

**BEFORE THE QUEENSTOWN LAKES  
DISTRICT COUNCIL**

**IN THE MATTER** of the Resource Management Act 1991  
(the "Act")

**AND**

**IN THE MATTER** of the Queenstown Lakes Proposed  
District Plan – Stage 3b Rural Visitor  
Zone

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**Statement of Evidence of**

**Duncan Lawrence White**

**For Glen Dene Limited & R&S Burdon #31043**

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**29 May 2020**

## **1.0 Introduction**

- 1.1 My name is Duncan Lawrence White. I hold the qualifications of a Bachelor of Science in Geography, a Diploma for Graduates and a Post Graduate Diploma in Science. Both of the latter two qualifications are in Land Planning and Development. These qualifications are all from the University of Otago.
- 1.2 I have over 17 years experience as a planner. I have seven years planning experience with the Manukau City Council, including three years as a subdivision officer processing subdivision resource consent applications, followed by four years as an environmental policy planner undertaking district plan changes, policy development and the acquisition of reserves. For the past ten years I have lived in Wanaka and worked as a planner for Paterson Pitts Limited Partnership (Paterson Pitts). Paterson Pitts is a land development consultancy that undertakes a variety of rural and urban subdivision, resource consent applications and plan change work, primarily around Wanaka.
- 1.3 While this is a Council hearing, rather than an Environment Court process, I confirm I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014, and agree to comply with it. I can confirm that this evidence is within my area of expertise, except where I state that I have relied on material produced by other parties, and that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

## **2.0 Scope of Evidence**

- 2.1 This evidence has been prepared in support of Proposed District Plan (PDP) submissions #31043 (Glen Dene Ltd and R&S Burdon) in relation to the zoning of The Camp at Hawea and adjacent land (Lot 1 and 2 DP 418972).
- 2.2 Submission #31043 seeks to have 22.6 hectares of The Camp (the trading name for the Lake Hawea Holiday Park) including Sec 2 Blk II - owned by Queenstown Lakes District Council (QLDC or Council) and the adjacent Lots 1 and 2 DP 418972 owned by Glen Dene Ltd, rezoned to Rural Visitor Zone. Lots 1 and 2 DP 418972 are currently zoned as Rural General under the Operative District Plan (ODP), and Sec 2 Blk II is zoned as Open Space Open Space Recreation (Campground) Zone under the PDP (Stage 2 Decisions). The Camp

on Sec 2 Blk II is also subject to Designation 175 for Motor Park. It is relevant to note that the land subject to this submission has been sought to be rezoned on through submissions on Stage 1 and 2, and now Stage 3b of the PDP. The Stage 1 submission (#282) sought the rezoning of the camp and Lots 1 and 2 to Rural Visitor Zone (similar to the current Stage 3 submission). However, at that time the Rural Visitor Zone had not been reviewed by Council and the submitters' relief was rejected. The submitter has appealed the Council's Stage 1 decision<sup>1</sup> and this appeal remains unresolved, pending the Stage 3b notification and decisions.

- 2.3 The extent of the Rural Visitor Zone sought by the submission is indicated **Appendix A. Appendix B** demonstrates proposed landscape sensitivity overlays for the site to align with Council's current mapping approach for the Rural Visitor Zone. In addition, Submission #31043 seeks to make amendments to the zone provisions and incorporate site specific built form controls to recognise the different characteristics of the site. The proposed provisions have been amended from the original submission and are identified within **Appendix C**.
- 2.4 This evidence has the purpose to demonstrate that the Rural Visitor Zone is the most appropriate zoning for the land with regard to the Council's Rezoning Assessment Principles<sup>2</sup>, and s32AA of the RMA. S32AA of the RMA requires a further evaluation to be undertaken for any changes that have been made to, or are proposed for, the proposal since the s32 evaluation report was completed. The s32AA analysis must be undertaken in accordance with s32 of the Act, which requires the objectives of proposals to be examined for their appropriateness in achieving the purpose of the Act (s32(1)(a)), and whether the proposed provisions (including methods) are the most appropriate way to achieve the objectives (s32(1)(b), including consideration to other practicable options, and the efficiency and effectiveness of the provisions in achieving the objectives. Accordingly, this evidence provides an analysis of the proposal and proposed methods under the S32AA for the proposed Lake Hawea Rural Visitor Zone.

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<sup>1</sup> Stage 1 decision ENV-2018-CHC-000145

<sup>2</sup> Statement of Evidence of Craig Barr, Strategic Overview for all of Stage 3, 18 March 2020.

2.5 This evidence has been prepared to provide a level of detail that corresponds to the significance of the anticipated effects from the proposed changes to zoning (S32(1)(c)).

2.6 In preparing this evidence I have reviewed (amongst other documentation) the following:

The PDP planning maps, primarily Maps 8 and 17;

The PDP S32 Evaluation Report – Rural Visitor Zone

The PDP S42A Hearing Report - Chapter 21 Rural, including the S32AA evaluation of recommended changes;

The PDP Report and Recommendations of Independent Commissioners – Report 4A Stream 2 Chapter 21

The PDP S42A Hearing Report - Chapter 46 Rural Visitor Zone including the S32AA evaluation of recommended changes;

The PDP S42A Hearing Report – Strategic Overview for all of Stage 3

The PDP S42A Hearing Report – Chapter 38 Open Space and Recreation Text and Mapping

The PDP Report and Recommendations of Independent Commissioners – Report 19.6 Chapter 38 Open Space and Recreation Zones.

### **3.0 Background**

3.1 The area covered by submission #31043 is shown on the plan in **Appendix A**. This campground has been operating for approximately 50 years, and prior to that was used as an area for disposing the surplus fill material from the construction of the Hawea Dam. The campground is partially designated (Designation #175) by Council as a Motor Camp. This area is defined by SH6 to the west and Glen Dene station to the north (I also note land administered by Contact Energy separates Lots 1 and 2 DP 418972 and this Contact owned

land is not included within the area sought to be rezoned). To the south the campground and the area sought to be rezoned is bordered by the boat ramp just north of the Hawea Dam.

- 3.2 The submitter is the lessee of The Camp at Lake Hawea (Sec 2 Blk II) and the owner of adjacent land to the north (Lot 1 DP 418972) and west (Lot 2 DP 418972) of the campground. The submitter continues to seek a consistent and integrated planning framework for the camp, and the adjacent land, that would enable the development and ongoing management of the land for visitor accommodation purposes in an efficient and sustainable manner. As further detailed in the evidence of Mrs Burdon (para 17), irrespective of the unprecedented current economic climate there is a demand for alternative visitor accommodation options to widen the market for The Camp both in the length of the camping season and the type of people who chose to stay onsite. At present, there is limited land within Hawea that is zoned for commercial visitor accommodation activities. The current proposed Rural Visitor Zone will provide the opportunity to expand the diversity of accommodation options available to visitors in this high amenity lakeside setting, and as such will provide for social and economic wellbeing for the campground operators, the landowners, Hawea township and those that stay on site.
- 3.3 It is relevant to note that the land subject to this submission has been sought to be rezoned on several occasions now through Stage 1 and 2, and now Stage 3b of the PDP. The Stage 1 submission (#282) sought the rezoning of the camp and Lots 1 and 2 to Rural Visitor Zone (similar to the current Stage 3 submission). However, at this time the Rural Visitor Zone had not been reviewed by Council and the submitters' relief was rejected.
- 3.4 The submitter's Stage 2 submission (#2407) supported the Council's notified Community Purpose - Camping Ground Zone (which in the Council's notified version included both the campground lease as well as the adjoining Lot 2), and sought that this zoning be also applied to the northern Lot 1. Council subsequently withdrew the Community Purpose - Camping Ground Zone from Lot 2, and the Stage 2 Council decisions identified only Sec 2 Blk II within the Community Purpose - Camping Ground Zone and considered that zoning could only apply to Council-owned land .

3.5 The submitter's relief was not granted during either of Stage 1 and 2 of the PDP and consequently the submitter has appealed the Council's Stage 1 decision<sup>3</sup> and this appeal remains unresolved, pending the Stage 3b notification and decisions. This appeal was filed on the basis that the characteristics of the Glen Dene land are the same as the Council owned campground and therefore the zoning should be consistent, regardless of ownership.

#### **4.0 Submission #31043 – Proposal**

4.1 The submission sought that Sec 2 Blk II, Lots 1 DP 418972 and Lot 2 DP 418972 be rezoned to Rural Visitor Zone, including consequential amendments to the Chapter 46 provisions. The extent of land subject to the rezoning is identified in in **Appendices A and B**, with a proposed zoning map included in **Appendix A, Appendix B** is the Structure and Height Plan for the Lake Hawea Rural Visitor Zone. To manage potential landscape and amenity effects (and align with the Council's current mapping approach) the zoning proposal includes a proposed overlay reflecting a 'High Landscape Sensitivity Area' alongside the SH6 boundary comprising a strip of 20m in width. This 20m buffer strip is proposed to be subject to a vegetation management plan for native planting (detailed further below) and as a 'High Landscape Sensitivity Area' would also restrict built form in this area.

4.2 Since lodging the submission the relief sought has been modified and refined to address concerns expressed in the Council's s42A report and expert landscape evidence regarding the built form controls over any future development proposed to be provided for in the Rural Visitor Zone. Accordingly, consequential amendments to the provisions are proposed to reflect the particular characteristics of the site, opportunities for ecological enhancement and to respond to potential resource management issues. The proposed amendments are identified within **Appendix C** and include:

- Amendment to Policy 46.2.1.a to remove reference to the zone being 'remote' and 'difficult to see'. The reasoning for this amendment is discussed at paras 7.2 to 7.4 below.
- A new policy be added to 46.2.1.3x to identify the outcomes sought for a

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<sup>3</sup> Stage 1 decision ENV-2018-CHC-000145

proposed 20m wide vegetation management strip alongside SH6 and within the proposed 'High Landscape Sensitivity Area'. This vegetation strip is intended to achieve ecological and amenity benefits through the incremental removal of some exotic trees and replacement with native planting.

- Amendment to Policy 46.2.2 to include explicit reference to “infrastructure” associated with visitor industry use and development to ensure that buildings required for infrastructure are also captured as a Controlled Activity under Rule 46.4.7;
- A new Rule 46.4.4 to include explicit reference to restaurants, cafes and retail that are accessory to a permitted activity, as a permitted activity. This rule is intended to align with and implement the purpose statement for the zone and also Objective 46.2.1 which identifies that the zone provides for '*related ancillary commercial activities*'; rather than the current indirect and undefined link through the definition of “Visitor Accommodation” and Rule 46.4.2;
- Amendment to Rule 46.4.7 to include a Vegetation Management Plan proposed alongside the the State Highway as a matter of control for buildings. The matter of control is intended to ensure a Vegetation Management Plan is approved and implemented to enable buildings to proceed as a controlled activity, and implements the proposed Policy 46.2.1.3x.
- Amendment to Standard 46.5.1 to include a new standard requiring compliance with a proposed building height plan (structure plan contained in **Appendix B** to this evidence) for the site reflecting its landscape characteristics as supported by the evidence of Mr Espie<sup>4</sup>.
- Deletion of Rule 46.5.2.1 for the total maximum ground floor area within the zone of 500m<sup>2</sup>. The reasoning for this is outlined at paras 7.5 to 7.7 below.
- Inclusion of a new standard 46.5.3 imposing a maximum total building coverage of 7% for the proposed Lake Hawea Rural Visitor Zone.
- Inclusion of a new standard 46.5.x requiring a Vegetation Management Plan to be submitted and approved for the State Highway Buffer to enable buildings outside this 20 metre strip to occur as a Controlled Activity (under Rule 46.4.7), and any non-compliance to be identified as a Non-Complying Activity.

