

Appendix A – relief sought

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Appeal Point #	Provision (PDP decision version)	Reason for appeal	Relief sought
	Chapter 6 Landscapes		
#1	<p>Part 6.2 Values - Last paragraph: Delete.</p> <p>Landscapes have been categorised into three classifications within the Rural Zone. These are Outstanding Natural Landscapes (ONL) and Outstanding Natural Features (ONF), where their use, development and protection are a matter of national importance under Section 6 of the RMA. The Rural Landscapes Classification (RLC) makes up the remaining Rural Zoned land and has varying types of landscape character and amenity values. Specific policy and assessment matters are provided to manage the potential effects of subdivision and development in these locations.</p> <p>Insert in Section 6.3</p> <p><u>Policy 6.3.3.A</u> <u>Provide a separate regulatory regime for the Wakatipu Basin Rural Amenity Zones, within which the Outstanding Natural Feature, Outstanding Natural Landscape and Rural Character Landscape categories and the policies of this chapter related to those categories do not apply.</u></p> <p><u>6.3.3B Classify the Open Space and Recreation zoned land located outside the Urban Growth Boundary as Outstanding Natural Landscape, Outstanding Natural Feature or Rural Character Landscape, and provide a separate regulatory framework for the Open Space and Recreation Zones within which the remaining policies of this chapter do not apply.</u></p> <p>Part 6.4 Rules - Delete:</p> <p>6.4.1.2 The landscape categories apply only to the Rural Zone. The Landscape Chapter and Strategic Direction Chapter's</p>	<p>Oppose in part</p> <p>The relationship between the provisions of Chapter 6 and Chapter 3 and the lower order chapters has been the subject of discussion at the hearings for Topic 1 (Strategic Directions) and Topic 2 (Landscapes), as part of Stage 1 of the District Plan Review. There is discrepancy between the two higher order chapters - for example, the Chapter 3 Strategic Objectives relating to rural landscapes do not reflect the same carve outs that are provided for in Chapter 6 (in relation to the application of the Landscape Classifications and associated policies to various rural and non-rural zones).</p> <p>Removal of the description of the Landscape Classifications contained within 6.2, the removal of rules 6.4.1.2 and 6.4.1.3, and the addition of Policies 6.3.3A and 6.3.3B is opposed, to the extent that these amendments create the uncertainty that the Landscape Classifications and associated provisions may apply to development in subzones of the Rural Zone such as the Ski Area Subzones.</p>	<p>Clarify how the policies established to manage the various landscapes of the District relate to the other chapters of the PDP, including to the Strategic Directions (Chapter 3), and the lower order chapters relating to the zones where landscapes are a relevant issue.</p> <p>Further consequential amendments may be required to the policies of Chapter 6 as decided in Stage 1, dependent on whether or not they are considered to apply to the Ski Area Subzones.</p>

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	<p>objectives and policies are relevant and applicable in all zones where landscape values are at issue.</p> <p>6.4.1.3 The landscape categories assessment matters do not apply to the following within the Rural Zones:</p> <p>a. Ski Area Activities within the Ski Area Sub Zones.</p> <p>b. The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps.</p> <p>c. The Gibbston Character Zone.</p> <p>d. The Rural Lifestyle Zone.</p> <p>e. The Rural Residential Zone.</p>	<p>Collectively the explanatory text and Rules 6.4.1.2 and 6.4.1.3 are important as they clarify the relationship between the Landscape Classifications and the various rural zones and non-rural zones, and specify the carve outs that apply.</p> <p>However, the purpose of 6.2 is to set out the 'values' of the rural landscape resource and this is possibly not the right place to address the interpretation and application of the policies of Chapter 6.</p>	
Chapter 25 Earthworks			
#2	<p>25.3.2.6: <i>Earthworks within the Ski Area Sub Zones and vehicle testing facilities within the Waoirau Ski Area Sub Zone are exempt from the earthworks rules, with the exception of the following rules that apply:</i></p> <p><i>a. Rules 25.5.12 and 25.5.13 that control erosion and sediment and dust;</i></p> <p><i>b. Rule 25.5.19 setbacks from waterbodies; and</i></p> <p><i>a. c. Rule 25.5.20 exposing groundwater.</i></p>	<p>Oppose</p> <p>The relief sought is that earthworks within SASZs be exempt from all earthworks rules. A full exemption for SASZs recognises the benefits of earthworks for the continued operation and development of ski areas, and the substantial contribution ski fields make to the social and economic well-being of the District. Earthworks are a necessary part of the development and ongoing operation of ski fields, and the exemption should be broad enough to enable and encompass all earthworks likely to be undertaken during the operation of ski-fields, which are now year-round alpine</p>	<p>Amend Rule 25.3.2.6 as follows:</p> <p>25.3.2.6: <i>Earthworks within the Ski Area Sub Zones and vehicle testing facilities within the Waoirau Ski Area Sub Zone are exempt from the earthworks rules, with the exception of the following rules that apply:</i></p> <p>a. Rules 25.5.12 and 25.5.13 that control erosion and sediment and dust;</p> <p>b. Rule 25.5.19 setbacks from waterbodies; and</p> <p>a. c. Rule 25.5.20 exposing groundwater.</p>

