

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of Hearing Stream 2
Rural (Rural, Rural
Residential and Rural
Lifestyle, Gibbston
Character Zone,
Indigenous Vegetation
and Biodiversity and
Wilding Exotic Trees)

**MEMORANDUM OF COUNSEL ON BEHALF OF THE QUEENSTOWN LAKES
DISTRICT COUNCIL IN RESPONSE TO PANEL'S FOURTH PROCEDURAL MINUTE
AND ATTACHING REDRAFTED CHAPTERS**

13 APRIL 2016

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MAY IT PLEASE THE PANEL

1. This memorandum is filed on behalf of the Queenstown Lakes District Council (**Council**) in response to the Panel's Fourth Procedural Minute (**Minute**), in particular paragraphs [6] to [10].¹
2. The Hearings Panel through the Minute comments on the difference between an objective and a policy² stating that:
 - (a) an objective is a goal or desired outcome and therefore it cannot commence with a verb;³
 - (b) that a policy is a course of action to be followed to implement an objective. Policies should indicate or enunciate what is to be done;⁴ and
 - (c) where an objective or policy is proposed it should be framed in accordance with these explanations.⁵
3. As the Minute was issued after the Council's s42A reports for the Rural Hearing were made available to the Panel and submitters, the Council has redrafted the objectives based on the guidance included in the Minute. Updated working drafts of the Revised Chapters are **attached** to this Memorandum, as follows:
 - (a) **Schedule 1** – 21 Rural Zone;
 - (b) **Schedule 2** – 22 Rural Residential and Lifestyle;
 - (c) **Schedule 3** – 23 Gibbston Character Zone;
 - (d) **Schedule 4** – 33 Indigenous Vegetation and Biodiversity; and
 - (e) **Schedule 5** – 34 Wilding Exotic Trees.

DATED this 13th day of April 2016



J G A Winchester / S J Scott
Counsel for the Queenstown Lakes District Council

1 Dated 8 April 2016.
2 At paragraphs 6 to 10.
3 At paragraph 7.
4 At paragraph 8.
5 At paragraph 9.

SCHEDULE 1

WORKING DRAFT: CHAPTER 21 RURAL ZONE

RURAL ZONE 21

Key:

Recommend changes to notified chapter are shown in underlined text for additions and ~~strike through text~~ for deletions. Dated 6 April 2016.

Further changes to objectives shown in purple underlined text for additions and ~~strike-through~~ text for deletions reflect Working Draft dated 13 April 2016, in response to the Panel's Fourth Procedural Minute, dated 8 April 2016.

21 Rural Zone

21.1 Zone Purpose

The purpose of the Rural zone is to enable farming activities while protecting, maintaining and enhancing landscape values, nature conservation values, the soil and water resource and rural amenity.

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

Ski Area sub zones are located within the Rural Zone. These sub zones recognise the contribution tourism infrastructure makes to the economic and recreational values of the District. The purpose of the Ski Area sub zones is to enable the continued development of Ski Area Activities as year round destinations within the identified sub zones where the effects of the development would be cumulatively minor.

Comment [CB1]: Submitters 610, 613, 615, FS1229.

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

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

The Gibbston Valley is recognised as a Special Character Area for viticulture production and the management of this area is provided for in Chapter 23.

Pursuant to Section 86(b)(3) of the RMA, the following rules that protect or relate to water have immediate legal effect:

- 21.4.24 and all rules in Table 9: Activities on the surface of lakes and rivers.
- 21.5.4: Setback of buildings from water bodies.
- 21.5.7: Dairy farming grazing within the bed or margin of a water body.
- 21.4.30 (b) and 21.4.32: Suction dredge mining.

RURAL ZONE 21

21.2 Objectives and Policies

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

Comment [CB2]: Submission 608 and grammatical change.

Policies

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

21.2.1.2 Provide for Farm Buildings associated with larger landholdings of 100 hectares in area where the location, scale and colour of the buildings will not adversely affect landscape values.

Comment [CB3]: Clarity and Submitter 437.

21.2.1.3 Require buildings to be set back a minimum distance from internal boundaries and road boundaries in order to mitigate potential adverse effects on landscape character, visual amenity, outlook from neighbouring properties and to avoid adverse effects on established and anticipated activities.

21.2.1.4 Minimise the dust, visual, noise and odour effects of activities by requiring facilities them to locate a greater distance from formed roads, neighbouring properties, waterbodies and zones that are likely to contain residential and commercial activity.

Comment [CB4]: Clarity

21.2.1.5 Have regard to the location and direction of lights so they do not cause glare to other properties, roads, public places or the night sky.

21.2.1.6 Avoid adverse cumulative impacts on ecosystem services and nature conservation values.

21.2.1.7 Have regard to the spiritual beliefs, cultural traditions and practices of Tangata Whenua.

21.2.1.8 Have regard to fire risk from vegetation and the potential risk to people and buildings, when assessing subdivision and development in the Rural Zone.

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

Policies

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

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

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

Comment [CB5]: Grammatical amendment to make consistent with the S42a recommendations Wilding Exotic Trees Revised Chapter.

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

Policies

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

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

RURAL ZONE 21

21.2.4 **Objective - ~~Manage~~ Situations where sensitive activities conflict with existing and anticipated activities are managed in the Rural Zone.**

Comment [CB6]: Grammatical efficiency. Not necessary to identify the zone.

Policies

21.2.4.1 New activities must ~~R~~ recognise that permitted and established activities in the Rural Zone may result in effects such as odour, noise, dust and traffic generation that are reasonably expected to occur and will be noticeable to residents and visitors in rural areas.

21.2.4.2 Control the location and type of non-farming activities in the Rural Zone, to minimise or avoid conflict with activities that may not be compatible with permitted or established activities.

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

Comment [CB7]: Grammatical change to read more like an outcome statement.

Comment [CB8]: Submitter 706.

Policies

21.2.5.1 Recognise Have regard the importance and economic value of locally sourced mined high-quality gravel, rock and other minerals including gold and tungsten for road making and construction activities.

Comment [CB9]: Grammatical correction.

Comment [CB10]: Submitter 519.

21.2.5.2 ~~Recognise~~ Provide for exploration, prospecting and small scale recreational gold mining as activities with limited environmental impact.

Comment [CB11]: Submitter 519

21.2.5.3 Ensure that during and following the conclusion of mineral extractive activities, sites are progressively rehabilitated in a planned and co-ordinated manner, to enable the establishment of a land use appropriate to the area.

21.2.5.4 Ensure potential adverse effects of large-scale extractive activities (including mineral exploration) are avoided, ~~or remedied or mitigated,~~ particularly where those activities have potential to degrade landscape quality, character and visual amenity, indigenous biodiversity, lakes and rivers, potable water quality and the life supporting capacity of water.

Comment [CB12]: Submitter 706.

Comment [CB13]: Submitter 519

21.2.6 **Objective - ~~Encourage t~~ The future growth, development and consolidation of existing Ski Areas Skiing Area Activities is encouraged within identified Ski Area Sub Zones, while avoiding, remedying or mitigating adverse effects on the environment.**

Comment [CB14]: Grammatical change to read more like an outcome statement.