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<sup>4</sup> Evidence of Benjamin Espie on behalf of Glen Dene Limited, Glen Dene Holdings Limited and Richard and Sarah Burdon, 29 May 2020.

- Inclusion of a new Rule 46.6 and 46.6.1 to introduce a proposed building height plan (structure plan) for the site reflecting its landscape characteristics as supported by the evidence of Mr Espie and to implement the proposed amendment to Standard 46.5.1.
- Amendment to Rule 46.5.x Building Material and Colours to exclude camping and glamping tents from the requirements. This is discussed at para 7.10.

## **5.0 Resource Management Issues**

- 5.1 Currently, under the PDP (Stage 1 and 2 Decisions) The Camp (Sec 2 Blk II) is zoned Open Space Community Purposes – Campground; and the adjacent Lots 1 and 2 DP 418972 are zoned as Rural. The Stage 1 zoning decision is under appeal. Under the ODP, the entire area is zoned as Rural General.
- 5.2 The submitter is the lessee and the operator of The Camp under a lease from QLDC. The submitter continues to seek a consistent and integrated planning framework for The Camp, including the adjacent land (Lots 1 and 2), that would enable the ongoing enhancement of the land for visitor accommodation purposes in an efficient and sustainable manner.
- 5.3 As detailed in the Stage 1 evidence, the submitter seeks to expand visitor accommodation facilities to provide for future growth and to broaden the camping season beyond the summer season through provision of appropriate year-round accommodation options. It is the lessee's intentions to upgrade the facilities and develop the campground into a tree-dominated lakeside campground and to provide visitor accommodation units, camping, powered sites for motorhomes, permanent glamping sites and associated camp facilities such as events areas, kitchens, ablutions and social spaces. These intentions are consistent with the intended purpose of the Rural Visitor Zone to provide for visitor activities.
- 5.4 At present, there is limited land within Hawea that is zoned for commercial visitor accommodation activities. The current proposed Rural Visitor Zone will provide the opportunity to expand the range of accommodation options available to visitors in this high amenity lakeside setting. This site's setting potentially provides a strategic advantage through the ability to accommodate modern and full amenities on a site located on the Haast to Wanaka State Highway with direct access to the lakefront. The area of the proposed Lake



Hawea Rural Visitor Accommodation Zone also enables the development of visitor accommodation facilities to be spread out and/or clustered in order to minimise the landscape effects and still retain the relaxed, open, tree covered character of the site and maintain a high level of internal amenity. The future re-development of the campground facilities will improve the long-term viability of the camp by enabling a wider range of accommodation options and associated commercial recreation activities. These options will also extend the season outside of the peak camping periods (i.e. summer) and consequently supports social and economic wellbeing for the landowners (including as lessee), visitors, as well as the wider community. The rezoning would enable the landowners to raise finance against Lots 1 and 2, which is currently difficult due to its Rural zoning and ONL status and the banks will not finance against the campground lease. Development of visitor accommodation facilities on the Council own Sec 2 Block II would be funded by borrowing against Lots 1 and 2. Therefore rezoning of Lots 1 and 2 is necessary to fund visitor facilities on the Council own Sec 2 Block II.

- 5.5 An integrated zone framework is necessary to achieve these outcomes and ensure the sustainable management of the land over the long term and also that these areas can be utilised for guests, including for recreation. The current combination of Rural and Open Space Zoning creates administrative complexities for the submitter, is not efficient or effective in supporting integrated development of the three lots and is not sufficient in meeting the purpose of the Act for sustainable management and economic and social wellbeing.
- 5.6 The submitter seeks a consistent zoning across the three lots that provides a long-term solution to provide for visitor accommodation activity in an appropriate location, that includes the flexibility to cater for the varied and changing needs of visitors. The Rural Visitor Zone provides for a range of visitor activities and facilities and commercial recreation activities, with options for the development of detached visitor accommodation units, camping opportunities (including permanent or semi-permanent glamping tents), and associated facilities such as ablutions, food preparation, food outlets, etc. The proposed Rural Visitor Zone has the specific purpose to provide for visitor industry uses in locations that are identified as being able to absorb the effects of development. As detailed further below in this evidence (and that of Mr Espie

and Ms Gilbert for QLDC), the site is able to absorb a level of development and given its already established and visible visitor accommodation use, the site is well aligned to the purpose and intended development outcomes of the Rural Visitor Zone.

5.7 The proposed Rural Visitor zoning, in summary, seeks to address the following resource management issues:

- Complexities associated with split zonings across the three lots, having a different purpose and objectives
- Administrative and consenting complexities and considerable costs, both financially and time associated with the PDP Rural Zoning and Motor Park Designation
- Limited scope of the Open Space (Campground) Zone provisions for campground activities and lack of integration with the adjacent land owned by the submitter
- Rural Zoning of Lot 1 and 2 does not enable visitor activity on land connected to the existing campground and land which is identified as being able to absorb development<sup>5</sup>
- Meeting demand for visitor accommodation options at Lake Hawea
- Providing for a diversity of visitor accommodation options at Lake Hawea
- Providing the lessee with the confidence to progress with re-development plans for the site under a set of provisions that provide more certainty and are specifically tailored for visitor accommodation activities, rather than the current discretionary regime under the Rural zone.

## **6.0 Relevant Statutory Context**

6.1 Section 72 of the RMA set out that the purpose of district plans is to assist territorial authorities to carry out their functions to achieve the purpose of the Act (Part 2). S74 of the Act outlines the matters to be considered by the

territorial authority in developing a District Plan, including the provisions of Part 2, and the functions of a territorial authority under s31 of the Act. These requirements are considered relevant to the evaluation of the current proposal and most appropriate zoning of the subject land, as set out separately below.

Part 2 of the RMA:

6.2 The purpose of the act is set out in Part 2, section 5 of the RMA as:

**5 Purpose**

*(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.*

*(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*

*(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*

*(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*

*(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

6.3 The submitter seeks a consistent and integrated zone across the subject land for the purpose to achieve sustainable management of The Camp, accommodation and associated facilities over the long term. Such an approach would enable the economic sustainability (and viability) of the visitor accommodation activities through reducing administrative costs and consenting complexities associated with the present zoning; and enabling enhancement of camp facilities to provide for a broader tourism market and enable The Camp to offer year round accommodation options. This approach is considered entirely consistent with Part 2, as it provides a zoning solution that enables sustainable management of the land at an appropriate rate, providing for social and economic wellbeing, and on a site identified as being able to absorb

development whilst sustaining the natural landscape and managing potential adverse effects.

### Section 31 RMA

- 6.4 Section 31 of the RMA outlines the functions of territorial authorities under the Act, and states:

#### **31 Functions of territorial authorities under this Act**

*(1) Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*

*(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*

*(aa) the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district:*

*(b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—*

- 6.5 Section 31 of the Act therefore requires objectives, policies, and methods to achieve the integrated management of land, such as sought through the proposed rezoning. S31(1)(aa) of the Act is further supported by the National Policy Statement on Urban Development Capacity which came into effect on 1 December 2016 and requires councils to ensure provision for sufficient development capacity for housing and business. I note that the Rural Zone outside of Hawea is not considered by Council to form part of the 'urban environment' and further that it is Council's view that the NPS-UDC does not require provision for rural living opportunities. Nonetheless, the NPS-UDC does include a number of relevant provisions relating to the provision of different types and locations of business capacity and providing for urban environments

that develop and change over time<sup>6</sup>. Additionally, irrespective of Council's current housing and business capacity assessments, s31(1)(aa) in itself requires consideration to the provision of business land to meet the expected demands of the District. The evidence of Mr Burdon's evidence (para 39) discusses that there is a need for alternative types of visitor accommodation in Hawea, and limited zoned land to provide for this.

- 6.6 The proposed methods, including zone type and associated objectives, policies, and rules, are considered to achieve integrated management of the land and potential effects (s31(1)(a) and (s31(1)(b)); and provide alternative locations for business activity which is able to meet the needs of people and communities and future generations for a range of accommodation types and places to locate businesses<sup>7</sup>.
- 6.7 The proposed Lake Hawea Rural Visitor Zone is therefore consistent with the purpose of the Act, District Plans and the functions of territorial authorities under the RMA.

## **7.0 Matters Raised in the S42A Report and Expert Evidence**

- 7.1 The following section responds to matters raised in the Section 42A report of Ms Grace, and the expert evidence of Ms Gilbert.

### Remoteness

- 7.2 Ms Grace discusses at para 12.1 of the s42A report that a key element in forming her recommendation to reject the proposal is that the site is not particularly 'remote', or 'difficult to see', as reference in the Council's proposed Policy 46.2.1.a. However, at para 4.22 she acknowledges that the RVZ may apply to locations that are not particularly remote, hence the inclusion of the wording 'generally remote' in Policy 46.2.1.a. Firstly, as a consequence of the proposed rezoning, the wording of Policy 46.2.1.a is opposed by the submitter (as reflected in the consequential amendments to provisions contained in **Appendix C**) as the Lake Hawea Rural Visitor Zone is not remote, being located on the perimeter of the Lake Hawea Township. The landscape evidence

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<sup>6</sup> OA3 of the NPS-UDC

<sup>7</sup> OA2 of the NPS-UDC

of Mr Espie discusses that the site represents a contained, discrete and very small portion of the perimeter of Lake Hawea which is presently modified. Mr Espie considers that the site is able to absorb the level of development proposed without detracting from the broader ONL within other open locations adjacent to the lake.

- 7.3 I consider that the Rural Visitor Zone does not necessarily need to be remote or generally remote. Rather that the Rural Visitor Zone provides an alternative framework to enable visitor activity in appropriate locations within the *rural environment*; similar to the purpose of the Visitor Accommodation Subzone which applies to the *urban environment*. Therefore, the basis for applying the zone is not necessarily remoteness but represents a zoning that provides for visitor activities in appropriate rural locations where the landscape has the capacity to absorb this type of development. The fact that The Camp is already established in this location supports the proposed zoning.
- 7.4 It is demonstrated by the landscape evidence of Mr Espie, and Ms Gilbert that the site has the potential to absorb a level of Rural Visitor development. It is my view that the Lake Hawea Rural Visitor Zone, subject to the controls proposed is appropriate for the site and in this location adjacent to the Lake Hawea township, as well as covering sites already used for visitor accommodation and surrounding land. In fact its location in proximity to the township affords a number of benefits to the site and township which may not otherwise be realised in a more remote setting, such as the ability of users to experience a more open landscape setting while still being in close proximity to services and amenities located within the township. I therefore disagree with Ms Grace's recommendation to reject the proposal because the site is not remote.

#### Maximum Building Footprint

- 7.5 Para 5.4 of the s42A report notes that Council's landscape experts place weight on the lack of a site coverage/density control as a reason for rejecting the proposed rezonings. To resolve this, Ms Grace proposes a new Rule 46.5.2 identifying a total maximum ground floor area of 500m<sup>2</sup> across the zoned area. Ms Grace also notes that Council does not have the scope to apply this to the notified zone, but only to new areas of Rural Visitor Zone sought by submissions. Firstly, I consider this approach to be inconsistent and resulting in unfair restrictions over submitters' land that would not apply to Council notified

zone areas. Secondly, I consider the limit of 500m<sup>2</sup> of total built form to be insufficient recognising the purpose of the zone is to provide for visitor accommodation and enabled by a Controlled Activity status for buildings, and the expansive nature of the majority of the Rural Visitor zone. The effect of the proposed 500m<sup>2</sup> max building footprint would result in a very limited built footprint as a Controlled Activity, with anything beyond this requiring resource consent as a Restricted Discretionary Activity and broader consideration to landscape matters. Such a low maximum building footprint limit creates uncertainty and complexity to the consenting process, for a zone which has from the outset been located in areas of lower landscape sensitivity in order to enable Visitor Accommodation and associated uses. This limit would not provide the submitter with the necessary confidence to develop an ongoing enhancement strategy for the submission sites as it creates uncertainty over the outcome and potential costs associated with the processing of consent applications above 500m<sup>2</sup>.

