief sought</th> <th>Appellant Court Number</th> <th>Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Amend Rule 21.4.25 to a Discretionary activity status</td> <td>           Soho Ski Area Ltd &amp; Blackmans Creek No. 1 LP            ENV-2018-CHC-104             Mt Cardrona Station Limited            ENV-2018-CHC-83             Cardrona Alpine Resort Limited            ENV-2018-CHC-117             Treble Cone Investments Limited            ENV-2018-CHC-107         </td> <td>Policy 21.2.6.2, Policy 21.2.6.4</td> </tr> <tr> <td>Amend Rule 21.4.25 to exempt any base or terminal buildings constructed in associated within any access or Passenger Lift System through Rule 21.4.24</td> <td>           Soho Ski Area Ltd &amp; Blackmans Creek No. 1 LP            ENV-2018-CHC-104             Treble Cone Investments Limited            ENV-2018-CHC-107         </td> <td></td> </tr> </tbody> </table>		Rule 21.4.25 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Amend Rule 21.4.25 to a Discretionary activity status	Soho Ski Area Ltd & Blackmans Creek No. 1 LP ENV-2018-CHC-104  Mt Cardrona Station Limited ENV-2018-CHC-83  Cardrona Alpine Resort Limited ENV-2018-CHC-117  Treble Cone Investments Limited ENV-2018-CHC-107	Policy 21.2.6.2, Policy 21.2.6.4	Amend Rule 21.4.25 to exempt any base or terminal buildings constructed in associated within any access or Passenger Lift System through Rule 21.4.24	Soho Ski Area Ltd & Blackmans Creek No. 1 LP ENV-2018-CHC-104  Treble Cone Investments Limited ENV-2018-CHC-107		
	Rule 21.4.25 and relief sought		Appellant Court Number	Consequentially Affected Provisions								
	Amend Rule 21.4.25 to a Discretionary activity status		Soho Ski Area Ltd & Blackmans Creek No. 1 LP ENV-2018-CHC-104  Mt Cardrona Station Limited ENV-2018-CHC-83  Cardrona Alpine Resort Limited ENV-2018-CHC-117  Treble Cone Investments Limited ENV-2018-CHC-107	Policy 21.2.6.2, Policy 21.2.6.4								
Amend Rule 21.4.25 to exempt any base or terminal buildings constructed in associated within any access or Passenger Lift System through Rule 21.4.24	Soho Ski Area Ltd & Blackmans Creek No. 1 LP ENV-2018-CHC-104  Treble Cone Investments Limited ENV-2018-CHC-107											
21.4.26	Any building within a Building Restriction Area identified on the Planning Maps.	NC										
	Activities within the Outer Control Boundary at Queenstown Airport and Wanaka Airport											

Table 1 – Activities – Rural Zone		Activity Status									
21.4.27	<p><b>New Building Platforms and Activities Sensitive to Aircraft Noise within the Outer Control Boundary - Wanaka Airport</b></p> <p>On any site located within the Outer Control Boundary, any new activity sensitive to aircraft noise or new building platform to be used for an activity sensitive to aircraft noise (except an activity sensitive to aircraft noise located on a building platform approved before 20 October 2010).</p> <table border="1"> <thead> <tr> <th>Rule 21.4.27 and relief sought</th> <th>Appellant Court Number</th> <th>Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Amend Rule 21.4.27 to exclude tourism activities.</td> <td>Te Anau Developments Limited ENV-2018-CHC-106</td> <td></td> </tr> </tbody> </table>	Rule 21.4.27 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Amend Rule 21.4.27 to exclude tourism activities.	Te Anau Developments Limited ENV-2018-CHC-106		PR			
	Rule 21.4.27 and relief sought	Appellant Court Number	Consequentially Affected Provisions								
Amend Rule 21.4.27 to exclude tourism activities.	Te Anau Developments Limited ENV-2018-CHC-106										
21.4.28	<p><b>Activities Sensitive to Aircraft Noise within the Outer Control Boundary - Queenstown Airport</b></p> <p>On any site located within the Outer Control Boundary, which includes the Air Noise Boundary, as indicated on the District Plan Maps, any new Activity Sensitive to Aircraft Noise.</p> <table border="1"> <thead> <tr> <th>Rule 21.4.28 and relief sought</th> <th>Appellant Court Number</th> <th>Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Delete Rule 21.4.28</td> <td>Real Journeys Limited ENV-2018-CHC-131</td> <td></td> </tr> <tr> <td>Amend Rule 21.4.28 to exclude tourism activities.</td> <td>Te Anau Developments Limited ENV-2018-CHC-106</td> <td></td> </tr> </tbody> </table>	Rule 21.4.28 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Delete Rule 21.4.28	Real Journeys Limited ENV-2018-CHC-131		Amend Rule 21.4.28 to exclude tourism activities.	Te Anau Developments Limited ENV-2018-CHC-106		PR
Rule 21.4.28 and relief sought	Appellant Court Number	Consequentially Affected Provisions									
Delete Rule 21.4.28	Real Journeys Limited ENV-2018-CHC-131										
Amend Rule 21.4.28 to exclude tourism activities.	Te Anau Developments Limited ENV-2018-CHC-106										
	Mining Activities										



	<b>Table 1 – Activities – Rural Zone</b>	<b>Activity Status</b>
<b>21.4.29</b>	<p>The following mining and extraction activities that comply with the standards in Table 8 are permitted:</p> <ul style="list-style-type: none"> <li>a. mineral prospecting;</li> <li>b. mining by means of hand-held, non-motorised equipment and suction dredging, where the total motive power of any dredge does not exceed 10 horsepower (7.5 kilowatt); and</li> <li>c. the mining of aggregate for farming activities provided the total volume does not exceed 1000m<sup>3</sup> in any one year.</li> </ul>	P
<b>21.4.30</b>	<p>Mineral exploration that does not involve more than 20m<sup>3</sup> in volume in any one hectare.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. the adverse effects on landscape, nature conservation values and water quality;</li> <li>b. ensuring rehabilitation of the site is completed that ensures: <ul style="list-style-type: none"> <li>i. the long-term stability of the site;</li> <li>ii. that the landforms or vegetation on finished areas are visually integrated into the landscape;</li> <li>iii. water quality is maintained;</li> <li>iv. that the land is returned to its original productive capacity;</li> </ul> </li> <li>c. that the land is rehabilitated to indigenous vegetation where the pre-existing land cover immediately prior to the exploration, comprised indigenous vegetation as determined utilising Section 33.3.3 of Chapter 33.</li> </ul>	C
<b>21.4.31</b>	Any mining activity or mineral prospecting other than provided for in Rules 21.4.29 and 21.4.30.	D
	Industrial Activities outside the Rural Industrial Sub-Zone	
<b>21.4.32</b>	Industrial Activities directly associated with wineries and underground cellars within a vineyard.	D
<b>21.4.33</b>	Industrial Activities outside the Rural Industrial Sub-Zone other than those provided for by Rule 21.4.32.	NC
	Default Activity Status When Not Listed	

Table 1 – Activities – Rural Zone		Activity Status				
21.4.34	Any activity not otherwise provided for in Tables 1, 9, 10, 12 or 14.	NC				
	<table border="1"> <thead> <tr> <th>Rule 21.4.34 and relief sought</th> <th>Appellant Court Number</th> <th>Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Amend all non-complying activity status provisions applying to land use and development within SASZs to discretionary.</td> <td>Cardrona Alpine Resort Limited ENV-2018-CHC-117</td> <td></td> </tr> </tbody> </table>		Rule 21.4.34 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Amend all non-complying activity status provisions applying to land use and development within SASZs to discretionary.
Rule 21.4.34 and relief sought	Appellant Court Number	Consequentially Affected Provisions				
Amend all non-complying activity status provisions applying to land use and development within SASZs to discretionary.	Cardrona Alpine Resort Limited ENV-2018-CHC-117					

## 21.5 Rules – General Standards

Table 2 - Standards Applying Generally in the Zone.		Non-compliance Status
<p>The following standards apply to any of the activities described in Tables 1, 9, 10, 12 and 14 in addition to the specific standards in Tables 3- 8, 11, 13 and 15 unless otherwise stated.</p>		
21.5.1	<p>Setback from Internal Boundaries</p> <p>The setback of any building from internal boundaries shall be 15m.</p> <p>Except this rule shall not apply within the Rural Industrial Sub-Zone. Refer to Table 11.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>rural amenity and landscape character;</li> <li>privacy, outlook and amenity from adjoining properties.</li> </ol>
21.5.2	<p>Setback from Roads</p> <p>The setback of any building from a road boundary shall be 20m, except, the minimum setback of any building from State Highway 6 between Lake Hayes and the Shotover River shall be 50m. The minimum setback of any building for other sections of State Highway 6 where the speed limit is 70 km/hr or greater shall be 40m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>rural Amenity and landscape character;</li> <li>open space;</li> <li>the adverse effects on the proposed activity from noise, glare and vibration from the established road.</li> </ol>
21.5.3	<p>Setback from Neighbours of Buildings Housing Animals</p> <p>The setback from internal boundaries for any building housing animals shall be 30m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>odour;</li> <li>noise;</li> </ol>