Comment [CB15]: Grammatical change

Policies

21.2.6.1 Identify Ski Field Sub Zones and encourage Ski Area Activities to locate and consolidate within the sub zones.

21.2.6.2 Control the visual impact of roads, buildings and infrastructure associated with Ski Area Activities.

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

21.2.7 **Objective - ~~Separate activities sensitive to aircraft noise from existing airports through:~~**

- ~~• Wanaka: Retention of an area containing activities that are not sensitive to aircraft noise, within an airport's Outer Control Boundary, to act as a buffer between airports and activities sensitive to aircraft noise (ASAN).~~

RURAL ZONE 21

- ~~Queenstown: Retention of an area for Airport related activities or where appropriate an area for activities not sensitive to aircraft noise within an airport's Outer Control Boundary to act as a buffer between airports and other land use activities.~~

An area to contain is retained Retention of an area containing activities that are not sensitive to aircraft noise, is retained within an airport's Outer Control Boundary, to act as a buffer between airports and Activities Sensitive to Aircraft Noise.

Comment [CB16]: Submitter 433.

Policies

- 21.2.7.1 Prohibit all new Activity Sensitive to Aircraft Noise (ASAN) on rural zoned land within the Outer Control Boundary (OCB) at Queenstown Airport and Wanaka Airport to avoid adverse effects arising from aircraft operations on future Activity Sensitive to Aircraft Noise (ASAN).
- 21.2.7.2 Identify and maintain areas containing activities that are not sensitive to aircraft noise, within an airport's outer control boundary, to act as a buffer between the airport and activities sensitive to aircraft noise.
- 21.2.7.3 Retain open space within the outer control boundary of airports in order to provide a buffer, particularly for safety and noise purposes, between the airport and other activities.
- 21.2.7.4 Require as necessary mechanical ventilation for any alterations or additions to Critical Listening Environment within any existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Outer Control Boundary and require sound insulation and mechanical ventilation for any alterations or additions to Critical Listening Environment within any existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Air Noise Boundary.
- 21.2.8 **Objective - ~~Avoid~~ Subdivision, use and development ~~is avoided, remedied or mitigated~~ in areas that are identified as being unsuitable due to identified constraints for development ~~is avoided, remedied or mitigated.~~**

Comment [CB17]: Grammatical change. Submitter 356.

Policies

- 21.2.8.1 ~~Assess subdivision and development proposals against the applicable District Wide chapters, in particular, the objectives and policies of the Natural Hazards and Landscape chapters. To ensure that any subdivision, use and development is undertaken on land that is appropriate in terms of the anticipated use, having regard to potential constraints including hazards and landscape.~~
- 21.2.8.2 Prevent subdivision and development within the building restriction areas identified on the District Plan maps, in particular:
- In the Glenorchy area, protect the heritage value of the visually sensitive Bible Face landform from building and development and to maintain the rural backdrop that the Bible Face provides to the Glenorchy Township.
 - In Ferry Hill, within the building line restriction identified on the planning maps.
- 21.2.9 **Objective - ~~Ensure commercial~~ A range of activities are undertaken on the basis they do not degrade landscape values, rural amenity, or impinge on ~~farming permitted and established~~ activities.**

Comment [CB18]: Submitter 433.

Comment [CB19]: Submitter 806.

Policies

- 21.2.9.1 Commercial activities in the Rural Zone should have a genuine link with the rural land and water resource, farming, horticulture or viticulture activities, or recreation activities associated with resources located within the Rural Zone.

Comment [CB20]: Clarity. Activities on the surface of water are deemed to be a use of land, however water is added for clarity.

RURAL ZONE 21

- 21.2.9.2 ~~Avoid~~ Provide for the establishment of commercial, retail and industrial activities only where they ~~se~~ would ~~degrade~~ protect, maintain or enhance rural quality or character, amenity ~~values~~ and landscape ~~values~~.
- Comment [CB21]:** Submitter 806 and FS1313.
- 21.2.9.3 Encourage forestry to be consistent with topography and vegetation patterns, to locate outside of the Outstanding Natural Features and Landscapes, significant natural areas and ensure forestry does not degrade the landscape character or visual amenity values of the Rural Landscape.
- Comment [CB22]:** Submitter 706.
- 21.2.9.4 Ensure forestry harvesting avoids adverse effects with regards to siltation and erosion and sites are rehabilitated to minimise runoff, erosion and effects on landscape values.
- 21.2.9.5 Limit exotic forestry to species that do not have any potential to spread and naturalise.
- Comment [CB23]:** Submitter 600.
- 21.2.9.6 Ensure traffic from commercial activities does not diminish rural amenity or affect the safe and efficient operation of the roading and trail network, or access to public places.
- 21.2.9.7 Provide for a range of activities that support the vitality, use and enjoyment of the Queenstown Trail and Upper Clutha Tracks Trail network on the basis landscape and rural amenity is protected, maintained or enhanced and established activities are not compromised.
- Comment [CB24]:** Submitter 671
- 21.2.10 **Objective - ~~Recognise~~ The potential for d ~~Diversification of farming and other rural activities that utilises the natural or physical resources of farms and supports the sustainability of farming activities-natural and physical resources.~~**
- Comment [CB25]:** Multiple submitters.
- 21.2.10.1 Encourage revenue producing activities that can support the long term sustainability of ~~farming and rural areas of~~ in the district.
- 21.2.10.2 Ensure that revenue producing activities utilise natural and physical resources (including buildings) in a way that maintains and enhances landscape quality, character, rural amenity, and natural ~~values-resources~~.
- 21.2.10.3 ~~Recognise~~ Have regard to that the establishment of ~~complementary~~ activities such as tourism, commercial recreation or visitor accommodation located within farms where these may enable landscape values and indigenous biodiversity, to be sustained in the longer term. ~~Such positive effects should be taken into account in the assessment of any resource consent applications.~~
- 21.2.11 **Objective - ~~Manage~~ The location, scale and intensity of informal airports is managed.**
- Policies**
- 21.2.11.1 Recognise that informal airports are an appropriate activity within the rural environment, provided the informal airport is located, operated and managed so as to minimise adverse effects on the surrounding rural amenity.
- 21.2.11.2 Protect rural amenity values, and amenity of other zones from the adverse effects that can arise from informal airports.
- 21.2.12 **Objective - ~~Protect, maintain or enhance~~ The surface of lakes and rivers and their margins are protected, maintained or enhanced.**
- Comment [CB26]:** Grammatical change to read more like an outcome statement.
- Policies**
- 21.2.12.1 Have regard to statutory obligations, the spiritual beliefs, cultural traditions and practices of Tangata Whenua where activities are undertaken on the surface of lakes and rivers and their margins.