- 7.6 Therefore, the submitter proposes an alternative maximum building footprint for the Lake Hawea Rural Visitor Zone of 7%, and this is supported by the landscape evidence of Mr Espie. Any proposed building footprint over and above the 7% maximum is proposed to be a Non-Complying Activity. The 7% limit is considered to provide a more appropriate balance between enabling visitor activity, limited in scale and intensity, as a Controlled Activity; and enabling greater scope to consider potential effects over and above this as a Non-Complying Activity.
- 7.7 It is also worth noting that Condition F(5) of Designation 175 (Motor Park) which applies to the campground provides for a maximum building coverage of 40% of the total site area. This would enable up to 6.27 hectares of buildings over the 15.686 hectare campground site. The proposed 7% building footprint rule only provides for up to 1.58 hectares, any more than this would require resource consent as a Non-Complying Activity.

#### Related Ancillary Commercial Activities

- 7.8 Although not discussed in the s42A report, it is understood from the zone purpose statement and Objective 46.2.1 that the Rural Visitor Zone is intended to provide for related ancillary commercial activities. The activity table identifies that Visitor Accommodation is a Permitted Activity. However, there is no status

identified for ancillary commercial activity and it is, therefore, inferred that this is indirectly provided for through the definition of Visitor Accommodation. The definition of Visitor Accommodation under the PDP incorporates the below:

*“...ii. Includes services or facilities that are directly associated with, and ancillary to, the visitor accommodation, such as food preparation, dining and sanitary facilities, conference, bar recreational facilities and others of a similar nature if such facilities are associated with the visitor accommodation activity. The primary role of these facilities is to service the overnight guests of the accommodation however they can be used by persons not staying overnight on the site.”*

- 7.9 While (ii) above potentially encompasses ‘ancillary commercial activities’, it is not specific and also does not mention retail such as a small camp store. The submitter therefore seeks the inclusion of a new rule identifying restaurants, cafes and retail that are accessory to a permitted activity, as a Permitted Activity. The proposed rule is reflected in the marked-up provisions provided in **Appendix C**.

#### Colours and Materials

- 7.10 Standard 46.5.x from the s42A report includes a colour palette that is consistent with the Rural zone palette. An additional exemption from these colour controls is sought to exclude recreational camping or glamping tents within a campground. Although it is inferred from the definition of “Building” that camping tents would be excluded from this rule if less than 5m<sup>2</sup> and 2m in height, some glamping tents may exceed these dimensions. Given their temporary nature and limited range of materials it is considered appropriate that tents be excluded from these requirements.

#### Potential Landscape Constraints

- 7.11 Ms Gilbert in her review of the proposed rezoning identifies a number of landscape constraints which contribute to her not supporting the proposal. These include the assumption of a 10m boundary setback, no building coverage limit, and no controls over external appearance<sup>8</sup>. These matters are also

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<sup>8</sup> Page 27



responded to in the evidence of Mr Espie, however in summary, these assumptions are either incorrect or have now been addressed by the submitters' revised provisions.

- 7.12 Firstly, the submitter proposes to establish a 20m wide buffer along the state highway which is to be subject to a proposed vegetation management plan. This area would be identified as a 'High Landscape Sensitivity Area' with development limited by the Non-Complying activity status and effectively provides a 20m setback, rather than 10m. Within this vegetation management buffer it is proposed to incrementally replace exotic trees (mostly wilding species) to enhance screening, structure, form and autumn colour.
- 7.13 Additionally, the Rural Visitor Zone at Rule 46.5.5 requires a 20m setback from waterbodies. All other boundaries would be subject to the standard 10m setback. It is noted however the site does not adjoin other private land outside of the zone.
- 7.14 Secondly, a building coverage limit of 7% is proposed for the zone, and the basis for this is discussed above and supported by the evidence of Mr Espie. As discussed in the evidence of Mr Espie, the imposition of the 7% building coverage limit will ensure that the zone retains a green, treed lakeside area with a low building coverage. This provision will also ensure that the concerns expressed by Ms Gilbert (at page 26) over possible development creep around the lake are also addressed. This limit is also considerably less than the 40% site coverage which is presently enabled by Condition F(5) of Designation 175 (Motor Park).
- 7.15 Finally, to alleviate landscape concerns over the lack of control over colours and materials, Council has proposed a new rule specifying the required colours and reflectivity for the external appearance of buildings. The submitter only seeks that tents be excluded from this rule (as discussed above and identified in the marked-up provisions within **Appendix C**).
- 7.16 I therefore disagree that these elements provide landscape constraints to the site, and I note that Ms Gilbert otherwise identifies that subject to the imposition of these controls the site is able to absorb a level of development.

## 8.0 s32AA Evaluation

### Evaluation of Proposed Objectives – Section 32 (1)(a)

8.1 As noted previously, s32AA and s32(1)(a) requires an analysis of the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act. An evaluation of the proposed Rural Visitor Zone in accordance with s 32(1)(a) is provided in the table below.

Proposal	Appropriateness
Rezoning of Sec 2 Blk II, Lots 1 DP 418972 and Lot 2 DP 418972 to Rural Visitor Zone	<p>The proposed rezoning of the subject land to Lake Hawea Rural Visitor Zone is considered to be the most appropriate way to achieve the purpose of the Act as it will provide a consistent and integrated zoning approach to the land, and avoid the administrative and financial inefficiencies associated with the existing varied zoning of the three lots.</p> <p>The reasons that the proposal is considered to meet the Purpose of the Act (Section 5 of the RMA) are detailed in para 6.3 above. Additionally, Ms Gilbert (for QLDC) and Mr Espie (on behalf of the submitter) agree that, from a landscape perspective, the site is able to absorb a level of rural visitor development, subject to the imposition of some controls over building setback, height, colours and materials and maximum building footprint. These controls have been provided through the submitters' proposed provisions (<b>Appendix C</b>) and also Council's recommended chapter provisions. As detailed in the evidence of Mr Espie, the proposed objectives, policies and methods that apply to the Lake Hawea Rural Visitor Zone will allow Council to have control over ensuring a consistent, appropriate and high-amenity landscape outcome.</p> <p>As also discussed in this evidence, I disagree with the view of Ms Grace that the Rural Visitor Zones are required to be in remote locations. The rezoning of the subject land, encompassing an existing operative campground in proximity to the township and within a high amenity lakeside setting offers a number of economic and social benefits and the potential for a diverse visitor accommodation offering. I consider that the Lake Hawea Rural Visitor Zone in this location is appropriate in terms of its location on a site with lower landscape sensitivity, and does not need to be 'remote'. Furthermore, the site</p>

	<p>presently accommodates established and visible visitor accommodation activity within The Camp, and this activity is entirely consistent with the purpose and intended outcomes of the Rural Visitor Zone.</p> <p>The proposed zoning is considered to be consistent with the following strategic objectives of the PDP:</p> <ul style="list-style-type: none"> <li>• Strategic Objective 3.2.1.1 as it would specifically recognise and provide for the socioeconomic benefits of tourism activities</li> <li>• Strategic Policy 3.3.1 as the zoning would provide for the visitor industry to maintain and enhance attractions, facilities and services.</li> <li>• Objective 3.2.5 and Policy 3.2.5.1 as it would enable the use and development of the site for tourism activity in an area where adverse effects could be avoided remedied or mitigated. The site is acknowledged to be in an ONL area but it is noted that both Mr Espie and Ms Gilbert consider that the site can absorb further buildings and that additional design controls have been proposed to ensure that development proposed is within the capacity of the site to absorb change.</li> <li>• Objective 3.2.4 and Policy 3.2.4.3 whereby the development of the site can be undertaken without adversely affecting the remaining natural character of the margins of the lake.</li> <li>• As a publicly owned campground the site is part of a network of public spaces and as such achieves Policy 3.2.4.5 and indeed the rules have been designed to enable the upgrade of camp facilities to ensure these are accessible, safe and desirable spaces.</li> <li>• Policy 6.3.9 whereby the proposal promotes indigenous biodiversity protection and regeneration through the proposed state highway buffer enabling landscape and nature conservation values to be maintained or enhanced.</li> <li>• The Purpose (46.1) and Objectives 46.2.1 and 46.2.2 of the Rural Visitor Zone to provide for visitor activities, recognising the contribution visitor industry makes to the economic and recreational values of the District.</li> <li>• The Purpose (46.1), and Objectives 46.2.1 and 46.2.2 of the Rural Visitor Zone to provide for visitor industry activities in</li> </ul>
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	<p>locations that have been identified as being able to absorb the effects of development without compromising landscape values.</p> <p>As detailed at para 6.5 – 6.7, the proposed rezoning is also consistent with Sections 72 and Section 31 of the RMA related to the functions of District Plans.</p> <p>Regard has also been had to sections 6 and 7 of the Act, including s6b for the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development; and s7c for the maintenance and enhancement of amenity values.</p>
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Evaluation of Proposed Provisions - Section 32(1)(b)

8.2 RMA s32(1)(b) requires an analysis of whether the provisions in the proposal are the most appropriate way to achieve the objectives by—

- (i) identifying other reasonably practicable options for achieving the objectives; and
- (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives.

The following table provides an analysis of whether the proposed Lake Hawea Rural Visitor Zone provisions are the most appropriate way to achieve the relevant objectives. The relevant objectives have been detailed in the preceding section. The table below also considers the effectiveness and efficiency of the proposed provisions. According to s32(2)(a) the analysis also requires consideration to the environmental, economic, social, and cultural effects benefits and costs; including opportunities for economic growth.

<b>Proposed provisions</b>	<b>Costs</b>	<b>Benefits</b>	<b>Effectiveness and efficiency</b>
Amendment to Policy 46.2.1.a to remove reference to the zone	<b>Environmental</b> Potential landscape effects associated with	<b>Environmental</b> Benefits associated with proximity to the	The amendment is considered to be effective as it would support the rezoning of the site on the edge of the

<p>being 'remote' and 'difficult to see'.</p>	<p>development creep on the edges of urban environments.</p> <p>Potential visual effects of buildings being located where they would be visible. This is however mitigated by the location of the zoning that has been based on identifying areas of lower landscape significance from the outset and an extension of an existing activity in close proximity to Lake Hawea township.</p> <p><b>Economic</b> Nil</p> <p><b>Social</b> Increased visibility of visitor accommodation buildings and activity within proximity to the Lake Hawea township</p> <p><b>Cultural</b> Nil</p>	<p>Lake Hawea township which may minimise vehicle trips.</p> <p><b>Economic</b> Provides the opportunity to establish sites for visitor industry activity where appropriate within the landscape context, regardless of whether or not they are remote.</p> <p>Benefits associated with proximity to the Hawea township which may contribute to the local economy through visitors spending time and money in the township, which may not otherwise occur in remote locations.</p> <p><b>Social</b> Increased visibility of visitor accommodation activity within proximity to the Lake Hawea township which</p>	<p>Lake Hawea township to Rural Visitor Zone without creating conflict to the provision. The amendment is efficient as it implements the landscape findings of Mr Espie and Ms Gilbert that the site is presently modified by visitor accommodation activity and is able to absorb additional development of this nature.</p>
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		<p>may add to the vibrancy of the township.</p> <p><b>Cultural</b> Nil</p>	
	<b>Alternative options</b>	<p>The policy could be retained unmodified. However, the phrase 'generally remote' creates uncertainty and Ms Grace has identified a lack of remoteness as being a factor in the rejection of the rezoning. Therefore, this option was not pursued and the provision is sought to be amended.</p>	
<p>Creation of a new policy 46.2.1.x outlining the outcomes sought for a Vegetation Management Pan alongside the state highway</p>	<p><b>Environmental</b> Nil</p> <p><b>Economic</b> Nil</p> <p><b>Social</b> Nil</p> <p><b>Cultural</b> Nil</p>	<p><b>Environmental</b></p> <p>The Vegetation Management Plan would provide for an attractive and natural edge for the zone when viewed from the highway. This would also provide for a significant level of screening and backdrop vegetation.</p> <p><b>Economic</b></p> <p>The installation will provide a low level of economic benefit during the installation and maintenance phases of the planting. This planting is intended to occur in a staged manner over</p>	<p>The proposed provisions are considered to be effective in that they provide for a vegetation management plan to be proposed as part of the first resource consent application for buildings. The provisions are efficient in realising environmental and amenity benefits to the site before the approval or construction of additional built form. The proposed provisions are considered to be effective in that a vegetation management plan must be proposed or approved alongside an application being made for buildings.</p>