	<b>Table 2 - Standards Applying Generally in the Zone.</b>  <b>The following standards apply to any of the activities described in Tables 1, 9, 10, 12 and 14 in addition to the specific standards in Tables 3- 8, 11, 13 and 15 unless otherwise stated.</b>	<b>Non-compliance Status</b>
		c. dust; d. vehicle movements.
<b>21.5.4</b>	<b>Setback of buildings from Water bodies</b>  The minimum setback of any building from the bed of a wetland, river or lake shall be 20m.	RD  Discretion is restricted to: <ul style="list-style-type: none"> <li>a. indigenous biodiversity values;</li> <li>b. visual amenity values;</li> <li>c. landscape and natural character;</li> <li>d. open space;</li> <li>e. whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the adverse effects of the location of the building.</li> </ul>
<b>21.5.5</b>	<b>Airport Noise – Wanaka Airport</b>  Alterations or additions to existing buildings, or construction of a building on a building platform approved before 20 October 2010, that contain an Activity Sensitive to Aircraft Noise and are within the Outer Control Boundary, must be designed to achieve an internal design sound level of 40 dB Ldn, based on the 2036 noise contours, at the same time as meeting the ventilation requirements in Rule 36.6.2, Chapter 36. Compliance can either be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the internal design sound level, or by installation of mechanical ventilation to achieve the requirements in Rule 36.6.2, Chapter 36.	NC
<b>21.5.6</b>	<b>Airport Noise – Alteration or Addition to Existing Buildings (excluding any alterations of additions to any non-critical listening environment) within the Queenstown Airport Noise Boundaries</b> <ul style="list-style-type: none"> <li>a. Within the Queenstown Airport Air Noise Boundary (ANB) - Alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise must be designed to achieve an Indoor Design Sound Level of 40 dB Ldn, within any Critical</li> </ul>	NC

	<b>Table 2 - Standards Applying Generally in the Zone.</b>  <b>The following standards apply to any of the activities described in Tables 1, 9, 10, 12 and 14 in addition to the specific standards in Tables 3- 8, 11, 13 and 15 unless otherwise stated.</b>	<b>Non-compliance Status</b>			
	<p>Listening Environment, based on the 2037 Noise Contours. Compliance must be demonstrated by either adhering to the sound insulation requirements in Rule 36.6.1 of Chapter 36 and installation of mechanical ventilation to achieve the requirements in Rule 36.6.2 of Chapter 36, or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.</p> <p>b. Between the Queenstown Airport Outer Control Boundary and the ANB – Alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise must be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance must be demonstrated by either installation of mechanical ventilation to achieve the requirements in Rule 36.6.2 of Chapter 36 or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.</p> <p>Standards (a) and (b) exclude any alterations or additions to any non-critical listening environment.</p>				
<b>21.5.7</b>	<p><b>Lighting and Glare</b></p> <p>21.5.7.1 All fixed exterior lighting must be directed away from adjoining sites and roads; and</p> <p>21.5.7.2 No activity on any site will result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site, provided that this rule shall not apply where it can be demonstrated that the design of adjacent buildings adequately mitigates such effects.</p> <p>21.5.7.3 There must be no upward light spill.</p> <table border="1" data-bbox="352 1966 1050 2087"> <tr> <td data-bbox="352 1966 638 2087"> <b>Rule 21.5.7 and relief sought</b> </td> <td data-bbox="638 1966 786 2087"> <b>Appellant Court Number</b> </td> <td data-bbox="786 1966 1050 2087"> <b>Consequentially Affected Provisions</b> </td> </tr> </table>	<b>Rule 21.5.7 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>	<p>NC</p>
<b>Rule 21.5.7 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>			

Table 2 - Standards Applying Generally in the Zone.		Non-compliance Status
<p>The following standards apply to any of the activities described in Tables 1, 9, 10, 12 and 14 in addition to the specific standards in Tables 3- 8, 11, 13 and 15 unless otherwise stated.</p>		
Amend all non-complying activity status provisions applying to land use and development within SASZs to discretionary.	Cardrona Alpine Resort Limited ENV-2018-CHC-117	

## 21.6 Rule – Standards for Farm Activities

Table 3 – Standards for Farm Activities.		Non- compliance Status
<p>The following standards apply to Farm Activities.</p>		
<b>21.6.1</b>	<p>Dairy Farming (Milking Herds, Dry Grazing and Calf Rearing)</p> <p>All effluent holding tanks, effluent treatment and effluent storage ponds, must be located at least 300 metres from any formed road or adjoining property.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. odour;</li> <li>b. visual prominence;</li> <li>c. landscape character;</li> <li>d. effects on surrounding properties.</li> </ul>
<b>21.6.2</b>	<p>Factory Farming (excluding the boarding of animals)</p> <p>Factory farming (excluding the boarding of animals) must be located at least 2 kilometres from a Residential, Rural Residential, Rural Lifestyle, Town Centre, Local Shopping Centre Zone, Millbrook Resort Zone, Waterfall Park Zone or Jacks Point Zone.</p>	D
<b>21.6.3</b>	<p>Factory Farming of Pigs</p> <p>21.6.3.1 The number of housed pigs must not exceed 50 sows or 500 pigs of mixed ages;</p> <p>21.6.3.2 Housed pigs must not be located closer than 500m from a property boundary;</p>	NC

	<b>Table 3 – Standards for Farm Activities.</b> <b>The following standards apply to Farm Activities.</b>	<b>Non- compliance Status</b>
	<p>21.6.3.3 The number of outdoor pigs must not exceed 100 pigs and their progeny up to weaner stage;</p> <p>21.6.3.4 Outdoor sows must be ringed at all times; and/or</p> <p>21.6.3.5 The stocking rate of outdoor pigs must not exceed 15 pigs per hectare, excluding progeny up to weaner stage.</p>	
<b>21.6.4</b>	<p>Factory farming of poultry</p> <p>21.6.4.1 The number of birds must not exceed 10,000 birds.</p> <p>21.6.4.2 Birds must be housed at least 300m from a site boundary.</p>	NC

## 21.7 Rules – Standards for Buildings

<b>Rule 21.7 Table 4 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions</b>
Amend the title of Rule 21.7 Table 4: The following standards apply to structures and buildings, other than Farm Buildings <u>and Passenger Lift Systems.</u>	Mt Cardrona Station Limited ENV-2018-CHC-83	Rule 21.7
Amend the title of Rule 21.7 Table 4: The following standards apply to structures and buildings, other than Farm Buildings <u>and Mining Buildings.</u>	New Zealand Tungsten Mining Limited ENV-2018-CHC-151	

	<b>Table 4 – Standards for Structures and Buildings</b> <b>The following standards apply to structures and buildings, other than Farm Buildings.</b>	<b>Non-compliance Status</b>
<b>21.7.1</b>	<p>Structures</p> <p>Any structure which is greater than 5 metres in length, and between 1 metre and 2 metres in height must be located a minimum distance of 10 metres from a road boundary, except for:</p> <p>21.7.1.1 Post and rail, post and wire and post and mesh fences, including deer fences;</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>effects on landscape character, views and amenity, particularly from public roads;</li> <li>the materials used, including their colour,</li> </ol>

	<p><b>Table 4 – Standards for Structures and Buildings</b></p> <p><b>The following standards apply to structures and buildings, other than Farm Buildings.</b></p>	<p><b>Non-compliance Status</b></p>
	<p>21.7.1.2 Any structure associated with farming activities as defined in this plan.</p>	<p>reflectivity and permeability;</p> <p>c. whether the structure will be consistent with traditional rural elements.</p>
<p><b>21.7.2</b></p>	<p><b>Buildings</b></p> <p>Any building, including any structure larger than 5m<sup>2</sup>, that is new, relocated, altered, reclad or repainted, including containers intended to, or that remain on site for more than six months, and the alteration to any lawfully established building, are subject to the following:</p> <p>All exterior surfaces* must be coloured in the range of browns, greens or greys, including;</p> <p>21.7.2.1 Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and</p> <p>21.7.2.2 All other surface ** finishes except for schist, must have a light reflectance value of not greater than 30%.</p> <p>21.7.2.3 In the case of alterations to an existing building not located within a building platform, it does not increase the ground floor area by more than 30% in any ten year period.)</p> <p>Except this rule does not apply within the Ski Area Sub-Zones.</p> <p>* Excludes soffits, windows and skylights (but not glass balustrades).</p> <p>** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. external appearance;</p> <p>b. visual prominence from both public places and private locations;</p> <p>c. landscape character;</p> <p>d. visual amenity.</p>
<p><b>21.7.3</b></p>	<p><b>Building size</b></p>	<p>RD</p>