RURAL ZONE 21

- 21.2.12.2 Enable people to have access to a wide range of recreational experiences on the lakes and rivers, based on the identified characteristics and environmental limits of the various parts of each lake and river.
- 21.2.12.3 Avoid or mitigate the adverse effects of frequent, large-scale or intrusive commercial activities such as those with high levels of noise, vibration, speed and wash, in particular motorised craft in areas of high passive recreational use, significant nature conservation values and wildlife habitat.
- 21.2.12.4 Recognise ~~Have~~ regard to the whitewater values of the District's rivers and, in particular, the values of the Kawarau, Nevis and Shotover Rivers as ~~two~~ three of the few remaining major unmodified whitewater rivers in New Zealand, and to support measures to protect this characteristic of rivers.
- 21.2.12.5 Protect, maintain or enhance the natural character and nature conservation values of lakes, rivers and their margins, with particular regard to places with nesting and spawning areas, the intrinsic value of ecosystem services and areas of indigenous fauna habitat and recreational values.
- 21.2.12.6 Recognise and provide for the maintenance and enhancement of public access to and enjoyment of the margins of the lakes and rivers.
- 21.2.12.7 Ensure that the location, design and use of structures and facilities are such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities on the lakes and rivers are ~~avoided, remedied or mitigated.~~
- 21.2.12.8 Encourage the development and use of marinas, jetties and moorings in a way that ~~avoids or, where necessary, remedies and/or~~ mitigates adverse effects on the environment.
- 21.2.12.9 Take into account the potential adverse effects on nature conservation values from the boat wake of commercial boating activities, having specific regard to the intensity and nature of commercial jet boat activities and the potential for turbidity and erosion.
- 21.2.12.10 Ensure that the nature, scale and number of commercial boating operators and/or commercial boats on waterbodies do not exceed levels where the safety of passengers and other users of the water body cannot be assured.
- 21.2.13 **Objective - ~~Enable~~ Rural industrial activities within the Rural Industrial Sub Zones, ~~that will~~ support farming and rural productive activities, while protecting, maintaining and enhancing rural character, amenity and landscape values.**

Comment [CB27]: Grammatical change

Comment [CB28]: Submitter 706.

Comment [CB29]: Submitter 519.

Comment [CB30]: Submitter 194.

Comment [CB31]: Submitter 621 and grammatical correction.

Comment [CB32]: Grammatical Change

Policies

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

21.3 Other Provisions and Rules

21.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (ODP).

1 Introduction	2 Definitions	3 Strategic Direction
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RURAL ZONE 21

4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 ODP)	25 Earthworks (22 ODP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport (14 ODP)
30 Utilities and Renewable Energy	31 Hazardous Substances (16 ODP)	32 Protected Trees
33 Indigenous Vegetation	34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings
36 Noise	37 Designations	Planning Maps

21.3.2 Regional Council Provisions

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

21.3.3 Clarification

21.3.3.1 A permitted activity must comply with all the rules listed in the activity and standards tables, and any relevant district wide rules.

21.3.3.2 Where an activity does not comply with a standard listed in the standards tables, the activity status identified by the 'Non-Compliance Status' column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

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

21.3.3.4 The Council reserves the right to ensure development and building activities are undertaken in accordance with the conditions of resource consent through monitoring.

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

21.3.3.6 For controlled and restricted discretionary activities, the Council shall restrict the exercise of its discretion to the matters listed in the rule.

21.3.3.7 The existence of a farm building either permitted or approved by resource consent under Table 4 – Farm Buildings shall not be considered the permitted baseline for residential or other non-farming activity development within the Rural Zone.

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

21.3.3.9 Ground floor area means any areas covered by the building or parts of the buildings and includes overhanging or cantilevered parts but does not include pergolas (unroofed), projections not greater than 800mm including eaves, bay or box windows, and uncovered terraces or decks less than 1m above ground level.

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

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

RURAL ZONE 21

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

21.4 Rules - Activities

All activities, including any listed permitted activities shall be subject to the rules and standards contained in Tables 1 to 10.

Table 1 – Activities

Table 2 – Standards for all Activities

Table 3 – Structures and Buildings

Table 4 – Farm Buildings

Table 5 – Commercial Activities

Table 6 – Informal Airports

Table 7 – Ski Area Sub Zone

Table 8 – Rural Industrial Sub Zone

Table 9 – Surface of Lakes and Rivers

Table 10 – Closeburn Station

Rule	Table 1 – Activities Rural Zone	Activity
21.4.1	Any activity not listed in tables 1 to 10.	NC
	Farming Activities	
21.4.2	Farming Activity that complies with the standards in Table 2.	P
21.4.3	Construction or addition to farm buildings that comply with the standards in Table 4.	P
21.4.4	Factory Farming that complies with the standards in Table 2.	P
	Residential Activities, Subdivision and Development	
21.4.5	The use of land or buildings for residential activity except as provided for in any other rule.	D
21.4.6	One residential unit within any building platform approved by resource consent.	P
21.4.7	The construction and exterior alteration of buildings located within a building platform approved by resource consent, or registered on the applicable computer freehold register, subject to compliance with the standards in Table 3.	P
21.4.8	The exterior alteration of any lawfully established building located outside of a building platform, subject to compliance with the standards in Table 3.	P

RURAL ZONE 21

Rule	Table 1 – Activities Rural Zone	Activity
21.4.9	The identification of a building platform not less than 70m ² and not greater than 1000m ² .	D
21.4.10	The construction of any building including the physical activity associated with buildings including roading, access, lighting, landscaping and earthworks, not provided for by any other rule.	D
21.4.11	Domestic Livestock.	P
21.4.12	Residential Flat (activity only, the specific rules for the construction of any buildings apply).	P
Commercial Activities		
21.4.13	Home Occupation that complies with the standards in Table 5.	P
21.4.14	<p>Retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site and that comply with the standards in Table 5.</p> <p>Except roadside stalls that meet the following shall be a permitted activity:</p> <ol style="list-style-type: none"> a. the ground floor area is less than 5m²; b. are not higher than 2.0m from ground level; c. the minimum sight distance from the stall/access shall be 200m; d. the minimum distance of the stall/access from an intersection shall be 100m; and, the stall shall not be located on the legal road reserve. <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • The location of the activity and buildings. • Vehicle crossing location, car parking. • Rural amenity and landscape character. 	C
21.4.15	Commercial activities ancillary to and located on the same site as recreational activities.	D
21.4.16	Commercial recreation activities that comply with the standards in Table 5.	P
21.4.17	Cafes and restaurants located in a winery complex within a vineyard.	D
21.4.18	Ski Area Activities within the Ski Area Sub Zone.	P
21.4.19	Ski Area Activities not located within a Ski Area Sub Zone, with the exception of <u>Passenger Lift Systems</u> , heli-skiing and non-commercial skiing.	NC
21.4.20	Visitor Accommodation.	D
21.4.21	Forestry Activities in Rural Landscapes.	D

Comment [CB33]: Submitter 407

RURAL ZONE 21

Rule	Table 1 – Activities Rural Zone	Activity
21.4.22	Retail activities within the Rural Industrial Sub Zone that involve the sale of goods produced, processed or manufactured on site or ancillary to Rural Industrial activities that comply with Table 8.	P
21.4.23	Administrative offices ancillary to and located on the same site as Rural Industrial activities being undertaken within the Rural Industrial Sub Zone that comply with Table 8.	P
	Other Activities	
21.4.24	Activities on the surface of lakes and rivers that comply with Table 9.	P
21.4.25	Informal Airports that comply with Table 6.	P
21.4.26	Any building within a Building Restriction Area identified on the Planning Maps.	NC
21.4.27	Recreation and/or Recreational Activity.	P
	Activities within the Outer Control Boundary at Queenstown Airport and Wanaka Airport	
21.4.28	New Building Platforms and Activities within the Outer Control Boundary - Wanaka Airport On any site located within the Outer Control Boundary, any new activity sensitive to aircraft noise or new building platform to be used for an activity sensitive to aircraft noise (except an activity sensitive to aircraft noise located on a building platform approved before 20 October 2010).	PR
21.4.29	Activities within the Outer Control Boundary - Queenstown Airport On any site located within the Outer Control Boundary, which includes the Air Noise Boundary, as indicated on the District Plan Maps, any new Activity Sensitive to Aircraft Noise.	PR
	Mining Activities	
21.4.30	The following mining and extraction activities are permitted: a. Mineral prospecting. b. Mining by means of hand-held, non-motorised equipment and suction dredging, where the total motive power of any dredge does not exceed 10 horsepower (7.5 kilowatt); and c. The mining of aggregate for farming activities provided the total volume does not exceed 1000m ³ in any one year. d. The activity will not be undertaken on an Outstanding Natural Feature.	P