		<p>several years so while this economic effect will be small, it will be regular over a sustained period of time.</p> <p><b>Social</b> Nil</p> <p><b>Cultural</b> Nil</p>	
	<b>Alternative options</b>	This is a proposed provision, it would be possible to not introduce such a rule but this alternative does not provide certainty to the landowner or Council; nor would it provide ecological and amenity benefits to the site.	
Amendment to policy 46.2.1.4 and Objective 46.2.2 to include reference to 'infrastructure'.	<p><b>Environmental</b> Nil</p> <p><b>Economic</b> Administrative costs to Council associated with the proposal.</p> <p><b>Social</b> Nil</p> <p><b>Cultural</b> Nil</p>	<p><b>Environmental</b> Ensures that infrastructure that is necessary to support visitor industry activity is provided for to ensure adequate servicing of the site and avoid potential discharge or contamination.</p> <p><b>Economic</b> Ensures that infrastructure that is necessary to support visitor activity is provided for to ensure an efficient and clear consenting process, and</p>	The proposed amendments are efficient and effective as they provide explicit reference to infrastructure to provide clear guidance and avoid ambiguity.

		<p>provision of adequate facilities for guests.</p> <p><b>Social</b> Provision of adequate facilities for guests.</p> <p><b>Cultural</b> Ensures that infrastructure that is necessary to support visitor activity is provided for to ensure adequate servicing of the site and avoid potential effects to water quality.</p>	
	<b>Alternative options</b>	It would be possible to not to amend the provisions, but this alternative would not provide certainty to the landowner or Council.	
Addition of a new Rule 46.4.4 identifying restaurants, cafes and retail that are accessory to a permitted activity as a permitted activity.	<p><b>Environmental</b> Nil</p> <p><b>Economic</b> Administrative costs to Council associated with the proposal.</p> <p><b>Social</b> Nil</p> <p><b>Cultural</b> Nil</p>	<p><b>Environmental</b> Nil.</p> <p><b>Economic</b> Provides clarity in the activity table to implement the zone purpose statement and provisions to enable related ancillary commercial activities alongside visitor accommodation.</p>	The proposed amendment is effective in providing clarify that ancillary commercial activities are enabled by the zone, and efficient in avoiding potential misinterpretation.



		<b>Social</b> Nil.  <b>Cultural</b> Nil	
	<b>Alternative options</b>	This is a proposed provision, it would be possible to not introduce such a rule but this alternative does not provide certainty to the landowner or Council that commercial activities ancillary to visitor accommodation are also provided for as a permitted activity. An amendment is therefore preferred to avoid potential misinterpretation.	
Addition of a matter of control to Rule 46.4.7 requiring consistency with an approved vegetation management plan for the State Highway Buffer/High Landscape Sensitivity Area; and a new Standard 46.5.6 detailing the requirements for the vegetation management plan.	<b>Environmental</b> Nil  <b>Economic</b> Costs associated with the development and implementation of the vegetation management plan.  <b>Social</b> Nil.  <b>Cultural</b> Nil	<b>Environmental</b> The provision for a vegetation management plan alongside the state highway will enable ecological and amenity enhancement to the site and mitigation of potential views across the site from SH6.  <b>Economic</b> The removal of exotic species and replacement with natives will improve the amenity of the site and contribute to the quality of the visitor experience.  <b>Social</b> As above.	The proposed provisions are considered to be effective in that a vegetation management plan must be proposed or approved alongside an application being made for buildings under Rule 46.4.7. The provisions are efficient in realising environmental and amenity benefits to the site before the approval or construction of additional built form.

		<p><b>Cultural</b></p> <p>Increased planting of indigenous vegetation throughout the site which may have cultural significance.</p>	
	<p><b>Alternative options</b></p>	<p>This is a proposed provision, it would be possible to not introduce such a rule but this alternative does not provide certainty to the landowner or Council; nor would it provide ecological and amenity benefits to the site.</p>	
<p>Amendment to rule 46.5.1 Building Height, and a new Rule 46.6 to incorporate a structure plan for the Lake Hawea Rural Visitor Zone</p>	<p><b>Environmental</b></p> <p>Potential visual effects of buildings up to 8m in height. This is however mitigated by the location of the zoning that has been based on identifying areas of lower landscape significance from the outset and the height plan being defined based on the specific characteristics of the site.</p> <p><b>Economic</b></p> <p>Economic costs associated with adverse effects to landscape values.</p> <p><b>Social</b></p>	<p><b>Environmental</b></p> <p>Increased visual coherence and amenity to the site associated with ongoing enhancement.</p> <p><b>Economic</b></p> <p>Economic benefits associated with the ability to establish a range of alternative accommodation options within the site.</p> <p>Establishing a set of defined provisions which provide certainty to the landowner to progress plans for the ongoing enhancement of the site.</p>	<p>The proposed provisions are considered to be effective in providing opportunities for the development of visitor industry on the site, based on the physical characteristics of the site and its ability to absorb built form without adversely affecting landscape values. The provisions are efficient in clearly identifying height limits and locations for the site.</p>

	<p>Potential visual effects of buildings and effects to visual amenity and experience of the site.</p> <p><b>Cultural</b> Nil</p>	<p>Improves the viability of the site through providing the ability to establish a range of alternative accommodation options and provide a year round offering, extending the season beyond the peak summer months.</p> <p><b>Social</b> Expanding the range of facilities available within the site for visitors and the wider community.</p> <p><b>Cultural</b> Nil</p>	
	<p><b>Alternative options</b></p>	<p>Alternative options to a bespoke structure plan/building height plan could include retention of the Council's proposed maximum height limit of 6m to be applied generally across the Rural Visitor Zone. This option is not preferred as it does not reflect the characteristics of the site, which include natural height change near to the state highway which provides the ability of the site to absorb additional height up to 8m without adverse effects. Additionally, Council's proposed height of 6m would allow an additional 0.5m of height across the remainder of the site as compared to the submitters' proposed 5.5m.</p>	
Deletion of 46.5.2 and insertion of a new rule	<p><b>Environmental</b></p>	<p><b>Environmental</b></p>	<p>The proposed provisions are considered to be effective in</p>

<p>46.5.3 providing for a maximum total building coverage for the Lake Hawea Visitor Zone shall be 7%, with any development above 7% being a non-complying activity.</p>	<p>Visual and landscape effects of development up to a 7% footprint, as compared to Council's proposed maximum of 500m<sup>2</sup>.</p> <p><b>Economic</b> Economic costs associated with adverse effects to landscape values.</p> <p><b>Social</b> Potential visual effects of buildings and effects to visual amenity and experience of the site.</p> <p><b>Cultural</b> Nil</p>	<p>Increased visual coherence and amenity to the site associated with ongoing enhancement.</p> <p>Establishment of a low maximum building coverage to ensure retention of a treed green lakeside setting across the remainder of the site.</p> <p><b>Economic</b> Economic benefits associated with the ability to establish a range of alternative accommodation options within the site.</p> <p>Establishing a set of defined provisions which provide certainty to the landowner to progress plans for the ongoing enhancement of the site.</p> <p>Improves the viability of the site through providing the ability to establish a range of</p>	<p>providing opportunities for the development of visitor industry on the site, based on the physical characteristics of the site and its ability to absorb built form without adversely affecting landscape values. The provisions are efficient in clearly identifying maximum site coverage for the site, and restricting anything above this to maintain a green setting for the site.</p>
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		<p>alternative accommodation options and provide a year-round offering, extending the season beyond the peak summer months.</p> <p><b>Social</b> Expanding the range of facilities available within the site for visitors and the wider community.</p> <p><b>Cultural</b> Nil</p>	
	<b>Alternative options</b>	<p>Alternative options to a bespoke site coverage rule could include retention of the Council's proposed maximum building coverage of 500m<sup>2</sup> to be applied generally across the Rural Visitor Zone. This option is not preferred as it does not reflect the characteristics of the site, the level of existing established campground development, and the ability of the site to absorb additional built form without adverse effects. The limit of 500m<sup>2</sup> is not based on specific landscape evidence and would create ongoing consenting uncertainties for the submitter.</p>	
Amendment to Rule 46.5.x Building Material and Colours to exclude camping and glamping tents from the requirements.	<p><b>Environmental</b> Visual effects associated with tents which do not meet the colours and materials requirements.</p> <p><b>Economic</b></p>	<p><b>Environmental</b> Nil</p> <p><b>Economic</b> Provides for establishment of tents which are consistent with a campground</p>	<p>The provisions are considered to be efficient and effective in clarifying that impermanent and mobile tents are not required to adhere to the same requirements as buildings.</p>

	<p>Economic costs associated with the above.</p> <p><b>Social</b> Nil</p> <p><b>Cultural</b> Nil</p>	<p>without creating consenting complexities.</p> <p>Recognises the impermanent nature of tents and limited range of colours and materials.</p> <p><b>Social</b> Nil</p> <p><b>Cultural</b> Nil</p>	
	<p><b>Alternative options</b></p>	<p>Alternative options considered include retaining the rule unmodified; or modification of the definition of “Building”. However, retaining the rule unmodified is not preferred as it may result in uncertainty as to whether tents are required to comply with this rule, possibly misinterpretation and associated consenting complexities and costs for the submitter. Modifying the definition of “Building” is also considered unnecessary to address this specific and limited issue which can otherwise be addressed in the zone provisions.</p>	

Risk of Acting or Not Acting:

8.3 Section 32(2)(c) requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. In the case of the proposed Lake Hawea Rural Visitor zone in the submission area there is very limited uncertainty and sufficient information in order to make a decision on the submissions. The risk associated with the zoning sought is very low as the zone is defined in its scope and purpose, in that the subject land is located in an area where the same activity already occurs (and has occurred for many years) and presently contributes to the

modified character of the site. It is also relevant that the campground lease area (Sec 2 Blk II) is owned by the Council who would be required to agree to or be notified of any development proposed on the land in terms of the lease of the same. The level of risk associated with the rezoning is therefore considered very low.

- 8.4 The risk of not acting however, has the potential to create ongoing uncertainties for the submitter in progressing a plan for the enhancement of facilities within the site. The lack of an appropriate and integrated zoning for the subject land would potentially result in ongoing financial costs associated with a series of complex resource consent processes.

## **9.0 Assessment Against Provisions of Regional Policy Statements**

- 9.1 The proposal has been assessed against the Otago Regional Policy Statement (RPS) and the Proposed Otago Regional Policy Statement (PRPS). With the changes made to the proposal during the drafting of evidence it is considered that the proposal is consistent with the provisions of the RPS and PRPS.