	<p><b>Table 4 – Standards for Structures and Buildings</b></p> <p><b>The following standards apply to structures and buildings, other than Farm Buildings.</b></p>	<p><b>Non-compliance Status</b></p>						
	<p>The ground floor area of any building must not exceed 500m<sup>2</sup>.</p> <p>Except this rule does not apply to buildings specifically provided for within the Ski Area Sub-Zones.</p> <table border="1" data-bbox="352 719 986 1016"> <thead> <tr> <th data-bbox="352 719 624 819">Rule 21.7.3 and relief sought</th> <th data-bbox="624 719 796 819">Appellant Court Number</th> <th data-bbox="796 719 986 819">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td data-bbox="352 819 624 1016">                     Amend Rule 21.7.3:                      The ground floor area of any building must not exceed <del>350m<sup>2</sup></del> 500m<sup>2</sup>                      Except this rule...                 </td> <td data-bbox="624 819 796 1016">                     Upper Clutha Environmental Society Incorporated                      ENV-2018-CHC-56                 </td> <td data-bbox="796 819 986 1016"></td> </tr> </tbody> </table>	Rule 21.7.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Amend Rule 21.7.3: The ground floor area of any building must not exceed <del>350m<sup>2</sup></del> 500m <sup>2</sup> Except this rule...	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56		<p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>external appearance;</li> <li>visual prominence from both public places and private locations;</li> <li>landscape character;</li> <li>visual amenity;</li> <li>privacy, outlook and amenity from adjoining properties.</li> </ol>
Rule 21.7.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions						
Amend Rule 21.7.3: The ground floor area of any building must not exceed <del>350m<sup>2</sup></del> 500m <sup>2</sup> Except this rule...	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56							
<p><b>21.7.4</b></p>	<p><b>Building Height</b></p> <p>The maximum height shall be 8m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>rural amenity and landscape character;</li> <li>privacy, outlook and amenity from adjoining properties;</li> <li>visual prominence from both public places and private locations.</li> </ol>						
<p><b>21.7.5</b></p>	<p><b>Fire Fighting water and access</b></p> <p>All new buildings, where there is no reticulated water supply or any reticulated water supply is not sufficient for fire-fighting water supply, must make the following provision for fire-fighting:</p> <p>21.7.5.1 A water supply of 45,000 litres and any necessary couplings.</p> <p>21.7.5.2 A hardstand area adjacent to the firefighting water supply capable of supporting fire service vehicles.</p> <p>21.7.5.3 Firefighting water connection point within 6m of the hardstand, and 90m of the dwelling.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>the extent to which SNZ PAS 4509: 2008 can be met including the adequacy of the water supply;</li> <li>the accessibility of the firefighting water connection point for fire service vehicles;</li> <li>whether and the extent to which the building is assessed as a low fire risk.</li> </ol>						



	<p><b>Table 4 – Standards for Structures and Buildings</b></p> <p><b>The following standards apply to structures and buildings, other than Farm Buildings.</b></p>	<b>Non-compliance Status</b>
	<p>21.7.5.4 Access from the property boundary to the firefighting water connection capable of accommodating and supporting fire service vehicles.</p>	

## 21.8 Rules – Standards for Farm Buildings

	<p><b>Table 5 - Standards for Farm Buildings</b></p> <p><b>The following standards apply to Farm Buildings.</b></p>	<b>Non- Compliance Status</b>						
<b>21.8.1</b>	<p>Construction, Extension or Replacement of a Farm Building</p> <p>The construction, replacement or extension of a farm building is a permitted activity subject to the following standards:</p> <p>21.8.1.1 The landholding the farm building is located within must be greater than 100ha; and</p> <p>21.8.1.2 The density of all buildings on the landholding, inclusive of the proposed building(s) must not exceed one farm building per 50 hectares; and</p> <p>21.8.1.3 <b>The farm building must not be located within or on an Outstanding Natural Feature (ONF); and</b></p> <table border="1" data-bbox="343 1585 997 2004"> <thead> <tr> <th>Rule 21.8.1.3 and relief sought</th> <th>Appellant Court Number</th> <th>Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Amend Rule 21.8.1.3 as follows: The farm building must not be located within or on an Outstanding Natural Feature (ONF)*; and <u>* this rule does not apply to containers</u></td> <td>New Zealand Tungsten Mining Limited ENV-2018-CHC-151</td> <td></td> </tr> </tbody> </table>	Rule 21.8.1.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Amend Rule 21.8.1.3 as follows: The farm building must not be located within or on an Outstanding Natural Feature (ONF)*; and <u>* this rule does not apply to containers</u>	New Zealand Tungsten Mining Limited ENV-2018-CHC-151		<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. the extent to which the scale and location of the Farm Building is appropriate in terms of: <ol style="list-style-type: none"> <li>i. rural amenity values;</li> <li>ii. landscape character;</li> <li>iii. privacy, outlook and rural amenity from adjoining properties;</li> <li>iv. visibility, including lighting.</li> </ol> </li> </ol>
Rule 21.8.1.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions						
Amend Rule 21.8.1.3 as follows: The farm building must not be located within or on an Outstanding Natural Feature (ONF)*; and <u>* this rule does not apply to containers</u>	New Zealand Tungsten Mining Limited ENV-2018-CHC-151							

	<b>Table 5 - Standards for Farm Buildings</b> <b>The following standards apply to Farm Buildings.</b>	<b>Non- Compliance Status</b>
	<p>21.8.1.4 If located within the Outstanding Natural Landscape (ONL) the farm building must not exceed 4 metres in height and the ground floor area must not exceed 100m<sup>2</sup>; and</p> <p>21.8.1.5 The farm building must not be located at an elevation exceeding 600 masl; and</p> <p>21.8.1.6 If located within the Rural Character Landscape (RCL), the farm building must not exceed 5m in height and the ground floor area must not exceed 300m<sup>2</sup>; and</p> <p>21.8.1.7 Farm buildings must not protrude onto a skyline or above a terrace edge when viewed from adjoining sites, or formed roads within 2km of the location of the proposed building.</p>	
<b>21.8.2</b>	<p>Exterior colours of farm buildings</p> <p>21.8.2.1 All exterior surfaces, except for schist, must be coloured in the range of browns, greens or greys (except soffits).</p> <p>21.8.2.2 Pre-painted steel, and all roofs must have a reflectance value not greater than 20%.</p> <p>21.8.2.3 Surface finishes, except for schist, must have a reflectance value of not greater than 30%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>external appearance;</li> <li>visual prominence from both public places and private locations;</li> <li>landscape character.;</li> <li>visual amenity.</li> </ol>
<b>21.8.3</b>	<p>Building Height</p> <p>The height of any farm building must not exceed 10m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>rural amenity values;</li> <li>landscape character;</li> <li>privacy, outlook and amenity from adjoining properties.</li> </ol>
<b>21.8.4</b>	<p>Dairy Farming (Milking Herds, Dry Grazing and Calf Rearing)</p> <p>All milking sheds or buildings used to house, or feed milking stock must be located at least 300 metres from any adjoining property, lake, river or formed road.</p>	D

## 21.9 Rules – Standards for Commercial Activities

	Table 6 - Standards for Commercial Activities	Non-Compliance Status									
<b>21.9.1</b>	<b>Commercial recreational activities must be undertaken on land, outdoors and must not involve more than 12 persons in any one group</b>	<b>D</b>									
	<table border="1"> <thead> <tr> <th>Rule 21.9.1 and relief sought</th> <th>Appellant Court Number</th> <th>Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Amend Rule 21.9.1 to increase the permitted standard to 15 persons.</td> <td>Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Canyon Food &amp; Brew Company) ENV-2018-CHC-146</td> <td></td> </tr> <tr> <td>Amend the Activity Status of Rule 21.9.1 to Controlled.</td> <td>Queenstown Park Limited ENV-2018-CHC-127</td> <td>Strategic Policy 3.3.21, Objective 21.2.1, Policy 21.2.10.1,</td> </tr> </tbody> </table>		Rule 21.9.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Amend Rule 21.9.1 to increase the permitted standard to 15 persons.	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Canyon Food & Brew Company) ENV-2018-CHC-146		Amend the Activity Status of Rule 21.9.1 to Controlled.	Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Objective 21.2.1, Policy 21.2.10.1,
	Rule 21.9.1 and relief sought		Appellant Court Number	Consequentially Affected Provisions							
	Amend Rule 21.9.1 to increase the permitted standard to 15 persons.		Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Canyon Food & Brew Company) ENV-2018-CHC-146								
Amend the Activity Status of Rule 21.9.1 to Controlled.	Queenstown Park Limited ENV-2018-CHC-127	Strategic Policy 3.3.21, Objective 21.2.1, Policy 21.2.10.1,									
<b>21.9.2</b>	<p><b>Home Occupation</b></p> <p>21.9.2.1 The maximum net floor area of home occupation activities must not exceed 150m<sup>2</sup>.</p> <p>21.9.2.2 Goods materials or equipment must not be stored outside a building.</p> <p>21.9.2.3 All manufacturing, altering, repairing, dismantling or processing of any goods or articles must be carried out within a building.</p>	<p><b>RD</b></p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>the nature, scale and intensity of the activity in the context of the surrounding rural area;</li> <li>visual amenity from neighbouring properties and public places;</li> <li>noise, odour and dust;</li> <li>the extent to which the activity requires a rural location because of its link to any rural resource in the Rural Zone;</li> <li>access safety and transportation effects.</li> </ol>									
<b>21.9.3</b>	<p><b>Roadside Stalls</b></p> <p>21.9.3.1 The ground floor area of the roadside stall must not exceed 5m<sup>2</sup>.</p> <p>21.9.3.2 The height must not exceed 2m2;</p> <p>21.9.3.3 The minimum sight distance from the roadside stall access must be at least 200m;</p>	<b>D</b>									