RURAL ZONE 21

Rule	Table 1 – Activities Rural Zone	Activity
21.4.31	<p>Mineral exploration that does not involve more than 20m³ in volume in any one hectare</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • The adverse effects on landscape, nature conservation values and water quality. <p>Rehabilitation of the site is completed that ensures:</p> <ul style="list-style-type: none"> • the long term stability of the site. • that the landforms or vegetation on finished areas are visually integrated into the landscape. • water quality is maintained. • that the land is returned to its original productive capacity. • <u>that the land is rehabilitated to indigenous vegetation where the pre-existing land cover immediately prior to the exploration, comprised indigenous vegetation in terms of Part 33.3.3.2 and 33.3.3.3.</u> 	C
21.4.32	Any mining activity other than provided for in rules 21.4.30 and 21.4.31.	D
	Industrial Activities	
21.4.33	Rural Industrial Activities within a Rural Industrial Sub-Zone that comply with Table 8.	P
21.4.34	Buildings for Rural Industrial Activities that comply with Table 8.	P
21.4.35	Industrial Activities directly associated with wineries and underground cellars within a vineyard.	D
21.4.36	Other Industrial Activities.	NC

Comment [CB34]: Submitter 706.

RURAL ZONE 21

21.5 Rules - Standards

	Table 2 - General Standards. The following standards apply to any of the activities described in Tables 1 to 10 in addition to the specific table (Tables 3-10) unless otherwise stated.	Non-compliance
21.5.1	<p>Setback from Internal Boundaries</p> <p>The minimum setback of any building from internal boundaries shall be 15m.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Rural Amenity and landscape character. • Privacy, outlook and amenity from adjoining properties. <p>Except this rule shall not apply within the Rural Industrial Sub Zone. Refer to Table 8.</p>	RD
21.5.2	<p>Setback from Roads</p> <p>The minimum setback of any building from a road boundary shall be 20m, except, the minimum of any building setback from State Highway 6 between Lake Hayes and Frankton shall be 50m. The minimum setback of any building for other sections of State Highway 6 where the speed limit is 70 km/hr or greater shall be 40m.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Rural Amenity and landscape character. • Open space. • The adverse effects on the proposed activity from noise, glare and vibration from the established road. 	RD
21.5.3	<p>Setback from Neighbours of Buildings Housing Animals</p> <p>The minimum setback from internal boundaries for any building housing animals shall be 30m.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Odour. • Noise. • Dust. • Vehicle movements. 	RD
21.5.4	<p>Setback of buildings from Water bodies</p> <p>The minimum setback of any building from the bed of a wetland, river or lake shall be 20m.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Indigenous biodiversity values. • Visual amenity values. • Landscape and natural character. 	RD

RURAL ZONE 21

	Table 2 - General Standards. The following standards apply to any of the activities described in Tables 1 to 10 in addition to the specific table (Tables 3-10) unless otherwise stated.	Non-compliance
	<ul style="list-style-type: none"> • Open space. • Whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the adverse effects of the location of the building. 	
21.5.5	Dairy Farming (Milking Herds, Dry Grazing and Calf Rearing) All effluent holding tanks, effluent treatment and effluent storage ponds, shall be located at least 300 metres from any formed road or adjoining property. Discretion is restricted to all of the following: <ul style="list-style-type: none"> • Odour. • Visual prominence. • Landscape character. • Effects on surrounding properties. 	RD
21.5.6	Dairy Farming (Milking Herds, Dry Grazing and Calf Rearing) All milking sheds or buildings used to house or feed milking stock shall be located at least 300 metres from any adjoining property or formed road.	D
21.5.7	Dairy Farming (Milking Herds, Dry Grazing and Calf Rearing) Stock shall be prohibited from standing in the bed of, or on the margin of a water body. For the purposes of this rule: <ul style="list-style-type: none"> • Margin means land within 3.0 metres from the edge of the bed. • Water body has the same meaning as in the RMA, and also includes any drain or water race that goes to a lake or river. 	PR
21.5.8	Factory Farming (excluding the boarding of animals) Factory farming within 2 kilometres of a Residential, Rural Residential, Rural Lifestyle, Township, Rural Visitor, Town Centre, Local Shopping Centre or Resort Zone.	D
21.5.9	Factory Farming Factory farming of pigs where: <ul style="list-style-type: none"> 21.5.9.1 the number of housed pigs exceeds 50 sows or 500 pigs of mixed ages; and/or 21.5.9.2 any housed pigs are closer than 500m to a property boundary; and/or 21.5.9.3 the number of outdoor pigs exceeds 100 pigs and their progeny up to weaner stage; and/or 	NC

RURAL ZONE 21

	Table 2 - General Standards.	Non-compliance
	The following standards apply to any of the activities described in Tables 1 to 10 in addition to the specific table (Tables 3-10) unless otherwise stated.	
	21.5.9.4 outdoor sows are not ringed at all times; and/or 21.5.9.5 the stocking rate of outdoor pigs exceeds 15 pigs per hectare, excluding progeny up to weaner stage.	
21.5.10	Factory farming of poultry where: 21.5.10.1 the number of birds exceeds 10,000 birds; and/or 21.5.10.2 birds are housed closer than 300m to a site boundary.	NC
21.5.11	Any factory farming activity other than factory farming of pigs or poultry.	NC
21.5.12	Airport Noise – Wanaka Airport Alterations or additions to existing buildings, or construction of a building on a building platform approved before 20 October 2010 within the Outer Control Boundary, shall be designed to achieve an internal design sound level of 40 dB Ldn, based on the 2036 noise contours, at the same time as meeting the ventilation requirements in Table 5, Chapter 36. Compliance can either be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the internal design sound level, or by installation of mechanical ventilation to achieve the requirements in Table 5, Chapter 36.	NC
21.5.13	Airport Noise – Alteration or Addition to Existing Buildings (excluding any alterations or additions to any non-critical listening environment) within the Queenstown Airport Noise Boundaries (a) Within the Queenstown Airport Air Noise Boundary (ANB) - Alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn, within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either adhering to the sound insulation requirements in Table 4 of Chapter 36 and installation of mechanical ventilation to achieve the requirements in Table 5 of Chapter 36, or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open. (b) Between the Queenstown Airport Outer Control Boundary (OCB) and the ANB – Alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Table 5 of Chapter 36 or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open. (c) Standards (a) and (b) exclude any alterations or additions to any non-critical listening environment.	NC
21.5.x	<u>Lighting and Glare</u> 21.5.13.1 All fixed exterior lighting shall be directed away from adjoining	NC

Comment [CB35]: Submitter 568.