- 9.2 The geotechnical report in **Appendix D** includes discussion of the area's susceptibility to natural hazards. That assessment considers that there are no natural hazard issues in the submission area that would preclude the site being rezoned to Rural Visitor but site specific assessment and possibly mitigation would be required in places. In relation to this I note that the site is already an operational campground, and also that Natural Hazards is identified as a matter of control for buildings under Rule 46.4.7.

## **10.0 Lake Hawea Rural Visitor Zone Conclusions**

- 10.1 Submission #31043 (Richard & Sarah Burdon and Glen Dene Limited) seeks to rezone the existing Hawea Campground known as The Camp and adjacent land owned by Glen Dene Limited (the lessees of The Camp) from Rural and Open Space and Recreation (Campground Zone) to Rural Visitor zone. As a result of the above factors the submission area is considered able to accommodate change and would be suitable for appropriate development and the rezoning sought would be consistent with the relevant objectives and policies of the Strategic Direction (Chapter 3) and Landscapes (Chapter 6) sections of the PDP.

- 10.2 The Camp is an existing activity and extends beyond the leased areas into land owned by Glen Dene. The submission seeks to rezone this land to recognise the existing use and to enable suitable development of The Camp to upgrade the facilities and to provide a wider range of built visitor accommodation facilities so as to extend the camp season beyond the summer period and to provide associated economic benefits.
- 10.3 Since lodging the submission the relief sought has been modified and refined so that it is proposed to incorporate a new Rural Visitor Zone area – the Lake Hawea Rural Visitor Zone - within Chapter 46 of the Proposed District Plan, including consequential amendments to the provisions. These revised provisions have been specifically designed to address concerns about the type and scale of development provided for in the Rural Visitor Zone and preserve the lower density, open space and relaxed lakeside character of The Camp dominated by mature trees.
- 10.4 This evidence considers the proposed rezoning against the requirements of Sections 32 and 32AA of the Act. It is considered that the Lake Hawea Rural Visitor Zone is more appropriate to achieve the sustainable management of natural and physical resources in the submission area than those of the proposed combination zoning of Rural and Open Space and Recreation (Campground Zone). The consistent zoning of the subject land as Lake Hawea Rural Visitor and would be efficient and effective in achieving sustainable management of the site and providing for suitable re-development opportunities. The land is particularly suited to the Rural Visitor Zone as the site presently accommodates visitor industry activity, and although within an ONL is physically discrete and contained such that the landscape is able to absorb a modest level of additional built form<sup>9</sup>. The site therefore meets the intent of the Rural Visitor zone to be located in rural locations of lower landscape significance that are able to maintain or enhance the values of the ONL.<sup>10</sup>
- 10.5 The proposed provisions avoid inappropriate development within the ONL and on the margins of Lake Hawea and are considered to appropriately avoid, remedy, or mitigate against adverse landscape effects, landscape character

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<sup>10</sup> Para 4.1 of the s42A report



and visual amenity. It is considered that there will be no adverse environmental effects, no cultural effects and some social, ecological and economic benefits arising from the proposal.

- 10.6 The risks of acting or not acting have also been considered. The risk associated with the zoning sought is very low as it is an existing zoning modified to suit particular site characteristics and desired outcomes in an area where visitor accommodation activity already occurs and has for some decades. Additionally, the site is in part owned by Council who will retain control over the use and development of the land. The risk of not acting however, has the potential to create ongoing uncertainties for the submitter in progressing a plan for the enhancement of facilities within the site and would not enable a diversity of accommodation options at Lake Hawea or the economic benefits from a wider range of people staying in the year-round visitor accommodation facilities that are enabled by the proposed zoning.
- 10.7 As a result of the above it is sought that the rezoning and the modified Lake Hawea Rural Visitor Zone provisions be adopted for the subject site. The Rural Visitor Zone is considered most appropriate for the site, and is consistent with Part 2, s32 and Sections 74-76 of the RMA. The established visitor accommodation activity within the campground is entirely consistent with the purpose and intended outcomes of the Rural Visitor Zone.

**Appendix A – Proposed Rezoning Extent – Proposed Rural Visitor Zone  
- Lake Hawea Rural Visitor Zone**



To Makarora

Lot 1  
DP 418972  
1.3903 Ha

Lot 2  
DP 418972  
5.5612 Ha

Section 2  
Block II  
15.686 Ha

State Highway 6

Lake Hawea

To Hawea

- Rural Visitor Zone
- High Landscape Sensitivity - State Highway Buffer

WANAKA  
 19 Reece Crescent  
 or P.O. Box 283  
 Wanaka 9343  
 T 03 443 0110  
 E wanaka@ppgroup.co.nz

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Client & Location:  
**Lake Hawea Holiday Park  
 Hawea**

Purpose & Drawing Title:  
**Lake Hawea Rural Visitor Zone  
 Zone Plan**

Surveyed by:	LIDAR	Original Size:	Scale:
Designed by:	-	A3	1:4000 @ A3
Drawn by:	AGM		
Checked by:	KAB		
Approved by:	DLW	<b>DO NOT SCALE</b>	
Job No:	DWG No:	Sheet No:	Revision No:
W6220	001	100	1
			Date Created:
			27/05/2020

**Appendix B –Rural Visitor Zone – Lake Hawea Rural Visitor Zone  
– Structure Plan**







To Makarora

State Highway 6

To Hawea

Lake Hawea

-  Rural Visitor Zone
-  High Landscape Sensitivity - State Highway Buffer
-  5.5 metre Building Height Limit
-  8 metre Building Height Limit

WANAKA  
 19 Reece Crescent  
 or P.O. Box 283  
 Wanaka 9343  
 T 03 443 0110  
 E wanaka@ppgroup.co.nz

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Client & Location:  
**Lake Hawea Holiday Park  
 Hawea**

Purpose & Drawing Title:  
**Lake Hawea Rural Visitor Zone  
 Structure & Height Plan**

Surveyed by:	LIDAR	Original Size:	Scale:
Designed by:	-	A3	1:4000 @ A3
Drawn by:	AGM		
Checked by:	KAB		
Approved by:	DLW	<b>DO NOT SCALE</b>	
Job No:	DWG No:	Sheet No:	Revision No:
W6220	001	200	1
			Date Created:
			27/05/2020

## Appendix C – Chapter 46 Proposed Provisions

## 46 Rural Visitor Zone

### KEY:

Red underline and ~~strike through~~ text are recommended amendments made in section 42A report, 18/03/2

Any black underlined or ~~strike through~~ text, reflect notified variations.

Blue underline and ~~strike through~~ text are recommended amendments made in this evidence.

### 46.1

#### Purpose

The Rural Visitor Zone provides for visitor industry activities to occur at a limited scale and intensity in generally remote locations, including within Outstanding Natural Landscapes, ~~at a limited scale and intensity that have been identified as being able to absorb the effects of development without compromising the landscape values of the District. The Zone is not anticipated to be located on Outstanding Natural Features, where each particular Zone can accommodate the adverse effects of land use and development.~~ By providing for visitor industry activities, the Zone recognises the contribution visitor industry places, services and facilities make to the economic and recreational values of the District.

The primary method of managing effects of land use and development on landscape will be location, directing sensitive and sympathetic development to where the landscape can accommodate change. This method is implemented firstly through limiting the extent of the zone itself to areas of predominantly lower landscape sensitivity, and then through the identification of any areas of higher landscape sensitivity within zoned areas where protection of landscape values is a priority, and the adverse effects on landscape values from land use and development will be cumulatively minor. The nature and design ~~and mitigation~~ of buildings and development are secondary factors in the role of landscape management that will contribute toward ensuring buildings are not visually dominant and are integrated into the landscape. Through these two methods, the planning framework requires the protection of the landscape values of Outstanding Natural Landscapes, and the maintenance of landscape character and the maintenance or enhancement of visual amenity values of Rural Character Landscapes.

The principal activities in the Zone are visitor accommodation and related ancillary commercial activities, commercial recreation and recreation activities. Residential activity is not anticipated in the Zone with the exception being for onsite staff accommodation ancillary to commercial recreation and visitor accommodation activities.

**Pursuant to Section 86B(3)(a) of the Act Rules 46.4.8, 46.4.9 and 46.5.4 have immediate legal effect.**

### 46.2

#### Objectives and Policies

#### 46.2.1

**Objective** – Visitor accommodation, commercial recreation and ancillary commercial activities within appropriate locations are provided for through a Rural Visitor Zone located only in areas of landscape sensitivity that: maintain or enhance

- a. protect the landscape values of Outstanding Natural Landscapes, and
- b. maintain the landscape character, and maintain or enhance the visual amenity values of Rural Character Landscapes.

#### Policies

**Commented [EG1]:** 31014.5 Heron Investments Ltd: amend Ch46 to delete reference to RVZ being only within ONLs.  
31021.3 Corbridge Estates Limited Partnership: extend RVZ beyond ONLs and provide for residential within RVZ.  
31030.1, .3, .4 Byrch: write purpose more clearly, restrict the extent of the zone, provide clear guidelines on which areas are suitable for the zone.  
31035.5 Barnhill Corporate Trustee Ltd + others: amend purpose to extend RVZ beyond ONLs.  
31053.4 Blennerhassett: amend provisions of Ch46 to extend RVZ beyond ONLs.

**Commented [EG2]:** 31014.5 Heron Investments Ltd: amend Ch46 to delete reference to RVZ being only within ONLs.  
31021.3, .4 Corbridge Estates Limited Partnership: extend RVZ beyond ONLs.  
31030.3, .4 Byrch: restrict the extent of the zone, provide clear guidelines on which areas are suitable for the zone.  
31035.6 Barnhill Corporate Trustee Ltd + others: amend 46.2.1 to extend RVZ beyond ONLs.  
31053.4 Blennerhassett: amend provisions of Ch46 to extend RVZ beyond ONLs.

## Part 6

## Rural Visitor Zone 46

**46.2.1.a** ~~Areas identified as a Rural Visitor Zone shall be generally remote in location, difficult to see from public places, and largely comprised of areas of lower landscape sensitivity, with any areas of Moderate – High and High Landscape Sensitivity specifically identified.~~

46.2.1.1 Provide for innovative and appropriately located and designed visitor accommodation, including ancillary commercial activities and onsite staff accommodation, recreation and commercial recreation activities where the landscape values of the District's Outstanding Natural Landscapes ~~are protected, and the landscape character of Rural Character Landscapes is maintained and the visual amenity values of Rural Character Landscapes are will be maintained or enhanced.~~

46.2.1.2 Provide for tourism related activities within appropriate locations in the Zone where they enable people to access and appreciate the District's landscapes, provided that landscape quality, character, visual amenity values and nature conservation values are maintained or enhanced.

46.2.1.3 Encourage the enhancement of nature conservation values as part of the use and development of the Zone.

46.2.1.x Within the Lake Hawea Rural Visitor Zone, a Vegetation Management Plan is developed for the State Highway Buffer demonstrating the following:

- the long-term incremental replacement of exotic trees with native species to enhance landscape, ecology and visual amenity

- the introduction and/or retention of exotic species within the State Highway Buffer where appropriate for amenity, shade, structure, screening and autumn colour.

46.2.1.4 Recognise the ~~generally~~ remote location of Rural Visitor Zones and the need for visitor industry activities to be self-reliant by providing for services or facilities that are directly associated with, and ancillary to visitor accommodation activities, including infrastructure and onsite staff accommodation.

46.2.1.5 Ensure that the group size, nature and scale of commercial recreation activities do not degrade the level of amenity in the surrounding environment.

46.2.1.6 Ensure that any land use or development not otherwise anticipated in the Zone, protects the landscape values of the District's Outstanding Natural Landscapes, and maintains the landscape character, or maintains or enhances the visual amenity values of Rural Character Landscapes, or ~~and~~ enhances ~~landscape values and~~ nature conservation values.