	Table 6 - Standards for Commercial Activities	Non-Compliance Status				
	21.9.3.4 The roadside stall must not be located on legal road reserve					
<b>21.9.4</b>	<p>Retail Sales</p> <p>Buildings that have a gross floor area that is greater than 25m<sup>2</sup> to be used for retail sales identified in Table 1 must be setback from road boundaries by at least 30m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>landscape character and visual amenity;</li> <li>access safety and transportation effects;</li> <li>on-site parking.</li> </ol>				
<b>21.9.5</b>	<p><b>Residential Visitor Accommodation</b></p> <p><b>21.9.5.1 Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</b></p> <p><b>21.9.5.2 The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</b></p> <p><b>21.9.5.3 Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</b></p> <p><b>21.9.5.4 Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</b></p> <p><b>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 21.9.5.1 to 21.9.5.4.</b></p> <table border="1" data-bbox="349 1704 1002 2038"> <thead> <tr> <th>Rule 21.9.5 and relief sought</th> <th>Appellant Court Number</th> </tr> </thead> <tbody> <tr> <td>Delete Standards 21.9.5 and 21.9.6 which impose restrictions on residential visitor accommodation and homestays in the Rural Zone, so that RVA and homestay activities are permitted in the Rural Zone without limitation.</td> <td>Glencoe Station Ltd ENV-2019-CHC-078</td> </tr> </tbody> </table>	Rule 21.9.5 and relief sought	Appellant Court Number	Delete Standards 21.9.5 and 21.9.6 which impose restrictions on residential visitor accommodation and homestays in the Rural Zone, so that RVA and homestay activities are permitted in the Rural Zone without limitation.	Glencoe Station Ltd ENV-2019-CHC-078	<p>C</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> <li>The scale of the activity, including the number of guests per night and the number guest nights the activity operates in a 12 month period;</li> <li>The management of noise, rubbish and outdoor activities;</li> <li>The compliance of the residential unit with the Building Code as at the date of the consent;</li> <li>Health and safety provisions in relation to guests;</li> <li>Guest management and complaints procedures;</li> <li>The keeping of records of RVA use, and availability of records for Council inspection; and</li> <li>Monitoring requirements, including imposition of an annual monitoring charge.</li> </ol>
Rule 21.9.5 and relief sought	Appellant Court Number					
Delete Standards 21.9.5 and 21.9.6 which impose restrictions on residential visitor accommodation and homestays in the Rural Zone, so that RVA and homestay activities are permitted in the Rural Zone without limitation.	Glencoe Station Ltd ENV-2019-CHC-078					

	Table 6 - Standards for Commercial Activities	Non-Compliance Status						
	<p>Delete Standards 21.9.5 and 21.9.6 which impose restrictions on residential visitor accommodation and homestays in the Rural Zone, so that RVA and homestay activities are permitted in the Rural Zone without limitation.</p> <p>Glendhu Bay Trustees Ltd ENV-2019-CHC-081</p>							
<b>21.9.6</b>	<p><b>Homestay</b></p> <p><b>21.9.6.1 Must not exceed 5 paying guests per night.</b></p> <p><b>21.9.6.2 The Council must be notified in writing prior to the commencement of a Homestay activity</b></p> <p><b>21.9.6.3 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</b></p> <p><b>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 21.9.6.1 to 21.9.6.3.</b></p> <table border="1"> <thead> <tr> <th>Rule 21.9.6 and relief sought</th> <th>Appellant Court Number</th> </tr> </thead> <tbody> <tr> <td>Delete Standards 21.9.5 and 21.9.6 which impose restrictions on residential visitor accommodation and homestays in the Rural Zone, so that RVA and homestay activities are permitted in the Rural Zone without limitation.</td> <td>Glencoe Station Ltd ENV-2019-CHC-078</td> </tr> <tr> <td>Delete Standards 21.9.5 and 21.9.6 which impose restrictions on residential visitor accommodation and homestays in the Rural Zone, so that RVA and homestay activities are permitted in the Rural Zone without limitation.</td> <td>Glendhu Bay Trustees Ltd ENV-2019-CHC-081</td> </tr> </tbody> </table>	Rule 21.9.6 and relief sought	Appellant Court Number	Delete Standards 21.9.5 and 21.9.6 which impose restrictions on residential visitor accommodation and homestays in the Rural Zone, so that RVA and homestay activities are permitted in the Rural Zone without limitation.	Glencoe Station Ltd ENV-2019-CHC-078	Delete Standards 21.9.5 and 21.9.6 which impose restrictions on residential visitor accommodation and homestays in the Rural Zone, so that RVA and homestay activities are permitted in the Rural Zone without limitation.	Glendhu Bay Trustees Ltd ENV-2019-CHC-081	<p>C</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> <li>The scale of the activity, including the number of guests per night and the number guest nights the activity operates in a 12 month period;</li> <li>The management of noise, rubbish and outdoor activities;</li> <li>The keeping of records of Homestay use, and availability of records for Council inspection; and</li> <li>Monitoring requirements, including imposition of an annual monitoring charge.</li> </ol>
Rule 21.9.6 and relief sought	Appellant Court Number							
Delete Standards 21.9.5 and 21.9.6 which impose restrictions on residential visitor accommodation and homestays in the Rural Zone, so that RVA and homestay activities are permitted in the Rural Zone without limitation.	Glencoe Station Ltd ENV-2019-CHC-078							
Delete Standards 21.9.5 and 21.9.6 which impose restrictions on residential visitor accommodation and homestays in the Rural Zone, so that RVA and homestay activities are permitted in the Rural Zone without limitation.	Glendhu Bay Trustees Ltd ENV-2019-CHC-081							

## 21.10 Rules – Standards for Informal Airports

	Table 7 - Standards for Informal Airports	Non-compliance Status
<b>21.10.1</b>	Informal Airports Located on Public Conservation and Crown Pastoral Land	D

Table 7 - Standards for Informal Airports		Non-compliance Status
<p>Informal airports that comply with the following standards shall be permitted activities:</p> <p>21.10.1.1 Informal airports located on Public Conservation Land where the operator of the aircraft is operating in accordance with a Concession issued pursuant to Section 17 of the Conservation Act 1987.</p>		
<p><b>Rule 21.10.1.1 and relief sought</b></p>	<p><b>Appellant Court Number</b></p>	<p><b>Consequentially Affected Provisions</b></p>
<p>Amend Rule 21.10.1.1 as follows: Informal airports located on Public Conservation Land where the operator of the aircraft is operating in accordance with a Concession issued pursuant to Section 17 of the Conservation Act 1987 or in accordance with an Access Agreement pursuant to the Crown Minerals Act 1991.</p>	<p>New Zealand Tungsten Mining Limited ENV-2018-CHC-151 (relief withdrawn)</p>	
<p>21.10.1.2 Informal airports located on Crown Pastoral Land where the operator of the aircraft is operating in accordance with a Recreation Permit issued pursuant to Section 66A of the Land Act 1948.</p>		
<p><b>Rule 21.10.1.2 and relief sought</b></p>	<p><b>Appellant Court Number</b></p>	<p><b>Consequentially Affected Provisions</b></p>
<p>Amend Rule 21.10.1.2 as follows: Informal airports located on Crown Pastoral Land where the operator of the aircraft is operating in accordance with a Recreation Permit issued pursuant to Section 66A of the Land Act 1948 or in accordance with an Access Agreement pursuant to the Crown Minerals Act 1991.</p>	<p>New Zealand Tungsten Mining Limited ENV-2018-CHC-151 (relief withdrawn)</p>	

	Table 7 - Standards for Informal Airports	Non-compliance Status						
	<p>21.10.1.3 Informal airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities, or the Department of Conservation or its agents.</p> <p>21.10.1.4 In relation to Rules 21.10.1.1 and 21.10.1.2, the informal airport shall be located a minimum distance of 500 metres from any other zone or the notional boundary of any residential unit or approved building platform not located on the same site.</p>							
<b>21.10.2</b>	<p>Informal Airports Located on other Rural Zoned Land</p> <p>Informal Airports that comply with the following standards shall be permitted activities:</p> <p>21.10.2.1 Informal airports on any site that do not exceed a frequency of use of 2 flights* per day;</p> <p>21.10.2.2 <b>Informal airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities;</b></p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr style="background-color: #cccccc;"> <th style="width: 30%;">Rule 21.10.2.2 and relief sought</th> <th style="width: 30%;">Appellant Court Number</th> <th style="width: 40%;">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Delete Rule 21.10.2.2 and replace as an exception to Table 7 so that emergency landings, rescues, fire-fighting and activities ancillary to farming activities are permitted activities.</td> <td>Fairfax &amp; Others ENV-2018-CHC-096  Aircraft Owners and Pilots and Owners Association (NZ) Incorporated ENV-2019-CHC-132</td> <td>Rule 21.10.1</td> </tr> </tbody> </table> <p>21.10.2.3 <b>In relation to point Rule 21.10.2.1, the informal airport shall be located a minimum distance of 500 metres from any other zone or the notional boundary of any residential unit of building platform not located on the same site.</b></p>	Rule 21.10.2.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Delete Rule 21.10.2.2 and replace as an exception to Table 7 so that emergency landings, rescues, fire-fighting and activities ancillary to farming activities are permitted activities.	Fairfax & Others ENV-2018-CHC-096  Aircraft Owners and Pilots and Owners Association (NZ) Incorporated ENV-2019-CHC-132	Rule 21.10.1	D
Rule 21.10.2.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions						
Delete Rule 21.10.2.2 and replace as an exception to Table 7 so that emergency landings, rescues, fire-fighting and activities ancillary to farming activities are permitted activities.	Fairfax & Others ENV-2018-CHC-096  Aircraft Owners and Pilots and Owners Association (NZ) Incorporated ENV-2019-CHC-132	Rule 21.10.1						

Table 7 - Standards for Informal Airports			Non-compliance Status
<b>Rule 21.10.2.3 and relief sought</b>	<b>Appellant Court Number</b>	<b>Consequentially Affected Provisions (identified in red text in the relevant chapter/s)</b>	
Delete Rule 21.10.2.3	Fairfax & Others ENV-2018-CHC-096  Aircraft Owners and Pilots and Owners Association (NZ) Incorporated ENV-2019-CHC-132	Rule 21.10.1.4  Objective 21.2.11, Policies 21.2.11.1, 21.2.11.2 and 21.2.11.3	
* note for the purposes of this Rule a flight includes two aircraft movements i.e. an arrival and departure.			