RURAL ZONE 21

Table 2 - General Standards.		Non-compliance
The following standards apply to any of the activities described in Tables 1 to 10 in addition to the specific table (Tables 3-10) unless otherwise stated.		
	<u>sites and roads; and</u>	
21.5.13.2	<u>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, provided that this rule shall not apply where it can be demonstrated that the design of adjacent buildings adequately mitigates such effects.</u>	
21.5.13.3	<u>There shall be no upward light spill.</u>	

RURAL ZONE 21

	Table 3 – Standards for Structures and Buildings The following standards apply to structures and buildings, except Farm Buildings.	Non-compliance
21.5.14	<p>Structures</p> <p>Any structure within 10 metres of a road boundary, which is greater than 5 metres in length, and between 1 metre and 2 metres in height, except for:</p> <p>21.5.14.1 post and rail, post and wire and post and mesh fences, including deer fences;</p> <p>21.5.14.2 any structure associated with farming activities as defined in this plan.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Effects on landscape character, views and amenity, particularly from public roads. • The materials used, including their colour, reflectivity and permeability. • Whether the structure will be consistent with traditional rural elements. 	RD
21.5.15	<p>Buildings</p> <p>Any building, including any structure larger than 5m², that is new, relocated, altered, reclad or repainted, including containers intended to, or that remain on site for more than six months, and the alteration to any lawfully established building are subject to the following:</p> <p>All exterior surfaces* shall be coloured in the range of browns, greens or greys (except soffits), including;</p> <p>21.5.15.1 Pre-painted steel and all roofs shall have a <u>light</u> reflectance value not greater than 20%; and,</p> <p>21.5.15.2 All other surface** finishes shall have a <u>light</u> reflectance value of not greater than 30%.</p> <p>21.5.15.3 In the case of alterations to an existing building not located within a building platform, it does not increase the ground floor area by more than 30% in any ten year period.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • External appearance. • Visual prominence from both public places and private locations. • Landscape character. • Visual amenity. <p><u>Except this rule shall not apply within the Ski Area Sub Zones.</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 to be suitably recessive and</u></p>	RD

Comment [CB36]: Submitters 610 and 613.

Comment [CB37]: Submitter 608 and others.

RURAL ZONE 21

Table 3 – Standards for Structures and Buildings		Non-compliance
The following standards apply to structures and buildings, except Farm Buildings.		
<u>have the same effect as achieving a light reflectance value of 30%.</u>		
21.5.16	<p>Building size</p> <p>The maximum ground floor area of any building shall be 500m².</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • External appearance. • Visual prominence from both public places and private locations. • Landscape character. • Visual amenity. • Privacy, outlook and amenity from adjoining properties. <p><u>Except this rule shall not apply within the Ski Area Sub Zones.</u></p>	RD
21.5.17	<p>Building Height</p> <p>The maximum height shall be 8m.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Rural Amenity and landscape character. • Privacy, outlook and amenity from adjoining properties. • Visual prominence from both public places and private locations. 	RD

Table 4 - Standards for Farm Buildings		Non-compliance
The following standards apply to Farm Buildings.		
21.5.18	<p>The construction, replacement or extension of a farm building as a permitted activity is subject to the following:</p> <p>21.5.18.1 The landholding is greater than 100ha; and</p> <p>21.5.18.2 The density of all buildings on the site, inclusive of the proposed building(s) will be less than one farm building <u>per 50</u> 25 hectares on the site; and</p> <p>21.5.18.3 Is not located within an Outstanding Natural Feature (ONF); and</p> <p>21.5.18.4 If located within the Outstanding Natural Landscapes (ONL) is less than 4 metres in height and the ground floor area is not greater than 100m²; and</p> <p>21.5.18.5 Is less than 600 masl; and</p> <p>21.5.18.6 If located within the Rural Landscapes (RLC), is less than 5m in height and the ground floor area is not greater than 300m²;</p>	RD

Comment [CB38]: Submitter 145.

RURAL ZONE 21

Table 4 - Standards for Farm Buildings		Non-compliance
	The following standards apply to Farm Buildings.	
	<p style="text-align: center;">and</p> <p>21.5.18.7 Buildings shall not protrude onto a skyline or above a terrace edge when viewed from adjoining sites, or formed roads within 2km of the location of the proposed building.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Rural Amenity values. • Landscape character. • Privacy, outlook and rural amenity from adjoining properties. • Visibility, including lighting. • Scale. • Location. 	
21.5.19	<p>Exterior colours of buildings:</p> <p>21.5.19.1 All exterior surfaces shall be coloured in the range of browns, greens or greys (except soffits).</p> <p>21.5.19.2 Pre-painted steel, and all roofs shall have a reflectance value not greater than 20%.</p> <p>21.5.19.3 Surface finishes shall have a reflectance value of not greater than 30%.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • External appearance. • Visual prominence from both public places and private locations. • Landscape character. • Visual amenity. 	RD
21.5.20	<p>Building Height</p> <p>The maximum height for any farm building shall be 10m.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> • Rural amenity values. • Landscape character. • Privacy, outlook and amenity from adjoining properties. 	D

Table 5 - Standards for Commercial Activities		Non-Compliance
21.5.21	Commercial recreation activity undertaken on land, outdoors and involving	D

RURAL ZONE 21

Table 5 - Standards for Commercial Activities		Non-Compliance
	not more than 10 persons in any one group.	
21.5.22	<p>Home Occupation</p> <p>21.5.22.1 The maximum net floor area of home occupation activities shall be 150m²;</p> <p>21.5.22.2 No goods materials or equipment shall be stored outside a building;</p> <p>21.5.22.3 All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • The nature, scale and intensity of the activity in the context of the surrounding rural area. • Visual amenity from neighbouring properties and public places. • Noise, odour and dust. • The extent to which the activity requires a rural location because of its link to any rural resource in the Rural Zone. • Access safety and transportation effects. 	RD
21.5.23	<p>Retail Sales</p> <p>Buildings in excess of 25m² gross floor area to be used for retail sales identified in Table 1 shall be setback from road boundaries by a minimum distance of 30m.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Landscape character and visual amenity. • Access safety and transportation effects. • On-site parking. 	RD
21.5.24	<p>Retail Sales</p> <p>Retail sales where the access is onto a State Highway, with the exception of the activities listed in Table 1.</p>	NC

Table 6 - Standards for Informal Airports		Non-Compliance
21.5.25	<p>Informal Airports Located on Public Conservation and Crown Pastoral Land</p> <p>Informal airports that comply with the following standards shall be permitted activities:</p> <p>21.5.25.1 Informal airports located on Public Conservation Land where the operator of the aircraft is operating in accordance with a Concession issued pursuant to Section 17 of the Conservation</p>	D

RURAL ZONE 21

Table 6 - Standards for Informal Airports		Non-Compliance
	<p>Act 1987;</p> <p>21.5.25.2 Informal airports located on Crown Pastoral Land where the operator of the aircraft is operating in accordance with a Recreation Permit issued pursuant to Section 66A of the Land Act 1948;</p> <p>21.5.25.3 Informal airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities, <u>or the Department of Conservation or its agents;</u></p> <p>21.5.25.4 In relation to points (21.5.25.1) and (21.5.25.2), the informal airport shall be located a minimum distance of 500 metres from <u>any other zone, formed legal road or</u> the notional boundary of any residential unit or approved building platform not located on the same site.</p>	
21.5.26	<p>Informal Airports Located on other Rural Zoned Land</p> <p>Informal Airports that comply with the following standards shall be permitted activities:</p> <p>21.5.26.1 Informal airports on any site that do not exceed a frequency of use of <u>3-2</u> flights* per <u>day week</u>;</p> <p>21.5.26.2 Informal airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities;</p> <p>21.5.26.3 In relation to point (21.5.26.1), the informal airport shall be located a minimum distance of 500 metres from any <u>other zone, formed legal road or</u> the notional boundary of any residential unit of building platform not located on the same site.</p> <p>* note for the purposes of this Rule a flight includes two aircraft movements i.e. an arrival and departure.</p>	D

Comment [CB39]: Submitter 373.