46.2.1.7 Avoid residential activity within the Rural Visitor Zone with the exception of enabling onsite staff accommodation ancillary to commercial recreation and visitor accommodation activities.

**46.2.2** ~~Objective – Buildings, and development and infrastructure that have a visitor industry related use are enabled where within the Rural Visitor Zone in areas of lower landscape sensitivity and where necessary are restricted or avoided to:~~

- protect the landscape values of Outstanding Natural Landscapes, and
- maintain the landscape character and maintain or enhance the visual amenity values of Rural Character Landscapes are maintained or enhanced.

**Commented [EG3]:** 31014.5 Heron Investments Ltd: amend Ch46 to delete reference to RVZ being only within ONLs. 31030.3 & .4 Byrch: restrict the extent of the zone and provide clear guidelines on which areas are suitable for the zone. 31053.4 Blennerhassett: amend provisions of Ch46 to extend RVZ beyond ONLs.

**Commented [EG4]:** 31014.5 Heron Investments Ltd: amend Ch46 to delete reference to RVZ being only within ONLs. 31021.5 Corbridge Estates Limited Partnership: extend RVZ beyond ONLs. 31035.7 Barnhill Corporate Trustee Ltd + others: amend 46.2.1.1 to extend RVZ beyond ONLs. 31053.4 Blennerhassett: amend provisions of Ch46 to extend RVZ beyond ONLs.

**Commented [EG5]:** 31014.5 Heron Investments Ltd: amend Ch46 to delete reference to RVZ being only within ONLs. 31021.10 Corbridge Estates Limited Partnership: extend RVZ beyond ONLs. 31053.4 Blennerhassett: amend provisions of Ch46 to extend RVZ beyond ONLs.

**Commented [EG6]:** 31014.5 Heron Investments Ltd: amend Ch46 to delete reference to RVZ being only within ONLs. 31021.10 Corbridge Estates Limited Partnership: extend RVZ beyond ONLs. 31053.4 Blennerhassett: amend provisions of Ch46 to extend RVZ beyond ONLs.

**Commented [EG7]:** 31014.5 Heron Investments Ltd: amend Ch46 to delete reference to RVZ being only within ONLs. 31021.14 Corbridge Estates Limited Partnership: extend RVZ beyond ONLs. 31053.4 Blennerhassett: amend provisions of Ch46 to extend RVZ beyond ONLs.



## Part 6

## Rural Visitor Zone 46

### Policies

- 46.2.2.1 Protect the landscape values of the Zone and the surrounding rural landscapes ~~Rural-Zone Outstanding Natural Landscapes~~ by:
- ~~providing for enabling~~ and consolidating buildings within the Rural Visitor Zone in areas that are not identified on the District Plan maps as a High Landscape Sensitivity Area, nor within an area of Moderate – High Landscape Sensitivity;
  - ~~ensuring that restricting~~ buildings within areas identified on the District Plan maps as Moderate – High Landscape Sensitivity unless they are located and designed, and adverse effects are mitigated, to ensure landscape values of Outstanding Natural Landscapes are protected, and landscape character of Rural Character Landscapes is maintained and visual amenity values of Rural Character Landscapes are maintained or enhanced; and
  - avoiding buildings within areas identified on the District Plan maps as High Landscape Sensitivity Areas.
- 46.2.2.2 Land use and development, in particular buildings, shall protect, maintain or enhance the landscape character and visual amenity values of the Rural Visitor Zone and surrounding rural landscapes ~~Outstanding Natural Landscapes~~ by:
- controlling the colour, scale, design, and height of buildings and associated infrastructure, vegetation and landscape elements; and
  - in the immediate vicinity of the Homestead Area at Walter Peak, and the Homestead Area at Arcadia provide for a range of external building colours that are not as recessive as required generally for rural environments, but are sympathetic to existing development.
- 46.2.2.3 Within those areas identified on the District Plan maps as High Landscape Sensitivity or Moderate – High Landscape Sensitivity, ~~avoid buildings and development where the landscape cannot accommodate the change, and~~ maintain open landscape character where it is open at present.
- 46.2.2.4 Ensure that the location and direction of lights does not cause excessive glare and avoids unnecessary degradation of views of the night sky and of landscape character, including of the sense of remoteness where it is an important part of that character.
- 46.2.2.5 Within the Walter Peak Water Transport Infrastructure overlay, provide for a jetty or wharf, weather protection features and ancillary infrastructure at Beach Bay while:
- maintaining as far as practicable natural character and landscape values of Beach Bay while recognising the functional need for water transport infrastructure to locate on the margin of and on Lake Wakatipu;
  - minimising the loss of public access to the lake margin; and
  - encouraging enhancement of nature conservation and natural character values.
- 46.2.2.6 Ensure development can be appropriately serviced through:
- the method, capacity and design of wastewater treatment and disposal;
  - adequate and potable provision of water;
  - adequate firefighting water and regard taken in the design of development to fire risk from vegetation, both existing and proposed vegetation; and

**Commented [EG8]:** 31014.5 Heron Investments Ltd: amend Ch46 to delete reference to RVZ being only within ONLs.  
31021.15 Corbridge Estates Limited Partnership: extend RVZ beyond ONLs.  
31035.8 Barnhill Corporate Trustee Ltd + others: amend 46.2.2.1 to extend RVZ beyond ONLs.  
31053.4 Blennerhassett: amend provisions of Ch46 to extend RVZ beyond ONLs.

**Commented [EG9]:** 31014.5 Heron Investments Ltd: amend Ch46 to delete reference to RVZ being only within ONLs.  
31021.16 Corbridge Estates Limited Partnership: extend RVZ beyond ONLs.  
31035.9 Barnhill Corporate Trustee Ltd + others: amend 46.2.2.2 to extend RVZ beyond ONLs.  
31053.4 Blennerhassett: amend provisions of Ch46 to extend RVZ beyond ONLs.

**Commented [EG10]:** 31014.5 Heron Investments Ltd: amend Ch46 to delete reference to RVZ being only within ONLs.  
31053.4 Blennerhassett: amend provisions of Ch46 to extend RVZ beyond ONLs.

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## Rural Visitor Zone 46

- d. provision of safe vehicle access or alternative water based transport and associated infrastructure.

### 46.3 Other Provisions and Rules

#### 46.3.1 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
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	30 Energy and Utilities	31 Signs
32 Protected Trees	33 Indigenous Vegetation and Biodiversity	34 Wilding Exotic Trees
35 Temporary Activities and Relocated Buildings	36 Noise	37 Designations
39 Wāhi Tūpuna	Planning Maps	

#### 46.3.2 Interpreting and Applying the Rules

- 46.3.2.1 A permitted activity must comply with all the rules (in this case Chapter 46 and any relevant district wide rules).
- 46.3.2.2 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.
- 46.3.2.3 For controlled and restricted discretionary activities, the Council shall restrict the exercise of its control or discretion to the matters listed in the rule.
- 46.3.2.4 The surface of lakes and rivers are zoned Rural, except for the area identified on the District Plan maps as Walter Peak Water Transport Infrastructure overlay for the purposes of Rule 46.4.9.
- 46.3.2.5 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

#### 46.3.3 Advice Notes - General

- 46.3.3.1 On-site wastewater treatment is also subject to the Otago Regional Plan: Water. In particular, Rule 12.A.1.4 of the Otago Regional Plan: Water.

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## Rural Visitor Zone 46

46.3.3.2 Particular attention is drawn to the definition of Visitor Accommodation which includes related ancillary services and facilities and onsite staff accommodation.

46.3.3.X New Zealand Electrical Code of Practice for Electrical Safe Distances (“NZECP34:2001”)

Commented [EG11]: 31020.8 Aurora

Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (“NZECP34:2001”) is mandatory under the Electricity Act 1992. All activities, such as buildings, earthworks and conductive fences regulated by NZECP34: 2001, including any activities that are otherwise permitted by the District Plan must comply with this legislation.

To assist plan users in complying with NZECP 34(2001), the major distribution components of the Aurora network (the Electricity sub-transmission infrastructure and Significant electricity distribution infrastructure) are shown on the Planning Maps.

For the balance of Aurora’s network plan users are advised to consult with Aurora’s network maps at [www.auroraenergy.co.nz](http://www.auroraenergy.co.nz) or contact Aurora for advice.

### 46.4 Rules – Activities

	Table 46.4 – Activities	Activity Status
46.4.1	Farming	P
46.4.2	Visitor accommodation	P
46.4.3	Commercial recreational activities and onsite staff accommodation	P
46.4.4	<u>Restaurants, cafes and retail that are accessory to a permitted activity</u>	<u>P</u>
46.4.5	Recreation and recreational activity	P
46.4.6	Informal airports	P
46.4.7	<p>The construction, relocation or exterior alteration of buildings (other than identified in Rules 46.4.7 to 46.4.11)</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> <li>The compatibility of the building <u>density</u>, design <u>and location</u> with landscape, cultural and heritage, and visual amenity values;</li> <li>Landform modification, landscaping and planting;</li> <li>Lighting;</li> <li>Servicing including water supply, fire-fighting, stormwater and wastewater;</li> <li>Natural Hazards; and</li> <li>Design and location of related carparking.</li> </ol> <p>x. <u>Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the Plan maps is located within the adjacent road or subject site any adverse effects on that infrastructure.</u></p>	C

Commented [EG12]: Re-zoning submissions: 31012, 31013, 31014, 31015, 31016, 31021, 31022, 31033, 31035, 31037, 31039, 31043, 31045, 31053

Commented [EG13]: 31011.8 HNZ

Commented [EG14]: 31020.4 Aurora

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Rural Visitor Zone 46

	<a href="#">x For the Lake Hawea Rural Visitor Zone, consistency with an approved vegetation management plan for the State Highway Buffer in accordance with Standard 46.5.x.</a>	
46.4.8	<p>Farm building</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. The relationship of the proposed farm building to farming activity;</li> <li>b. Landform modification, landscaping and planting;</li> <li>c. Lighting;</li> <li>d. Servicing including water supply, fire-fighting, stormwater and wastewater; and</li> <li>e. Natural Hazards.</li> </ul> <p><u>x. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the Plan maps is located within the adjacent road or subject site any adverse effects on that infrastructure.</u></p>	RD
46.4.9	<p>At Walter Peak within the Water Transport Infrastructure Overlay as identified on the District Plan maps, a jetty or wharf, weather protection features and ancillary infrastructure</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Effects on natural character;</li> <li>b. Effects on landscape values and amenity values;</li> <li>c. Lighting;</li> <li>d. Effects on public access to and along the lake margin; and</li> <li>e. External appearance, colour and materials.</li> </ul>	RD
46.4.10	At Walter Peak within the Water Transport Infrastructure Overlay as identified on the District Plan maps, any building other than those identified in Rule 46.4.8	D
46.4.11	The construction, relocation or exterior alteration of buildings within an area identified on the District Plan maps as a Moderate – High Landscape Sensitivity Area	D
46.4.12	The construction, relocation or exterior alteration of buildings within an area identified on the District Plan maps as a High Landscape Sensitivity Area	NC
46.4.13	Industrial activity	NC
46.4.14	Residential activity except as provided for in Rules 46.4.2 and 46.4.3	NC
46.4.15	Commercial, retail or service activities except as provided for in Rules 46.4.2 and 46.4.3	NC
46.4.16	Mining	NC
46.4.17	Any other activity not listed in Table 46.4	NC