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#3	<p>25.3.2.9: <i>Earthworks shall be calculated as follows:</i></p> <ul style="list-style-type: none"> a. <i>The maximum volume and area of earthworks shall be calculated per site, within any consecutive 12 month period.</i> b. <i>Volume shall mean the sum of all earth that is moved within a site and includes the total of any combined cut and fill. Refer to Interpretive Diagrams 25.1 to 25.3 located within Schedule 25.9</i> 	<p>resorts.</p> <p>Support in part</p> <p>As earthworks are a dynamic process during the construction phase, it would assist in the understanding of the rule if volume was calculated at the completion of such work.</p>	<p>Amend provision 25.3.2.9, as follows:</p> <p>25.3.2.9: <i>Earthworks shall be calculated as follows:</i></p> <ul style="list-style-type: none"> a. <i>The maximum volume and area of earthworks shall be calculated per site, within any consecutive 12 month period.</i> b. <i>Volume shall mean the sum of all earth that is moved within a site and includes the total of any combined cut and fill, <u>measured at the completion of that work</u>. Refer to Interpretive Diagrams 25.1 to 25.3 located within Schedule 25.9.</i>
#4	<p>25.5.19 <i>Earthworks within 10m of the bed of any water body, or any drain or water race that flows to a lake or river, shall not exceed 5m³ in total volume, within any consecutive 12-month period. This rule shall not apply to:</i></p> <ul style="list-style-type: none"> 25.5.19.1 <i>any artificial water body (watercourse, lake, pond or wetland) that does not flow to a lake or river, including Lake Tewa within the Jacks Point Zone; or</i> 25.5.19.2 <i>Maintenance and repairing of existing hazard protection structures in and around a water body.</i> <p><i>[non-compliance status: restricted discretionary]</i></p>	<p>Oppose</p> <p>The introduction of a more restrictive standard for earthworks near waterbodies is opposed, and amendments are sought which reflect the established position under the ODP.</p> <p>Where earthworks activities near waterbodies comply with the standards for erosion and sediment control, those activities should be considered to be appropriately managed, without the requirement for an additional and restrictive proximity rule.</p>	<p>Amend rule 25.5.19 as follows:</p> <p>25.5.19 <i>Earthworks within 40m <u>7m</u> of the bed of any water body, or any drain or water race that flows to a lake or river, shall not exceed 5m³ <u>20m³</u> in total volume, within any consecutive 12-month period. This rule shall not apply to:</i></p> <ul style="list-style-type: none"> 25.5.19.1 <i>any artificial water body (watercourse, lake, pond or wetland) that does not flow to a lake or river, including Lake Tewa within the Jacks Point Zone; or</i> 25.5.19.2 <i>Maintenance and repairing of existing hazard protection structures in and around a water body.</i>

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			<p><u>25.5.19.3 Any earthworks within the Ski Area Sub Zones.</u></p> <p><i>[non-compliance status: restricted discretionary]</i></p>
#5	<p>25.5.20 Earthworks shall not be undertaken below the water table of any groundwater aquifer, or cause artificial drainage of any groundwater aquifer.</p> <p><i>[non-compliance status: restricted discretionary]</i></p>	<p>Oppose</p> <p>This rule is opposed entirely, and earthworks within SASZs are sought to be excluded from it.</p> <p>The exact intention of this rule is unclear. Artificial drainage is essentially water take, and water take is an ORC function that should not be governed by QLDC. Any effect on water that this rule is intending to address which is not classified as a water take would be sufficiently covered by the provisions regarding erosion and sediment management.</p>	<p>Amend rule 25.5.20 as follows:</p> <p>25.5.20 Earthworks shall not be undertaken below the water table of any groundwater aquifer, or cause artificial drainage of any groundwater aquifer. <u>Earthworks within the Ski Area Sub Zones are exempt from this provision.</u></p> <p><i>[non-compliance status: restricted discretionary]</i></p>