Comment [CB40]: Multiple Submitters.

Comment [CB41]: Multiple submitters.

Table 7 – Standards for Ski Area Activities within the Ski Area Sub Zones		Activity
21.5.27	<p>Construction, relocation, addition or alteration of a building.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • Location, external appearance and size, colour, visual dominance. • Associated earthworks, access and landscaping. • Provision of water supply, sewage treatment and disposal, electricity and communication services (where necessary). • Lighting. 	C
21.5.28	<p>Ski tows and lifts <u>Passenger Lift Systems.</u></p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • The extent to which the ski tow or lift or building <u>passenger lift system</u> breaks the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes. 	C

Comment [CB42]: Submitter 407

Comment [CB43]: Submitter 407

RURAL ZONE 21

Table 7 – Standards for Ski Area Activities within the Ski Area Sub Zones		Activity
	<ul style="list-style-type: none"> • Whether the materials and colour to be used are consistent with the rural landscape of which the <u>passenger lift system</u> will form a part. • Balancing environmental considerations with operational characteristics. 	
21.5.29	<p>Night lighting.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • Hours of operation. • Duration and intensity. • Impact on surrounding properties. 	C
21.5.30	<p>Vehicle Testing.</p> <p>In the Waiorau Snow Farm Ski Area Activity Sub Zone; the construction of access ways and tracks associated with the testing of vehicles, their parts and accessories.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • Gravel and silt run off. • Stormwater, erosion and siltation. • The sprawl of tracks and the extent to which earthworks modify the landform. • Stability of over-steepened embankments. 	C
21.5.31	<p>Retail activities ancillary to Ski Area Activities.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • Location. • Hours of operation with regard to consistency with ski-area activities. • Amenity effects, including loss of remoteness or isolation. • Traffic congestion, access and safety. • Waste disposal. • Cumulative effects. 	C
<u>21.5.X</u>	<p><u>Visitor Accommodation.</u></p> <p><u>Discretion is restricted to all of the following:</u></p> <ul style="list-style-type: none"> • <u>Scale and intensity and whether these would have adverse effects on amenity, including loss of remoteness or isolation.</u> • <u>Location, including whether that because of the scale and intensity the visitor accommodation should be located near the base building area (if any).</u> • <u>Parking.</u> • <u>Provision of water supply, sewage treatment and disposal.</u> 	RD

Comment [CB44]: Submitter 407

Comment [CB45]: Submitter 572

RURAL ZONE 21

	Table 7 – Standards for Ski Area Activities within the Ski Area Sub Zones	Activity
	<ul style="list-style-type: none"> • <u>Cumulative effects.</u> 	

	Table 8 – Standards for activities within the Rural Industrial Sub Zone	Non-Compliance
21.5.32	<p>Buildings</p> <p>Any building, including any structure larger than 5m², that is new, relocated, altered, reclad or repainted, including containers intended to, or that remain on site for more than six months, and the alteration to any lawfully established building are subject to the following:</p> <p>All exterior surfaces shall be coloured in the range of browns, greens or greys (except soffits), including;</p> <p>21.5.32.1 Pre-painted steel and all roofs shall have a reflectance value not greater than 20%; and,</p> <p>21.5.32.2 All other surface finishes shall have a reflectance value of not greater than 30%.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • External appearance. • Visual prominence from both public places and private locations. • Landscape character. • Visual amenity. 	RD
21.5.33	<p>Building size</p> <p>The maximum ground floor area of any building shall be 500m².</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • External appearance. • Visual prominence from both public places and private locations. • Visual amenity. • Privacy, outlook and amenity from adjoining properties. 	RD
21.5.34	<p>Building Height</p> <p>The maximum height for any industrial building shall be 10m.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • rural amenity and landscape character. • privacy, outlook and amenity from adjoining properties. 	RD
21.5.35	<p>Setback from Sub Zone Boundaries</p> <p>The minimum setback of any building within the Rural Industrial Sub Zone shall be 10m from the Sub Zone boundaries.</p>	RD

RURAL ZONE 21

	Table 8 – Standards for activities within the Rural Industrial Sub Zone	Non-Compliance
	<p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • The requirement for landscaping to act as a buffer between the Rural Industrial Sub-Zone and neighbouring properties and whether there is adequate room for landscaping within the reduced setback. • Rural amenity and landscape character. • Privacy, outlook and amenity from adjoining properties. 	
21.5.36	<p>Retail Activities</p> <p>Retail activities including the display of items for sale shall be undertaken within a building and shall not exceed 10% of the building's total floor area.</p>	NC
21.5.37	<p>Lighting and Glare</p> <p>21.5.37.1 All fixed exterior lighting shall be directed away from adjoining sites and roads; and</p> <p>21.5.37.2 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, provided that this rule shall not apply where it can be demonstrated that the design of adjacent buildings adequately mitigates such effects.</p> <p>21.5.37.3 There shall be no upward light spill.</p>	NC

Comment [CB46]: Drafting matter and Issue 13.

	Table 9 Activities and Standards for Activities on the Surface of Lakes and Rivers	Activity
21.5.38	<p>Jetboat Race Events</p> <p>Jetboat Race Events on the Clutha River, between the Lake Outlet boat ramp and the Albert Town road bridge not exceeding 6 race days in any calendar year.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • The date, time, duration and scale of the jetboat race event, including its proximity to other such events, such as to avoid or mitigate adverse effects on residential and recreational activities in the vicinity. • Adequate public notice is given of the holding of the event. • Reasonable levels of public safety are maintained. 	C
21.5.39	<p>Commercial non-motorised boating activities</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • <u>Location, S</u> scale and intensity of the activity. • Amenity effects, including loss of privacy, remoteness or isolation. • Congestion and safety, including effects on other commercial operators and recreational users. 	RD

Comment [CB47]: Submitter 621.