Commented [EG15]: 31020.5 Aurora

46.5 Rules - Standards

	Table 46.5 – Standards	Non-compliance status
46.5.1	Building Height	NC
	46.5.1.1: The maximum height of buildings shall be 6m.	
	46.5.1.2: Within the Water Transport Infrastructure overlay identified on the District Plan maps the maximum height of buildings shall be 4m.	NC
	<a href="#">46.5.1.3 Within the Lake Hawea Rural Visitor Zone, building height shall be in accordance with the Structure Plan identified at Rule 46.6.1.</a>	<a href="#">NC</a>
46.5.2	<p><b>Building Size</b></p> <p><b>46.5.2.1</b> The maximum ground floor area of any building shall be 500m<sup>2</sup>.</p> <p><del>46.5.2.1 In the &lt;x, y and z Rural Visitor Zones&gt; the total maximum ground floor area across the zoned area, excluding any areas identified as Moderate — High and High Landscape Sensitivity, shall be 500m<sup>2</sup>.</del></p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>landscape;</li> <li>Visual amenity values; and</li> <li>Nature, scale and external appearance;</li> <li><b>Density of development.</b></li> </ol>
46.5.3	<p><b>Total Building Coverage</b></p> <p>The maximum total building coverage for the Lake Hawea Rural Visitor Zone shall be 7%.</p>	<a href="#">NC</a>
46.5.4	<p>Glare</p> <p>46.5.3.1: All exterior lighting shall be directed downward and away from adjacent sites and public places including roads or waterbodies.</p> <p>46.5.3.2: No activity on any site shall 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.</p> <p>46.5.3.3: Rule 46.5.3.2 shall not apply to exterior lighting within the Walter Peak Water Transport Infrastructure overlay.</p>	NC

**Commented [EG16]:** Re-zoning submissions: 31012, 31013, 31014, 31015, 31016, 31021, 31022, 31033, 31035, 31037, 31039, 31043, 31045, 31053

	Table 46.5 – Standards	Non-compliance status
46.5.5	<p>Setback of buildings from waterbodies</p> <p>46.5.4.1: The minimum setback of any building from the bed of a river, lake or wetland shall be 20m.</p> <p>46.5.4.2: Rule 46.5.4.1 shall not apply to those structures or buildings identified in Rule 46.4.8 located within the Walter Peak Water Transport Infrastructure overlay.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Indigenous biodiversity values;</li> <li>b. Visual amenity values;</li> <li>c. landscape;</li> <li>d. open space and the interaction of the development with the water body;</li> <li>e. environmental protection measures (including landscaping and stormwater management);</li> <li>f. natural hazards; and</li> <li>g. Effects on cultural values of manawhenua.</li> </ul>
46.5.6	<p>Setback of Buildings</p> <p>46.5.5.1: Buildings shall be set back a minimum of 10 metres from the Zone boundary.</p> <p>46.5.5.2: Rule 46.5.5.1 shall not apply to those structures or buildings identified in Rule 46.4.8 located within the Walter Peak Water Transport Infrastructure overlay.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Nature and scale;</li> <li>a. Reverse Sensitivity effects; and</li> <li>b. Functional need for buildings to be located within the setback.</li> </ul>
46.5.7	<p>Commercial Recreational Activity</p> <p>46.5.6.1: Commercial recreational activity that is undertaken outdoors must not involve more than 30 persons in any one group.</p> <p>46.5.6.2: Rule 46.5.6.1 shall not apply at Walter Peak.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Nature and scale including cumulative adverse effects;</li> <li>b. Hours of operation;</li> <li>c. The extent and location of signage;</li> <li>d. Transport and access; and</li> <li>e. Noise.</li> </ul>

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	Table 46.5 – Standards	Non-compliance status
46.5.8	<p>Informal Airports</p> <p>Other than in the case of informal airports for emergency landings, rescues, firefighting and activities ancillary to farming Activities, Informal Airports shall not exceed 15 flights per week.</p> <p>Note: For the purposes of this Rule a flight includes two aircraft movements (i.e. an arrival and departure).</p>	D
46.5.x	<p><b><u>Building Material and Colours</u></b></p> <p><u>Any building and its alteration, including shipping containers that remain on site for more than six months, are subject to the following:</u></p> <p><u>All exterior surfaces* must be coloured in the range of browns, greens or greys including:</u></p> <p><u>24.5.3.1 Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and</u></p> <p><u>24.5.3.2 All other exterior surface** finishes, except for schist, must have a light reflectance value of not greater than 30%.</u></p> <p><u>* Excludes soffits, windows and skylights (but not glass balustrades).</u></p> <p><u>** 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%.</u></p> <p><u>*** This rule shall not apply to recreational camping or glamping tents.</u></p>	<p><b><u>RD</u></b></p> <p><u>Discretion is restricted to:</u></p> <p>a. <u>Landscape;</u></p> <p>b. <u>Visual amenity values; and</u></p> <p>c. <u>External appearance.</u></p>
46.5.x	<p><b><u>Vegetation Management Plan</u></b></p> <p><u>A Vegetation Management Plan shall be developed for the Lake Hawea Rural Visitor Zone State Highway Buffer demonstrating:</u></p> <ul style="list-style-type: none"> <li>- <u>the long-term incremental replacement of exotic trees with native species dominated by native beech species</u></li> <li>- <u>inclusion and/or retention of exotic species within the State Highway Buffer where appropriate for shade, structure, form and autumn colour</u></li> <li>- <u>management procedures and timeframes for establishment and ongoing maintenance of the native plantings</u></li> </ul>	<p><u>Where an application is submitted for the erection of any building without a Vegetation Management Plan; or a Vegetation Management Plan has not been previously approved for the site - NC</u></p>

**Commented [EG17]:** Re-zoning submissions: 31012, 31013, 31014, 31015, 31016, 31021, 31022, 31033, 31035, 31037, 31039, 31043, 31045, 31053

46.6 Structure Plans

## Part 6

## Rural Visitor Zone 46

### 46.6.1 [Lake Hawea Rural Visitor Zone](#)



### 46.7 Non-Notification of Applications

Any application for resource consent for controlled or restricted discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified, with the exception of the following:



## Part 6

## Rural Visitor Zone 46

- a. Rule 46.4.8 Water Transport Infrastructure at Walter Peak.
- b. Rule 46.5.4 setback of buildings from waterbodies.
- c. Rule 46.5.5 setback of buildings from the Zone boundary.
- d. Rule 46.5.6 commercial recreational activities.
- x. Rule 46.4.6 The construction, relocation or exterior alteration of buildings (other than identified in Rules 46.4.7 to 46.4.11)
- x. Rule 46.4.7 Farm Building
- 46.6.x For any application for resource consent where Rules 46.4.6(g) and 46.4.7(f) is relevant, the Council will give specific consideration to Aurora Energy Limited as an affected person for the purposes of section 95E of the Resource Management Act 1991.

Commented [EG18]: 31020.6 Aurora

Commented [EG19]: 31020.6 Aurora

Commented [EG20]: 31020.7 Aurora

## Part 6

## Rural Visitor Zone 46

### Variation to Earthworks Chapter 25:

Underlined text for additions and ~~strike through~~ text for deletions.

Amend Chapter 25 by inserting the following into Rule 25.5.5 (Table 25.2 – Maximum Volume)

<b>25.5.5</b>	Queenstown Town Centre Zone	500m <sup>3</sup>
	Wanaka Town Centre Zone	
	Local Shopping Centre Zone	
	Business Mixed Use Zone	
	Airport Zone (Queenstown)	
	Millbrook Resort Zone	
	<u>Rural Visitor Zone</u>	

Part 6

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Variation to Subdivision and Development Chapter 27:

Underlined text for additions and ~~strike through~~ text for deletions.

Amend Chapter 27 by amending Rule 27.5.9 as follows:

27.5.11	All subdivision activities in the <u>Rural Visitor Zone</u> , Rural and Gibbston Character Zones and Airport Zone - Wanaka, unless otherwise provided for.	D
---------	--	---

27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, average, less than the minimum specified.

Zone		Minimum Lot Area
<u>Rural Visitor Zone</u>		<u>No Minimum</u>

Part 6






Rural Visitor Zone 46

Variation to Signs Chapter 31:

Underlined text for additions and ~~strike through~~ text for deletions.

31.14 Rules – Activity Status of Signs in Special Zones

The rules relating to signs in this table are additional to those in Table 31.4 and are subject to the standards in Table 31.15. If there is a conflict between the rules in Table 31.4 and the rules in this table, the rules in this table apply.

Table 31.14 – Activity Status of signs in Special Zones		Jacks Point Zone outside of Village Activity Areas and residential Activity Areas	Waterfall Park Zone	Millbrook Resort Zone Rural Visitor Zone
	Signs for commercial activities and community activities  Control is reserved to the matters set out in Rule 31.17.	C	C	C
	Identification of a signage platform for a commercial activity or community activity  Control is reserved to the matters set out in Rule 31.17.	C	C	C
	Signs for visitor accommodation  Control is reserved to the matters set out in Rule 31.17.	D	D	C
	Signs not associated with commercial activities, community activities or visitor accommodation	P	P	P
	Any sign activity which is not listed in Table 31.4 or Rules 31.14.1 to 31.14.4 inclusive	D	D	D

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Rural Visitor Zone 46

Variation to Chapter 36 Noise:

Underlined text for additions and ~~strike through~~ text for deletions.

36.5 Rules – Standards

Table 2: General Standards

	Standard				Non-Compliance Status
	Zones sound is received in	Assessment location	Time	Noise limits	
36.5.2	<u>Rural Visitor Zone</u>	Any point within any site	0800h to 2000h	50 dB LAeq(15 min)	NC
			2000h to 0800h	40 dB LAeq(15 min)	NC

## Appendix D – Geotechnical Report



# Geotechnical Hazards – Preliminary Assessment Hawea Campground Area

**Report prepared for:**  
Paterson Pitts Group

**Report prepared by:**  
GeoSolve Ltd

**Distribution:**  
Paterson Pitts Group  
GeoSolve Limited (File)

**August 2015**  
GeoSolve Ref: 150139



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# 1 Introduction

## 1.1 General

This report presents the results of preliminary investigations carried out by GeoSolve Ltd in the context of a proposed District Plan change. The objective is to assess the suitability of the subject area, in terms of geotechnical hazards, for Rural Visitor zoning and development.

# 2 Site Description

The subject property is located between State Highway 6 and the south-western shore of Lake Hawea, as shown in Figure 1 below.



Figure 1: Locality Plan

The site itself is undulating and gently sloping with average gradients of around 5-10° and is currently occupied by a campground surrounded by reserve. The eastern side of the site lies on the Lake Hawea shoreline, and to the west the terrain rises steeply at an average gradient of about 30°, toward Mt. Maude some 2km beyond the site extents. The mean annual rainfall at the site is about 800mm, but significantly higher in the contributing hill catchments.

The site is vegetated with grass and trees, and is traversed by the campground tracks and buildings.

## 3 Natural Hazard Assessment

### 3.1 Existing hazard mapping

QLDC and ORC mapping indicate that the only identified hazards directly affecting the area are associated with the presence of alluvial fans. Landsliding in the upper catchment is indicated as extensive but unverified – this is beyond the proposed development area but may contribute material for debris events within the site.

Regional scale alluvial fan mapping (Opus, Mar. 2009) suggested small active fans at the base of the three significant watercourses on the site. However subsequent area-specific assessment by GNS Science (Barrell, Cox, Greene, & Townsend., Apr. 2009) revised the fan mapping to a single area, larger in size but with 'less recently active' classification. The GNS mapping is of higher resolution and supersedes the Opus work, and is therefore referenced in this report. Figure 2 below shows the extent of the mapped fan area (the northern half has been inferred by extrapolation, as the GNS mapping was truncated at the central line).

We have also considered the potential for liquefaction and lateral spreading under seismic action, although these hazards are not identified on Council mapping.