## 21.11 Rules – Standards for Mining

Table 8 – Standards for Mining and Extraction Activities		Non- Compliance Status
<b>21.11.1</b>	<p>21.11.1.1 The activity will not be undertaken on an Outstanding Natural Feature.</p> <p>21.11.1.2 The activity will not be undertaken in the bed of a lake or river.</p>	NC

Rule 21.11 Table 8 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Rule 21.11, Table 8.	New Zealand Tungsten Mining Limited ENV-2018-CHC-151	

## 21.12 Rules- Ski Area and Sub-Zone



	<b>Table 9 - Activities in the Ski Area Sub-Zone</b> <b>Additional to those activities listed in Table 1.</b>	<b>Activity Status</b>
<b>21.12.1</b>	Ski Area Activities	P
<b>21.12.2</b>	Construction, relocation, addition or alteration of a building  Control is reserved to: <ol style="list-style-type: none"> <li>a. location, external appearance and size, colour, visual dominance;</li> <li>b. associated earthworks, access and landscaping;</li> <li>c. provision of water supply, sewage treatment and disposal, electricity and communication services (where necessary);</li> <li>d. lighting.</li> </ol>	C
<b>21.12.3</b>	Passenger Lift Systems  Control is reserved to: <ol style="list-style-type: none"> <li>a. the extent to which the passenger lift system breaks the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes;</li> <li>b. whether the materials and colour to be used are consistent with the rural landscape of which passenger lift system will form a part;</li> <li>c. the extent of any earthworks required to construct the passenger lift system, in terms of the limitations set out in Chapter 25 Earthworks;</li> <li>d. balancing environmental considerations with operational characteristics.</li> </ol>	C
<b>21.12.4</b>	Night lighting  Control is reserved to: <ol style="list-style-type: none"> <li>a. hours of operation;</li> <li>b. duration and intensity;</li> <li>c. impact on surrounding properties.</li> </ol>	C
<b>21.12.5</b>	Vehicle Testing  In the Waiorau Snow Farm Ski Area Activity Sub-Zone; the construction of access ways and tracks associated with the testing of vehicles, their parts and accessories.  Control is reserved to: <ol style="list-style-type: none"> <li>a. gravel and silt run off;</li> <li>b. stormwater, erosion and siltation;</li> <li>c. the sprawl of tracks and the extent to which earthworks modify the landform;</li> <li>d. stability of over-steepened embankments.</li> </ol>	C
<b>21.12.6</b>	Retail activities ancillary to Ski Area Activities  Control is reserved to: <ol style="list-style-type: none"> <li>a. location;</li> </ol>	C

	<b>Table 9 - Activities in the Ski Area Sub-Zone</b> <b>Additional to those activities listed in Table 1.</b>	<b>Activity Status</b>
	<ul style="list-style-type: none"> <li>b. hours of operation with regard to consistency with ski-area activities;</li> <li>c. amenity effects, including loss of remoteness or isolation;</li> <li>d. traffic congestion, access and safety;</li> <li>e. waste disposal;</li> <li>f. cumulative effects.</li> </ul>	
<b>21.12.7</b>	<p>Ski Area Sub-Zone Accommodation</p> <p>Comprising a duration of stay of up to 6 months in any 12-month period and including worker accommodation.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. scale and intensity and whether these would have adverse effects on amenity, including loss of remoteness or isolation;</li> <li>b. location, including whether that because of the scale and intensity the visitor accommodation should be located near the base building area (if any);</li> <li>c. parking;</li> <li>d. provision of water supply, sewage treatment and disposal;</li> <li>e. cumulative effects;</li> <li>f. natural hazards.</li> </ul>	RD
<b>21.12.8</b>	Earthworks, buildings and infrastructure within the No Building and Earthworks Line in the Remarkables Ski Area Sub-Zone	PR

## 21.13 Rules – Activities in Rural Industrial Sub-Zone

	<b>Table 10 – Activities in Rural Industrial Sub-Zone</b> <b>Additional to those activities listed in Table 1.</b>	<b>Activity Status</b>
<b>21.13.1</b>	Retail activities within the Rural Industrial Sub-Zone that involve the sale of goods produced, processed or manufactured on site or ancillary to Rural Industrial activities that comply with Table 11.	P
<b>21.13.2</b>	Administrative offices ancillary to and located on the same site as Rural Industrial activities being undertaken within the Rural Industrial Sub-Zone that comply with Table 11.	P
<b>21.13.3</b>	Rural Industrial Activities within a Rural Industrial Sub-Zone that comply with Table 11.	P
<b>21.13.4</b>	Buildings for Rural Industrial Activities within the Rural Industrial Sub-Zone that comply with Table 11.	P

## 21.14 Rules – Standards for Activities within Rural Industrial Sub-Zone

	<b>Table 11 – Standards for activities within the Rural Industrial Sub Zone</b>  <b>These Standards apply to activities listed in Table 1 and Table 10.</b>	<b>Activity Status</b>						
<b>21.14.1</b>	<b>Buildings</b>  Any building, including any structure larger than 5m <sup>2</sup> , that is new, relocated, altered, reclad or repainted, including containers intended to, or that remain on site for more than six months, and the alteration to any lawfully established building are subject to the following:  All exterior surface must be coloured in the range of browns, greens or greys (except soffits), including:  21.14.1.1 Pre-painted steel and all roofs must have a reflectance value not greater than 20%; and,  21.14.1.2 All other surface finishes must have a reflectance value of not greater than 30%.	RD  Discretion is restricted to:  a. external appearance; b. visual prominence from both public places and private locations; c. landscape character.						
<b>21.14.2</b>	<b>Building size</b>  <b>The ground floor area of any building must not exceed 500m<sup>2</sup>.</b>  <table border="1" data-bbox="352 1196 1062 1480"> <thead> <tr> <th data-bbox="352 1196 651 1294">Rule 21.14.2 and relief sought</th> <th data-bbox="651 1196 826 1294">Appellant Court Number</th> <th data-bbox="826 1196 1062 1294">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td data-bbox="352 1294 651 1480">Amend Rule 21.14.2:  The ground floor area of any building must not exceed <del>500m<sup>2</sup></del> <u>350m<sup>2</sup></u>.</td> <td data-bbox="651 1294 826 1480">Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56</td> <td data-bbox="826 1294 1062 1480"></td> </tr> </tbody> </table>	Rule 21.14.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Amend Rule 21.14.2:  The ground floor area of any building must not exceed <del>500m<sup>2</sup></del> <u>350m<sup>2</sup></u> .	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56		RD  Discretion is restricted to:  a. external appearance; b. visual prominence from both public places and private locations; c. visual amenity; d. privacy, outlook and amenity from adjoining properties.
Rule 21.14.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions						
Amend Rule 21.14.2:  The ground floor area of any building must not exceed <del>500m<sup>2</sup></del> <u>350m<sup>2</sup></u> .	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56							
<b>21.14.3</b>	<b>Building Height</b>  The height for of any industrial building must not exceed 10m	RD  Discretion is restricted to:  a. rural amenity and landscape character; b. privacy, outlook and amenity from adjoining properties.						
<b>21.14.4</b>	<b>Setback from Sub-Zone Boundaries</b>  The minimum setback of any building within the Rural Industrial Sub-Zone shall be 10m from the Sub-Zone boundaries.	RD  Discretion is restricted to:  a. the requirement for landscaping to act as a buffer between the Rural Industrial Sub-Zone and neighbouring						

		<p>properties and whether there is adequate room for landscaping within the reduced setback;</p> <p>b. rural amenity and landscape character;</p> <p>c. Privacy, outlook and amenity from adjoining properties.</p>
<b>21.14.5</b>	<p>Retail Activities</p> <p>Retail activities including the display of items for sale must be undertaken within a building and must not exceed 10% of the building's total floor area.</p>	NC

## 21.15 Rules – Activities on the Surface of Lakes and Rivers

	<b>Table 12 - Activities on the Surface of Lakes and Rivers</b>	<b>Activity Status</b>
<b>21.15.1</b>	Activities on the surface of lakes and river not otherwise controlled or restricted by rules in Table 14.	P
<b>21.15.2</b>	<p>Motorised Recreational and Commercial Boating Activities</p> <p>The use of motorised craft for the purpose of emergency search and rescue, hydrological survey, public scientific research, resource management monitoring or water weed control, or for access to adjoining land for farming activities.</p>	P
<b>21.15.3</b>	<p>Motorised Recreational Boating Activities</p> <p>Hawea River, motorised recreational boating activities on no more than six (6) days in each year subject to the following conditions:</p> <ol style="list-style-type: none"> <li>at least four (4) days of such activity are to be in the months January to April, November and December;</li> <li>the Jet Boat Association of New Zealand ("JBANZ") (JBANZ or one of the Otago and Southland Branches as its delegate) administers the activity on each day;</li> <li>the prior written approval of Central Otago Whitewater Inc is obtained if that organisation is satisfied that none of its member user groups are organising activities on the relevant days; and</li> <li>JBANZ gives two (2) calendar months written notice to the Council's Harbour-Master of both the proposed dates and the proposed operating schedule;</li> <li>the Council's Harbour-Master satisfies himself that none of the regular kayaking, rafting or other whitewater (non-motorised) river user groups or institutions (not members of Central Otago Whitewater Inc) were intending to use the Hawea River on that day, and issues an approved operating schedule;</li> </ol>	P