RURAL ZONE 21

	Table 9 Activities and Standards for Activities on the Surface of Lakes and Rivers	Activity
	<ul style="list-style-type: none"> • Waste disposal. • Cumulative effects. • Parking, access safety and transportation effects. 	
21.5.40	<p>Jetties and Moorings in the Frankton Arm</p> <p>Jetties and moorings in the Frankton Arm, identified as the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan Maps.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands. • Whether the structure causes an impediment to craft manoeuvring and using shore waters. • The degree to which the structure will diminish the recreational experience of people using public areas around the shoreline. • The effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect. • Whether the structure will be used by a number and range of people and craft, including the general public. • The degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design. 	RD
21.5.41	<p>Structures and Moorings</p> <p>Any structure or mooring that passes across or through the surface of any lake or river or is attached to the bank of any lake and river, other than where fences cross lakes and rivers.</p>	D
21.5.42	<p>Structures and Moorings</p> <p>Any structures or mooring that passes across or through the surface of any lake or river or attached to the bank or any lake or river in those locations on the District Plan Maps where such structures or moorings are shown as being non-complying.</p>	NC
21.5.43	<p>Commercial boating activities</p> <p>Motorised commercial boating activities.</p> <p>Note: Any person wishing to commence commercial boating activities could require a concession under the QLDC Navigation Safety Bylaw. There is an exclusive concession currently granted to a commercial boating operator on the Shotover River between Edith Cavell Bridge and Tucker Beach until 1 April 2009 with four rights of renewal of five years each</p>	D
21.5.44	<p>Recreational and commercial boating activities</p>	PR

RURAL ZONE 21

Table 9 Activities and Standards for Activities on the Surface of Lakes and Rivers		Activity
	<p>The use of motorised craft on the following lakes and rivers is prohibited, except where the activities are for emergency search and rescue, hydrological survey, public scientific research, resource management monitoring or water weed control, or for access to adjoining land for farming activities.</p> <p>21.5.44.1 Hawea River.</p> <p>21.5.44.2 Commercial boating activities on Lake Hayes.</p> <p>21.5.44.3 Any tributary of the Dart and Rees rivers (except the Rockburn tributary of the Dart River) or upstream of Muddy Creek on the Rees River.</p> <p>21.5.44.4 Young River or any tributary of the Young or Wilkin Rivers and any other tributaries of the Makarora River.</p> <p>21.5.44.5 Dingle Burn and Timaru Creek.</p> <p>21.5.44.6 The tributaries of the Hunter River.</p> <p>21.5.44.7 Hunter River during the months of May to October inclusive.</p> <p>21.5.44.8 Motatapu River.</p> <p>21.5.44.9 Any tributary of the Matukituki River.</p> <p>21.5.44.10 Clutha River - More than six jet boat race days per year as allowed by Rule 21.5.38.</p>	
	Standards: Surface of Lakes and Rivers	Non-Compliance
21.5.45	<p>Boating craft used for Accommodation</p> <p>Boating craft on the surface of the lakes and rivers used for accommodation, unless:</p> <p>21.5.45.1 the craft is only used for overnight recreational accommodation; and</p> <p>21.5.45.2 the craft is not used as part of any commercial activity; and</p> <p>21.5.45.3 all effluent is contained on board the craft and removed.</p>	NC
21.5.46	<p>No new jetty within the Frankton Arm identified as the area east of the Outstanding Natural Landscape Line shall:</p> <p>21.5.46.1 be closer than 200 metres to any existing jetty;</p> <p>21.5.46.2 exceed 20 metres in length;</p> <p>21.5.46.3 exceed four berths per jetty, of which at least one berth is available to the public at all times;</p> <p>21.5.46.4 be constructed further than 200 metres from a property in which at least one of the registered owners of the jetty</p>	NC

RURAL ZONE 21

Table 9 Activities and Standards for Activities on the Surface of Lakes and Rivers		Activity
	resides.	
21.5.47	<p>The following activities are subject to compliance with the following standards:</p> <p>21.5.47.1 Kawarau River, Lower Shotover River downstream of Tucker Beach and Lake Wakatipu within Frankton Arm - Commercial motorised craft shall only operate between the hours of 0800 to 2000. <u>Except: Public transport ferry activities.</u></p> <p>21.5.47.2 Lake Wanaka, Lake Hawea and Lake Wakatipu - Commercial jetski operations shall only be undertaken between the hours of 0800 to 2100 on lakes Wanaka and Hawea and 0800 and 2000 on Lake Wakatipu.</p> <p>21.5.47.3 Dart and Rees Rivers - Commercial motorised craft shall only operate between the hours of 0800 to 1800, except that above the confluence with the Beansburn on the Dart River commercial motorised craft shall only operate between the hours of 1000 to 1700.</p> <p>21.5.47.4 Dart River – The total number of commercial motorised boating activities shall not exceed 26 trips in any one day. No more than two commercial jet boat operators shall operate upstream of the confluence of the Beansburn, other than for tramper and angler access only.</p>	NC

Comment [CB48]: Submitters 621, 383, 766, 806.

Table 10 Closeburn Station: Activities		Activity
21.5.48	<p>The construction of a single residential unit and any accessory building(s) within lots 1 to 6, 8 to 21 DP 26634 located at Closeburn Station.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • External appearances and landscaping, with regard to conditions 2.2(a), (b), (e) and (f) of resource consent RM950829. • Associated earthworks, lighting, access and landscaping. • Provision of water supply, sewage treatment and disposal, electricity and telecommunications services. 	C
	Closeburn Station: Standards for Buildings and Structures	Non-compliance
21.5.49	<p>Setback from Internal Boundaries</p> <p>21.5.49.1 The minimum setback from internal boundaries for buildings within lots 1 to 6 and 8 to 21 DP 26634 at Closeburn Station shall be 2 metres.</p> <p>21.5.49.2 There shall be no minimum setback from internal boundaries within lots 7 and 22 to 27 DP300573 at Closeburn Station.</p>	D

RURAL ZONE 21

21.5.50	<p>Building Height</p> <p>21.5.50.1 The maximum height for any building, other than accessory buildings, within Lots 1 and 6 and 8 to 21 DP 26634 at Closeburn Station shall be 7m.</p> <p>21.5.50.2 The maximum height for any accessory building within Lots 1 to 6 and 8 to 21 DP 26634 at Closeburn Station shall be 5m.</p> <p>21.5.50.3 The maximum height for any building within Lot 23 DP 300573 at Closeburn Station shall be 5.5m.</p> <p>21.5.50.4 The maximum height for any building within Lot 24 DP 300573 at Closeburn Station shall be 5m.</p>	NC
21.5.51	<p>Residential Density</p> <p>In the Rural Zone at Closeburn Station, there shall be no more than one residential unit per allotment (being lots 1-27 DP 26634); excluding the large rural lots (being lots 100 and 101 DP 26634) held in common ownership.</p>	NC
21.5.52	<p>Building Coverage</p> <p>In lots 1-27 at Closeburn Station, the maximum residential building coverage of all activities on any site shall be 35%.</p>	NC

RURAL ZONE 21

21.6 Non-Notification of Applications

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

- 21.6.1 **Controlled activity retail sales of farm and garden produce and handicrafts grown or produced on site (Rule 21.4.14), except where the access is onto a State highway.**
- 21.6.2 **Controlled activity mineral exploration (Rule 21.4. 31).**
- 21.6.3 **Controlled activity buildings at Closeburn Station (Rule 21.5.48).**

21.7 Assessment Matters (Landscapes)

- 21.7.1 **Outstanding Natural Features and Outstanding Natural Landscapes (ONF and ONL).**

These assessment matters shall be considered with regard to the following principles because, in or on Outstanding Natural Features and Landscapes, the applicable activities are inappropriate in almost all locations within the zone Wakatipu Basin, and inappropriate in many locations throughout the District wide Outstanding Natural Landscapes:

- 21.7.1.1 ~~The assessment matters are to be stringently applied to the effect that successful applications will be exceptional cases.~~
- 21.7.1.2 Existing vegetation that:
 - a. was either planted after, or, self-seeded and less than 1 metre in height at 28 September 2002; and,
 - b. obstructs or substantially interferes with views of the proposed development from roads or other public places, shall not be considered:
 - as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and
 - as part of the permitted baseline.
- 21.7.1.3 Effects on landscape quality and character

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

 - a. Physical attributes:
 - Geological, topographical, geographic elements in the context of whether these formative processes have a profound influence on landscape character;
 - Vegetation (exotic and indigenous);
 - The presence of waterbodies including lakes, rivers, streams, wetlands.
 - b. Visual attributes:
 - Legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes;
 - Aesthetic values including memorability and naturalness;

Comment [CB49]: Submitters: Spark Trading NZ Ltd (191) J McQuilkin (345), Hogans Gully Farm Ltd (456), Powernet (251), Willowridge Developments Ltd (249), Darby Planning LP (608). and linkage with Council's reply to the Landscape Chapter s42A recommendations.