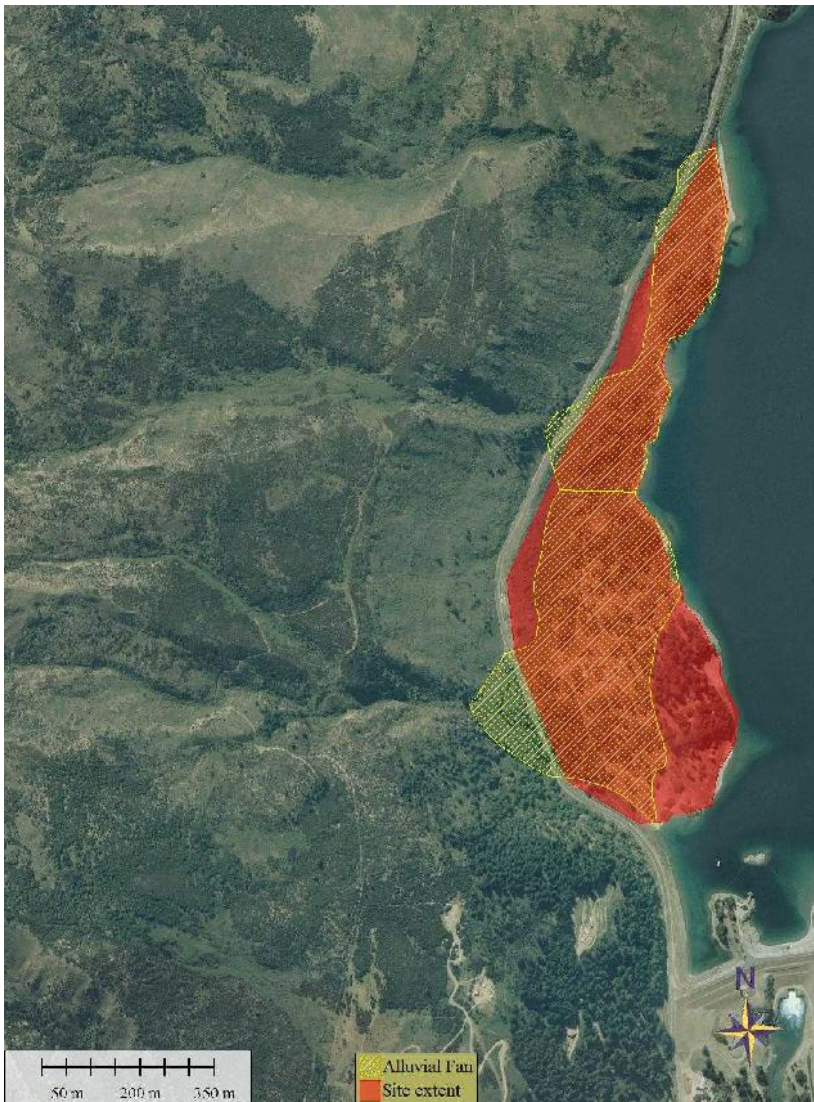


Figure 2: Site extent and mapped alluvial fan

### 3.2 Geotechnical hazard assessment

A site inspection was undertaken with relevant features observed and mapped (Figure 3):

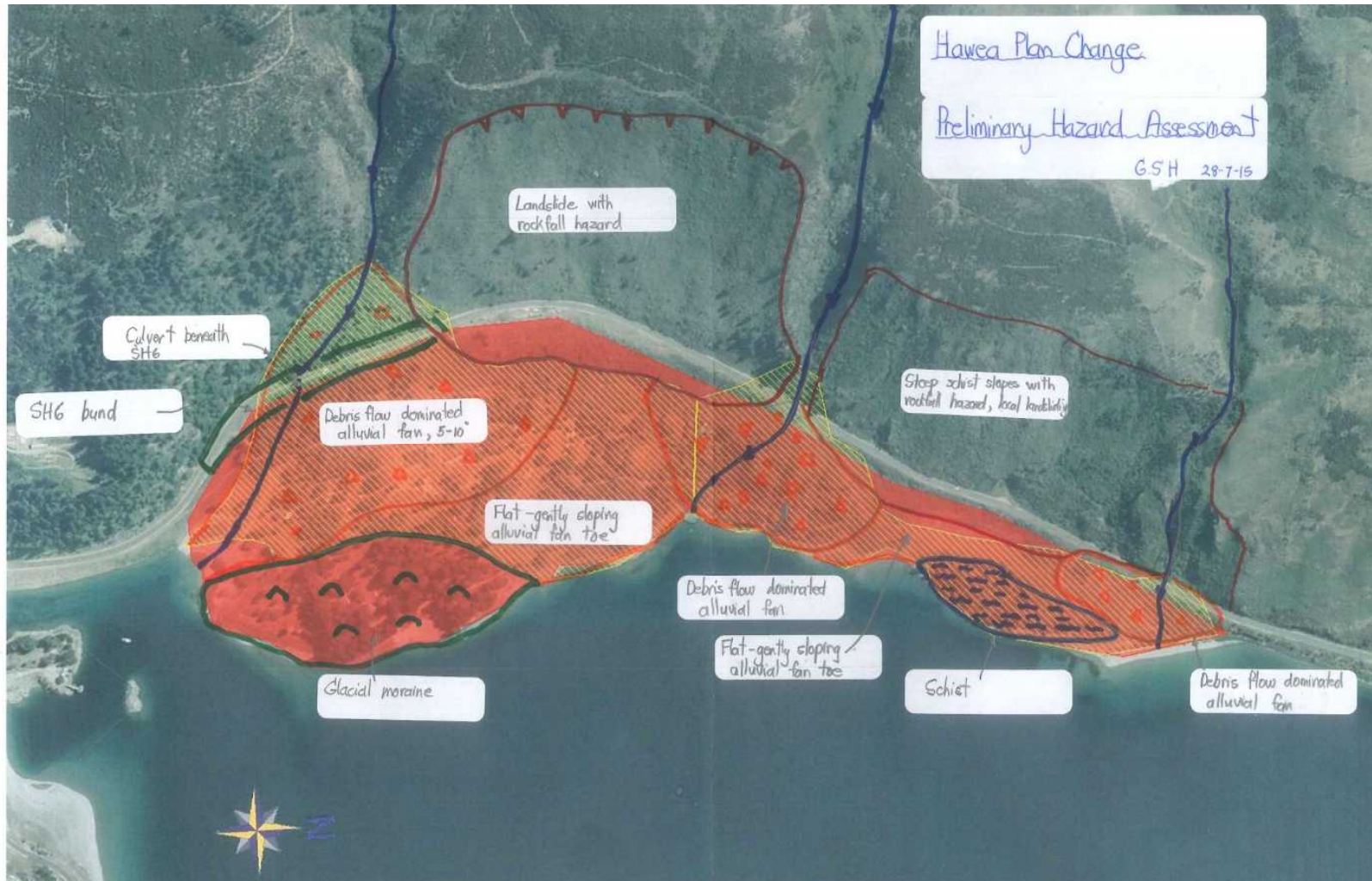


Figure 3: Geotechnical features

### 3.2.1 Flooding

The individual contributing catchment areas of the three significant gullies above the site are quite small, between 80 and 90 hectares. As such the watercourses are normally dry, and within the site most runoff can be expected to be absorbed by the alluvium with little or no surface flow. Accordingly the natural drainage courses within the site are not well defined.

In an extreme major flood event, the prevailing terrain at the southern end of the site would tend to direct floodwater toward the southern site boundary as indicated by the watercourse shown in Figure 1 above, thus avoiding the interior of the development area. However, particularly if accompanied by substantial sediment movement, potential exists for the watercourses to avulse upstream and flow unpredictably through the site. Such an event would be of extremely low probability.

Any flood risks will be minor and able to be mitigated by avoiding structures on locally low ground, slight elevation of floor levels, or low landscaped bunding.

### 3.2.2 Debris flow

Much of the site comprises various deposits of fan alluvium. On the steeper western side, undulating terrain and bouldery deposits suggest historic debris flows. Towards the lake on the eastern side of the site, the fan gradients reduce and the alluvium becomes flatter and less bouldery, suggesting a mechanism of shallow sheet debris flooding rather than concentrated high energy flows. Distal from the hillslopes, exposures of glacial moraine and schist mark areas that have not been affected at all by debris flows.

The fan alluvium is overlain by well-developed soils, supporting the 'fan less recently active' classification. However an extreme rainfall, particularly if preceded by a seismic event such as Alpine Fault movement, could potentially mobilise landsliding in the catchments and initiate debris events. In a major debris event the highway embankment will offer some protection but there remains a risk of some debris incursion into parts of the site. This risk will obviously be greater close to the western site boundary and will reduce to minimal levels toward the lake (eastern boundary).

As for flooding, any debris flow risks will be minor and able to be mitigated by avoiding structures on locally low ground, slight elevation of floor levels, or low landscaped bunding.

### 3.2.3 Liquefaction and lateral spreading

Seismic liquefaction occurs when excess pore pressures are generated in loose, saturated, generally cohesionless soil during earthquake shaking, causing the soil to undergo a partial to complete loss of shear strength. Such a loss of shear strength can result in settlement and/or horizontal movement (lateral spreading) of the soil mass. The occurrence of liquefaction is dependent on several factors, including the intensity and duration of ground shaking, soil density, particle size distribution, and elevation of the groundwater table.

At this location, the potential for liquefaction under seismic shaking is considered minimal. The vulnerable combination of fine sandy/silty soils with a shallow groundwater table is unlikely to be extensive within the site area, except possibly for margins near the lakeshore where structures could readily be avoided or if necessary provided with appropriate foundation solutions.

Likewise lateral spreading potential, if any, is likely to be confined to lakeside margins where a specific combination of vulnerable soils, shallow groundwater, and significant surface gradients all lie

within the same area. Again, at vulnerable locations structures could be avoided or mitigated with appropriate foundation solutions.

Investigations to confirm soil type and groundwater depths will be required at detailed design phase to assess any potential liquefaction induced settlement and foundation mitigation options.

#### 3.2.4 Landslide and Rockfall hazard

Significant landslide and rockfall hazards may exist near the base of steep cliffs along the western margin of the site. However, very few fallen boulders are evident in this area. It is considered that a substantial seismic event would be required to trigger destructive rock slides/falls, and the highway platform could be expected to catch much of any debris. A landslide/rockfall hazard zone can be identified by further investigation and model studies; any such zone would be confined to narrow strips along the western site boundary which could be protected by no-build restrictions, structural barriers or earthfill bunds.

## 4 Conclusions and Recommendations

A level of geotechnical hazard is present within the proposed development area, and site-specific investigation will be required to assess specific building platform locations. However we consider that the extent and degree of such hazards will be limited, such that they can be acceptably mitigated by standard planning and engineering measures.

Small areas within the overall site are likely to have a high exposure to rockfall or debris flow hazards, however these can be readily identified and avoided or mitigated. The great majority of the overall site is considered to be acceptably safe for Rural Visitor development or can easily be rendered safe with remedial measures.

We conclude that, from a natural hazards perspective, the area is suitable for Rural Visitor land use; noting that site-specific assessments will be required and localised mitigation measures may be necessary.

## 5 Applicability

This report has been prepared for the benefit of Paterson Pitts Group with respect to the particular brief given to us and it may not be relied upon in other contexts or for any other purpose without our prior review and agreement.

Further geotechnical investigations and reporting will be required at the detailed design phase after development plans are completed.

Report prepared by:



.....  
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Reviewed for GeoSolve Ltd by:



.....  
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## 6 References

Barrell, D., Cox, S., Greene, S., & Townsend., D. (Apr. 2009). *Otago Alluvial Fans Project: Supplementary maps and information on fans in selected areas of Otago*. GNS Science.

Opus. (Mar. 2009). *Otago Alluvial Fans Project (Regional Review)*.