	<p>f. JBANZ carries out, as its expense, public notification on two occasions 14 and 7 days before the proposed jet boating;</p> <p>g. public notification for the purposes of (f ) means a public notice with double-size font heading in both the Otago Daily Times and the Southland Times, and written notices posted at the regular entry points to the Hawea River.</p>	
<b>21.15.4</b>	<p>Jetboat Race Events</p> <p>Jetboat Race Events on the Clutha River, between the Lake Outlet boat ramp and the Albert Town road bridge not exceeding 6 race days in any calendar year.</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> <li>a. the date, time, duration and scale of the jetboat race event, including its proximity to other such events, such as to avoid or mitigate adverse effects on residential and recreational activities in the vicinity;</li> <li>b. the adequacy of public notice of the event;</li> <li>c. public safety.</li> </ol>	C
<b>21.15.5</b>	<p>Public water ferry services</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• Effects on the transport network.</li> <li>• Effects on navigational safety.</li> <li>• Location, scale, and intensity of the activity.</li> <li>• Effects on landscape and amenity values.</li> <li>• Congestion and safety, including effects on other commercial operators and recreational users.</li> <li>• Waste disposal.</li> <li>• Cumulative effects.</li> </ul>	RD

<p><b>21.15.6</b></p>	<p><b>Jetties and Moorings in the Frankton Arm</b></p> <p>Jetties and moorings in the Frankton Arm, identified as the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan Maps.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands;</li> <li>whether the structure causes an impediment to craft manoeuvring and using shore waters.</li> <li>the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;</li> <li>the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;</li> <li>whether the structure will be used by a number and range of people and craft, including the general public;</li> <li>the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design.</li> </ol> <table border="1" data-bbox="352 1061 1289 1357"> <thead> <tr> <th>Rule 21.15.6 and relief sought</th> <th>Appellant Court Number</th> <th>Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Amend Rule 21.15.6 to provide for “public” jetties and moorings as a Controlled Activity, and apply the current matters of discretion in points a, b and f as matters for control.</td> <td>Queenstown Wharves GP Limited ENV-2018-CHC-142</td> <td>Policy 6.3.30</td> </tr> </tbody> </table>	Rule 21.15.6 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Amend Rule 21.15.6 to provide for “public” jetties and moorings as a Controlled Activity, and apply the current matters of discretion in points a, b and f as matters for control.	Queenstown Wharves GP Limited ENV-2018-CHC-142	Policy 6.3.30	<p>RD</p>
Rule 21.15.6 and relief sought	Appellant Court Number	Consequentially Affected Provisions						
Amend Rule 21.15.6 to provide for “public” jetties and moorings as a Controlled Activity, and apply the current matters of discretion in points a, b and f as matters for control.	Queenstown Wharves GP Limited ENV-2018-CHC-142	Policy 6.3.30						
<p><b>21.15.7</b></p>	<p><b>Structures and Moorings</b></p> <p>Subject to Rule 21.15.8 any structure or mooring that passes across or through the surface of any lake or river or is attached to the bank of any lake and river, other than where fences cross lakes and rivers.</p> <table border="1" data-bbox="352 1883 1289 2112"> <thead> <tr> <th>Rule 21.15.7 and relief sought</th> <th>Appellant Court Number</th> <th>Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Amend Rule 21.15.7 to provide for “public” structures and moorings as a Controlled Activity, and apply the current</td> <td>Queenstown Wharves GP Limited</td> <td>Policy 6.3.30</td> </tr> </tbody> </table>	Rule 21.15.7 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Amend Rule 21.15.7 to provide for “public” structures and moorings as a Controlled Activity, and apply the current	Queenstown Wharves GP Limited	Policy 6.3.30	<p>D</p>
Rule 21.15.7 and relief sought	Appellant Court Number	Consequentially Affected Provisions						
Amend Rule 21.15.7 to provide for “public” structures and moorings as a Controlled Activity, and apply the current	Queenstown Wharves GP Limited	Policy 6.3.30						

	<p>matters of discretion in points a, b and f of Rule 21.15.6 as matters for control.</p> <p>Amend Rule 21.15.7 to clarify its application to necessary structures.</p>	<p>ENV-2018-CHC-142</p> <p>Real Journeys Limited ENV-2018-CHC-131</p> <p>Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138</p>											
<b>21.15.8</b>	<p><b>Structures and Moorings</b></p> <p>Any structures or mooring that passes across or through the surface of any lake or river or attached to the bank or any lake or river in those locations on the District Plan Maps where such structures or moorings are shown as being non-complying.</p>			NC									
	<table border="1"> <thead> <tr> <th>Rule 21.15.8 and relief sought</th> <th>Appellant Court Number</th> <th>Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Amend Rule 21.15.8 to provide for “public” structures and moorings as a Controlled Activity, and apply the current matters of discretion in points a, b and f of Rule 21.15.6 as matters for control.</td> <td>Queenstown Wharves GP Limited ENV-2018-CHC-142</td> <td>Policy 6.3.30</td> </tr> <tr> <td>Amend Rule 21.15.8 to clarify its application to necessary structures.</td> <td>Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138</td> <td></td> </tr> </tbody> </table>			Rule 21.15.8 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Amend Rule 21.15.8 to provide for “public” structures and moorings as a Controlled Activity, and apply the current matters of discretion in points a, b and f of Rule 21.15.6 as matters for control.	Queenstown Wharves GP Limited ENV-2018-CHC-142	Policy 6.3.30	Amend Rule 21.15.8 to clarify its application to necessary structures.	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138		
Rule 21.15.8 and relief sought	Appellant Court Number	Consequentially Affected Provisions											
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Amend Rule 21.15.8 to clarify its application to necessary structures.	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138												
<b>21.15.9</b>	<p>Motorised and non-motorised Commercial Boating Activities</p> <p>Except where otherwise limited by a rule in Table 12.</p> <p>Note: Any person wishing to commence commercial boating activities could require a concession under the QLDC Navigation Safety Bylaw. There is an exclusive concession currently granted to a commercial boating operator on the Shotover River between Edith Cavell Bridge and Tucker Beach until 1 April 2009 with four rights of renewal of five years each</p>			D									
<b>21.15.10</b>	<p>Motorised Recreational and Commercial Boating Activities</p> <p>The use of motorised craft on the following lakes and rivers is prohibited except as provided for under Rules 21.15.2 or 21.15.3.</p>			PR									

	<p>21.15.10.1 Hawea River.</p> <p>21.15.10.2 Lake Hayes - Commercial boating activities only.</p> <p>21.15.10.3 Any tributary of the Dart and Rees rivers (except the Beansburn and Rockburn tributaries of the Dart River) or upstream of Muddy Creek on the Rees River.</p> <p>21.15.10.4 Young River or any tributary of the Young or Wilkin Rivers and any other tributaries of the Makarora River.</p> <p>21.15.10.5 Dingle Burn and Timaru Creek.</p> <p>21.15.10.6 The tributaries of the Hunter River.</p> <p>21.15.10.7 Hunter River during the months of May to October inclusive.</p> <p>21.15.10.8 Motatapu River.</p> <p>21.15.10.9 Any tributary of the Matukituki River.</p> <p>21.15.10.10 Clutha River - More than six jet boat race days per year as allowed by Rule 21.15.4</p>	
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## 21.16 Rules – Standards for Surface of Lakes and Rivers

	<b>Table 13 - Standards for Surface of Lakes and Rivers</b> <b>These Standards apply to the Activities listed in Table 12.</b>	<b>Non Compliance Status</b>
<b>21.16.1</b>	<p>Boating craft used for Accommodation</p> <p>Boating craft on the surface of the lakes and rivers may be used for accommodation, providing that:</p> <p>21.16.1.1 The craft must only be used for overnight recreational accommodation; and</p> <p>21.16.1.2 The craft must not be used as part of any commercial activity; and</p> <p>21.16.1.3 All effluent must be contained on board the craft and removed ensuring that no effluent is discharged into the lake or river.</p>	NC
<b>21.16.2</b>	<p><b>Jetties and Moorings in the Frankton Arm</b></p> <p><b>Jetties and moorings in the Frankton Arm, identified as the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan Maps.</b></p> <p><b>No new jetty within the Frankton Arm identified as the area east of the Outstanding Natural Landscape Line shall:</b></p>	NC



	<p>21.16.2.1 Be closer than 200 metres to any existing jetty;</p> <p>21.16.2.2 Exceed 20 metres in length;</p> <p>21.16.2.3 Exceed four berths per jetty, of which at least one berth is available to the public at all times;</p> <p>21.16.2.4 Be constructed further than 200 metres from a property in which at least one of the registered owners of the jetty reside</p> <table border="1" data-bbox="352 645 1137 943"> <thead> <tr> <th data-bbox="352 645 730 741">Rule 21.16.2 and relief sought</th> <th data-bbox="730 645 916 741">Appellant Court Number</th> <th data-bbox="916 645 1137 741">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td data-bbox="352 741 730 943">Amend Rule 21.16.2 to provide for “public” jetties and moorings as a Controlled Activity, and apply the current matters of discretion in points a, b and f of Rule 21.15.6 as matters for control.</td> <td data-bbox="730 741 916 943">Queenstown Wharves GP Limited ENV-2018-CHC-142</td> <td data-bbox="916 741 1137 943">Policy 6.3.30</td> </tr> </tbody> </table>	Rule 21.16.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Amend Rule 21.16.2 to provide for “public” jetties and moorings as a Controlled Activity, and apply the current matters of discretion in points a, b and f of Rule 21.15.6 as matters for control.	Queenstown Wharves GP Limited ENV-2018-CHC-142	Policy 6.3.30	
Rule 21.16.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions						
Amend Rule 21.16.2 to provide for “public” jetties and moorings as a Controlled Activity, and apply the current matters of discretion in points a, b and f of Rule 21.15.6 as matters for control.	Queenstown Wharves GP Limited ENV-2018-CHC-142	Policy 6.3.30						
<p><b>21.16.3</b></p>	<p>The following activities are subject to compliance with the following standards:</p> <p>21.16.3.1 Kawarau River, Lower Shotover River downstream of Tucker Beach and Lake Wakatipu within Frankton Arm - Commercial motorised craft, other than public transport ferry activities, may only operate between the hours of 0800 to 2000.</p> <table border="1" data-bbox="352 1328 1137 1758"> <thead> <tr> <th data-bbox="352 1328 730 1424">Rule 21.16.3.1 and relief sought</th> <th data-bbox="730 1328 916 1424">Appellant Court Number</th> <th data-bbox="916 1328 1137 1424">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td data-bbox="352 1424 730 1758">Delete Rule 21.16.3.1.</td> <td data-bbox="730 1424 916 1758">Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138</td> <td data-bbox="916 1424 1137 1758"></td> </tr> </tbody> </table> <p>21.16.3.2 Lake Wanaka, Lake Hawea and Lake Wakatipu - Commercial jetski operations must only be undertaken between the hours of 0800 to 2100 on Lakes Wanaka and Hawea and 0800 and 2000 on Lake Wakatipu.</p> <p>21.16.3.3 Dart and Rees Rivers - Commercial motorised craft must only operate between the hours of 0800 to 1800, except that above the confluence with the Beansburn on the Dart River commercial motorised</p>	Rule 21.16.3.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Delete Rule 21.16.3.1.	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138		<p>NC</p>
Rule 21.16.3.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions						
Delete Rule 21.16.3.1.	Real Journeys Limited ENV-2018-CHC-131  Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138							

	<p>craft must only operate between the hours of 1000 to 1700.</p> <p>21.16.3.4 Dart River – The total number of commercial motorised boating activities must not exceed 26 trips in any one day. No more than two commercial jet boat operators may operate upstream of the confluence of the Beansburn, other than for trampler and angler access only.</p>	
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## 21.17 Rules – Closeburn Station Activities

	Table 14 – Closeburn Station: Activities	Activities
<b>21.17.1</b>	<p>The construction of a single residential unit and any accessory building(s) within lots 1 to 6, 8 to 21 DP 26634 located at Closeburn Station.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. external appearances and landscaping, with regard to conditions 2.2(a), (b), (e) and (f) of resource consent RM950829;</li> <li>b. associated earthworks, lighting, access and landscaping;</li> <li>c. provision of water supply, sewage treatment and disposal, electricity and telecommunications services.</li> </ul>	C

## 21.18 Rules – Closeburn Station Standards

	Table 15 – Closeburn Station: Standards for Buildings and Structures	Activities
<b>21.18.1</b>	<p>Setback from Internal Boundaries</p> <p>21.18.1.1 The minimum setback from internal boundaries for buildings within lots 1 to 6 and 8 to 21 DP 26634 at Closeburn Station shall be 2 metres.</p> <p>21.18.1.2 There shall be no minimum setback from internal boundaries within lots 7 and 22 to 27 DP300573 at Closeburn Station.</p>	D
<b>21.18.2</b>	<p>Building Height</p> <p>21.18.2.1 The maximum height of any building, other than accessory buildings, within Lots 1 and 6 and 8 to 21 DP 26634 at Closeburn Station shall be 7m.</p> <p>21.18.2.2 The maximum height of any accessory building within Lots 1 to 6 and 8 to 21 DP 26634 at Closeburn Station shall be 5m.</p>	NC

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	<p>21.18.2.3 The maximum height of any building within Lot 23 DP 300573 at Closeburn Station shall be 5.5m.</p> <p>21.18.2.4 The maximum height of any building within Lot 24 DP 300573 at Closeburn Station shall be 5m.</p>	
<b>21.18.3</b>	<p>Residential Density</p> <p>In the Rural Zone at Closeburn Station, there shall be no more than one residential unit per allotment (being lots 1-27 DP 26634); excluding the large rural lots (being lots 100 and 101 DP 26634) held in common ownership.</p>	NC
<b>21.18.4</b>	<p>Building Coverage</p> <p>In lots 1-27 at Closeburn Station, the maximum residential building coverage of all activities on any site shall be 35%.</p>	NC

## 21.19

## 21.20 Rules Non-Notification of Applications

Any application for resource consent for the following matters shall not require the written approval of other persons and shall not be notified or limited-notified:

- 21.20.1.1 Controlled activity retail sales of farm and garden produce and handicrafts grown or produced on site (Rule 21.4.16), except where the access is onto a State highway.
- 21.20.1.2 Controlled activity mineral exploration (Rule 21.4.30).
- 21.20.1.3 Controlled activity buildings at Closeburn Station (Rule 21.17.1).

## 21.21 Assessment Matters (Landscape)

Section 21.21 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Section 21.21 Assessment Matters (Landscape)	<p>Darby Planning Limited ENV-2018-CHC-150</p> <p>Real Journeys Limited ENV-2018-CHC-131</p> <p>Real Journeys (trading as Go Orange Limited) ENV-2018-CHC-138</p> <p>Real Journeys (trading as</p>	Strategic Objectives 3.2.5, 3.2.5.1 and 3.2.5.2

	Canyon Food & Brew Company) ENV-2018-CHC-146  SYZ Investments Limited ENV-2018-CHC-130	
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## 21.21.1 Outstanding Natural Features and Outstanding Natural Landscapes (ONF and ONL).

The assessment matters set out below are derived from Policies 3.3.30, 6.3.10 and 6.3.12 to 6.3.18 inclusive. Applications shall be considered with regard to the following assessment matters:

21.21.1.1 In applying the assessment matters, the Council will work from the presumption that in or on Outstanding Natural Features and Landscapes, the applicable activities are inappropriate in almost all locations and that successful applications will be exceptional cases where the landscape or feature can absorb the change and where the buildings and structures and associated roading and boundary changes are reasonably difficult to see from beyond the boundary of the site the subject of application.

Section 21.21.1.1 Assessment Matters and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Assessment Matter 21.21.1.1:  In applying the assessment matters, <del>these will be stringently applied because</del> the Council will work from the presumption that in or on Outstanding Natural <del>Landscapes Features and Landscapes Features</del> , the applicable activities are inappropriate in almost all locations and that successful applications will be exceptional cases where the landscape or feature can absorb the change and where the buildings and structures and associated roading and boundary changes are reasonably difficult to see from beyond the boundary of the site the subject of application.	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	
Delete Assessment Matter 21.21.1.1:	Willowridge Developments Limited ENV-2018-CHC-115	Policy 6.3.12, Policy 4.2.1.5, Policy 4.2.2.14
Amend Assessment Matter 21.21.1.1:  In applying the assessment matters, the Council will work from the presumption that in or on Outstanding Natural Features and Landscapes, <del>the applicable activities are inappropriate in almost all locations and that successful applications for applicable activities will be exceptional limited to cases where adverse effects to the landscape or feature can be adequately avoided, remedied or mitigated absorb the change and where the buildings and structures and associated roading and boundary changes will not be visually prominent are reasonably difficult to see from</del> beyond the boundary of the site the subject of application.	New Zealand Tungsten Mining Limited ENV-2018-CHC-151	Strategic Objective 3.2.5.1, Strategic Policy 3.3.30, Policy 6.3.12, Rule 21.21.1.4

21.21.1.2 Existing vegetation that:

- a. was either planted after, or, self-seeded and less than 1 metre in height at 28 September 2002; and,
- b. obstructs or substantially interferes with views of the proposed development from roads or other public places, shall not be considered:
  - i. as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and
  - ii. as part of the permitted baseline.

### 21.21.1.3 Effects on landscape quality and character

In considering whether the proposed development will maintain or enhance the quality and character of Outstanding Natural Features and Landscapes, the Council shall be satisfied of the extent to which the proposed development will affect landscape quality and character, taking into account the following elements:

Section 21.21.1.3 Assessment Matters and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Section 21.21.1.3: In considering whether the proposed development will maintain or enhance the quality and character of Outstanding Natural <u>Landscapes Features</u> and <u>Features Landscapes</u> , the Council shall be satisfied of the extent to which <u>that</u> the proposed development will <u>have no more than minor adverse effects on</u> affect landscape quality and character, taking into account the following elements:...	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	

- a. **Physical attributes:**
  - i. geological, topographical, geographic elements in the context of whether these formative processes have a profound influence on landscape character;
  - ii. vegetation (exotic and indigenous);
  - iii. the presence of waterbodies including lakes, rivers, streams, wetlands.
- b. **Visual attributes:**
  - i. legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes;
  - ii. aesthetic values including memorability and naturalness;
  - iii. transient values including values at certain times of the day or year;
  - iv. human influence and management – settlements, land management patterns, buildings,
- c. **Appreciation and cultural attributes:**
  - i. Whether the elements identified in (a) and (b) are shared and recognised;
  - ii. Cultural and spiritual values for tangata whenua;
  - iii. Historical and heritage associations.

The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.
- d. In the context of (a) to (c) above, the degree to which the proposed development will affect the existing landscape quality and character, including whether the

- proposed development accords with or degrades landscape quality and character, and to what degree.
- e. any proposed new boundaries will not give rise to artificial or unnatural lines (such as planting and fence lines) or otherwise degrade the landscape character.

## 21.21.1.4 Effects on visual amenity

In considering whether the potential visibility of the proposed development will maintain and enhance visual amenity, values the Council shall be satisfied that:

- a. the extent to which the proposed development will not be visible or will be reasonably difficult to see when viewed from public roads and other public places. In the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, cycling, equestrian and other means of access;
- b. the proposed development will not be visually prominent such that it detracts from public or private views of and within Outstanding Natural Features and Landscapes;
- c. the proposal will be appropriately screened or hidden from view by elements that are in keeping with the character of the landscape;
- d. the proposed development will not reduce the visual amenity values of the wider landscape (not just the immediate landscape);
- e. structures will not be located where they will break the line and form of any ridges, hills and slopes;
- f. any roads, access, lighting, earthworks and landscaping will not reduce the visual amenity of the landscape.

Section 21.21.1.4 Assessment Matters and relief sought	Appellant Court Number	Consequentially Affected Provisions
<p>Amend Assessment Matter 21.21.1.4 as follows:</p> <p>In considering whether the potential visibility of the proposed development will maintain and enhance visual amenity values, <u>visual coherence of the landscape and the integrity of the landscape, and have adverse visual effects that are no more than minor</u>, the Council shall be satisfied that:</p> <ul style="list-style-type: none"> <li>a. the extent to which the proposed development <del>will not be visible or</del> will be reasonably difficult to see when viewed from public roads and other public places. In the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, cycling, equestrian and other means of access;</li> <li>b. the proposed development will not be visually prominent such that it detracts from public or private views of and within Outstanding Natural <u>Landscapes</u> <del>Features</del> and <u>Landscapes</u> <del>Features</del>.</li> <li>c. ...</li> <li>d. the proposed development will not reduce the visual amenity values <u>or naturalness</u> of the wider landscape (not just the immediate landscape);</li> <li>e. structures will not be located where they will break the line and form of any ridges, hills and slopes;</li> </ul>	<p>Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56</p>	

f. any roads, access, lighting, earthworks and landscaping will not reduce the visual amenity or <u>visual coherence</u> of the landscape or <u>degrade the naturalness of the landscape</u> .		
Amend Assessment Matter 21.21.1.4 as follows:  In considering whether the potential visibility of the proposed development will maintain <del>and</del> or enhance visual amenity, values the Council shall be satisfied that:	New Zealand Tungsten Mining Limited ENV-2018-CHC-151	

## 21.21.1.5 Design and density of Development

In considering the appropriateness of the design and density of the proposed development, whether and to what extent:

- a. opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (i.e. open space held in one title whether jointly or otherwise);
- b. there is merit in clustering the proposed building(s) or building platform(s) within areas that are least sensitive to change;
- c. development, including access, is located within the parts of the site where it would be least visible from public and private locations;
- d. development, including access, is located in the parts of the site where it has the least impact on landscape character.

Section 21.21.1.5 Assessment Matters and relief sought	Appellant Court Number	Consequentially Affected Provisions
In considering the appropriateness of the design and density of the proposed development, whether and to what extent: a. ... b. there is merit in clustering the proposed building(s) or building platform(s) within areas that are least sensitive to change. <u>Where clustered development is assessed as being appropriate, consent shall be conditional on the balance of the subject site being covenanted against further subdivision and/or development in perpetuity. The covenant will only be lifted if, in the future, Council supports rezoning of the subject site;</u> c. ...	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	

## 21.21.1.6 Cumulative effects of subdivision and development on the landscape

Taking into account whether and to what extent existing, consented or permitted development (including unimplemented but existing resource consent or zoning) may already have degraded:

- a. the landscape quality or character; or,
- b. the visual amenity values of the landscape.

The Council shall be satisfied the proposed development, in combination with these factors will not further adversely affect the landscape quality, character, or visual amenity values.

Section 21.21.1.6 Assessment Matters and relief sought	Appellant Court Number	Consequentially Affected Provisions

Delete Section 21.21.1.6	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	

## 21.21.2 Rural Character Landscape (RCL)

The assessment matters below have been derived from Policies 3.3.32, 6.3.10 and 6.3.19 to 6.3.29 inclusive. Applications shall be considered with regard to the following assessment matters because in the Rural Character Landscapes the applicable activities are unsuitable in many locations.

### 21.21.2.1 Existing vegetation that:

- a. was either planted after, or, self seeded and less than 1 metre in height at 28 September 2002; and,
- b. obstructs or substantially interferes with views of the proposed development from roads or other public places, shall not be considered:
  - i. as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and
  - ii. as part of the permitted baseline

### 21.21.2.2 Effects on landscape quality and character:

The following shall be taken into account:

- a. where the site is adjacent to an Outstanding Natural Feature or Landscape, whether and the extent to which the proposed development will adversely affect the quality and character of the adjacent Outstanding Natural Feature or Landscape;
- b. whether and the extent to which the scale and nature of the proposed development will degrade the quality and character of the surrounding Rural Character Landscape;
- c. whether the design and any landscaping would be compatible with or would enhance the quality and character of the Rural Character Landscape.

### 21.21.2.3 Effects on visual amenity:

Whether the development will result in a loss of the visual amenity of the Rural Character Landscape, having regard to whether and the extent to which:

- a. the visual prominence of the proposed development from any public places will reduce the visual amenity of the Rural Character Landscape. In the case of proposed development which is visible from unformed legal roads, regard shall be had to the frequency and intensity of the present use and, the practicalities and likelihood of potential use of these unformed legal roads as access;
- b. the proposed development is likely to be visually prominent such that it detracts from private views;
- c. any screening or other mitigation by any proposed method such as earthworks and/or new planting will detract from or obstruct views of the Rural Character Landscape from both public and private locations;



- d. the proposed development is enclosed by any confining elements of topography and/or vegetation and the ability of these elements to reduce visibility from public and private locations;
- e. any proposed roads, boundaries and associated planting, lighting, earthworks and landscaping will reduce visual amenity, with particular regard to elements which are inconsistent with the existing natural topography and patterns;
- f. boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape or landscape units.

#### 21.21.2.4 Design and density of development:

In considering the appropriateness of the design and density of the proposed development, whether and to what extent:

- a. opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (i.e. open space held in one title whether jointly or otherwise);
- b. there is merit in clustering the proposed building(s) or building platform(s) having regard to the overall density and intensity of the proposed development and whether this would exceed the ability of the landscape to absorb change;
- c. development, including access, is located within the parts of the site where they will be least visible from public and private locations;
- d. development, including access, is located in the parts of the site where they will have the least impact on landscape character.

#### 21.21.2.5 Tangata Whenua, biodiversity and geological values:

- a. whether and to what extent the proposed development will degrade Tangata Whenua values including Tōpuni or nohoanga, indigenous biodiversity, geological or geomorphological values or features and, the positive effects any proposed or existing protection or regeneration of these values or features will have.

The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.

#### 21.21.2.6 Cumulative effects of development on the landscape:

Taking into account whether and to what extent any existing, consented or permitted development (including unimplemented but existing resource consent or zoning) has degraded landscape quality, character, and visual amenity values. The Council shall be satisfied;

- a. the proposed development will not further degrade landscape quality, character and visual amenity values, with particular regard to situations that would result in a loss of valued quality, character and openness due to the prevalence of residential or non-farming activity within the Rural Landscape.
- b. where in the case resource consent may be granted to the proposed development but it represents a threshold to which the landscape could absorb any further development, whether any further cumulative adverse effects would be avoided by way of imposing a covenant, consent notice or other legal instrument that maintains open space.

Section 21.21.2 Assessment Matters and relief sought	Appellant Court Number	Consequentially Affected Provisions
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Delete Section 21.21.2	Upper Clutha Environmental Society Incorporated ENV-2018-CHC-56	
Amend 21.21.2: The assessment matters below have been derived from Policies 3.3.32, 6.3.10 and 6.3.19 to 6.3.29 inclusive, <u>and 6.3.37 and 6.3.38</u> . Applications shall be considered with regard to the following assessment matters because in the Rural Character Landscapes the applicable activities are unsuitable in many locations.	Queenstown Airport Corporation Limited ENV-2018-CHC-093 (as per further particulars received)	

**21.21.3 Other factors and positive effects, applicable in all the landscape categories (ONF, ONL and RCL)**

21.21.3.1 In the case of a proposed residential activity or specific development, whether a specific building design, rather than nominating a building platform, helps demonstrate whether the proposed development is appropriate.

21.21.3.2 Other than where the proposed development is a subdivision and/or residential activity, whether the proposed development, including any buildings and the activity itself, are consistent with rural activities or the rural resource and would maintain or enhance the quality and character of the landscape.

21.21.3.3 In considering whether there are any positive effects in relation to the proposed development, or remedying or mitigating the continuing adverse effects of past subdivision or development, the Council shall take the following matters into account:

- a. whether the proposed subdivision or development provides an opportunity to protect the landscape from further development and may include open space covenants or esplanade reserves;
- b. whether the proposed subdivision or development would enhance the character of the landscape, or protects and enhances indigenous biodiversity values, in particular the habitat of any threatened species, or land environment identified as chronically or acutely threatened on the Land Environments New Zealand (LENZ) threatened environment status;

Section 21.21.3.3.b Assessment Matters and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Assessment Matter 21.21.3.3.b as follows: whether the proposed subdivision or development would enhance the character of the landscape, or protects <del>and</del> or enhances indigenous biodiversity values, in particular the habitat of any threatened species, or land environment identified as chronically or acutely threatened on the Land Environments New Zealand (LENZ) threatened environment status;	New Zealand Tungsten Mining Limited ENV-2018-CHC-151	

- c. any positive effects including environmental compensation, easements for public access such as walking, cycling or bridleways or access to lakes, rivers or conservation areas;
- d. any opportunities to retire marginal farming land and revert it to indigenous vegetation;
- e. where adverse effects cannot be avoided, mitigated or remedied, the merits of any compensation;

- f. whether the proposed development assists in retaining the land use in low intensity farming where that activity maintains the valued landscape character.