Comment [CB50]: Submitter Spark Trading NZ Ltd (191) J McQuilkin (345), Hogans Gully Farm Ltd (456), Powernet (251), Willowridge Developments Ltd (249), Darby Planning LP (608)

And linkage with Council's reply to the Landscape Chapter s42A recommendations.

RURAL ZONE 21

- Transient values including values at certain times of the day or year;
 - Human influence and management – settlements, land management patterns, buildings, roads.
- c. Appreciation and cultural attributes:
- Whether the elements identified in (a) and (b) are shared and recognised;
 - Cultural and spiritual values for tangata whenua;
 - Historical and heritage associations.

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

- d. In the context of (a) to (c) above, the degree to which the proposed development will affect the existing landscape quality and character, including whether the proposed development accords with or degrades landscape quality and character, and to what degree.
- e. any proposed new boundaries will not give rise to artificial or unnatural lines (such as planting and fence lines) or otherwise degrade the landscape character.

21.7.1.4 Effects on visual amenity

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

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

21.7.1.5 Design and density of Development

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

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

RURAL ZONE 21

d. development, including access, is located in the parts of the site where it has the least impact on landscape character.

21.7.1.6 Cumulative effects of subdivision and development on the landscape

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

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

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

21.7.2 Rural Landscape Classification (RLC)

These assessment matters shall be considered with regard to the following principles because in the Rural Landscapes the applicable activities are inappropriate unsuitable in many locations:

21.7.2.1 ~~The assessment matters shall be stringently applied to the effect that successful applications are, on balance, consistent with the criteria.~~

21.7.2.2 Existing vegetation that:

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

21.7.2.3 Effects on landscape quality and character:

The following shall be taken into account:

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

21.7.2.4 Effects on visual amenity:

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

- a. the visual prominence of the proposed development from any public places will reduce the visual amenity of the Rural Landscape. In the case of proposed development which is visible from unformed legal roads, regard shall be had to the frequency and intensity of the present use and, the practicalities and likelihood of potential use of these unformed legal roads as access;

Comment [CB51]: Submitter: submitters Spark Trading NZ Ltd (191) J McQuilkin (345), Hogans Gully Farm Ltd (456), Powernet (251), Willowridge Developments Ltd (249), Darby Planning LP (608), 497 and linkage with Council's reply to the Landscape Chapter s42A recommendations.

Comment [CB52]: Linkage with Council's reply to the Landscape Chapter s42A recommendations.

RURAL ZONE 21

- b. the proposed development is likely to be visually prominent such that it detracts from private views;
- c. any screening or other mitigation by any proposed method such as earthworks and/or new planting will detract from or obstruct views of the Rural Landscape from both public and private locations;
- d. the proposed development is enclosed by any confining elements of topography and/or vegetation and the ability of these elements to reduce visibility from public and private locations;
- e. any proposed roads, boundaries and associated planting, lighting, earthworks and landscaping will reduce visual amenity, with particular regard to elements which are inconsistent with the existing natural topography and patterns;
- f. boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape or landscape units.

21.7.2.5 Design and density of development:

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

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

21.7.2.6 Tangata Whenua, biodiversity and geological values:

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

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

21.7.2.7 Cumulative effects of development on the landscape:

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

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

RURAL ZONE 21

- 21.7.3 **Other factors and positive effects, applicable in all the landscape categories (ONF, ONL and RLC)**
- 21.7.3.1 In the case of a proposed residential activity or specific development, whether a specific building design, rather than nominating a building platform, helps demonstrate whether the proposed development is appropriate.
- 21.7.3.2 Other than where the proposed development is a subdivision and/or residential activity, whether the proposed development, including any buildings and the activity itself, are consistent with rural activities or the rural resource and would maintain or enhance the quality and character of the landscape.
- 21.7.3.3 In considering whether there are any positive effects in relation to the proposed development, or remedying or mitigating the continuing adverse effects of past subdivision or development, the Council shall take the following matters into account:
- a. whether the proposed subdivision or development provides an opportunity to protect the landscape from further development and may include open space covenants or esplanade reserves;
 - b. whether the proposed subdivision or development would enhance the character of the landscape, or protects and enhances indigenous biodiversity values, in particular the habitat of any threatened species, or land environment identified as chronically or acutely threatened on the Land Environments New Zealand (LENZ) threatened environment status;
 - c. any positive effects including environmental compensation, easements for public access such as walking, cycling or bridleways or access to lakes, rivers or conservation areas;
 - d. any opportunities to retire marginal farming land and revert it to indigenous vegetation;
 - e. where adverse effects cannot be avoided, mitigated or remedied, the merits of any compensation;
 - f. whether the proposed development assists in retaining the land use in low intensity farming where that activity maintains the valued landscape character.

RURAL ZONE 21

Recommended amendments to definitions relevant to the activities within Chapter 21.

Issue 7: Ski Area Activities within the Ski Area Subzones

Passenger Lift Systems	<u>Means any mechanical system used to convey or transport passengers within or to a Ski Area Sub-Zone, including chairlifts, gondolas, T-bars and rope tows, and including all moving, fixed and ancillary components of such systems such as towers, pylons, cross arms, pulleys, cables, chairs, cabins, and structures to enable the embarking and disembarking of passengers.</u>
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Comment [CB53]: Submitter 407

Ski Area Activities	<p>Means the use of natural and physical resources for the purpose of providing for <u>establishing, operating and maintaining the following activities and structures:</u></p> <ul style="list-style-type: none"> (a) recreational activities either commercial or non commercial (b) chairlifts, t bars and rope tows to facilitate commercial recreational activities-passenger lift systems. (c) use of snowgroomers, snowmobiles and 4WD vehicles for support or operational activities. (d) activities ancillary to commercial recreational activities <u>including</u> avalanche safety, ski patrol, formation of snow trails and terrain. (e) <u>Installation and operation of snow making infrastructure including reservoirs, pumps and snow makers.</u> (f) in the Waiorau Snow Farm Ski Area Sub Zone vehicle and product testing activities, being activities designed to test the safety, efficiency and durability of vehicles, their parts and accessories.
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Comment [CB54]: Submitter 613

Comment [CB55]: Submitter 407

Comment [CB56]: Submitter 613.

Comment [CB57]: Submitter 613.

Issue 14: Mining Activity

Mining Activity	<p>Means the use of land and buildings for the primary purpose of the extraction, winning, quarrying, excavation, taking and associated processing of minerals and includes prospecting and exploration.</p> <p><u>(a) means operations in connection with mining, exploring, or prospecting for any mineral; and</u></p> <p><u>(b) includes, when carried out at or near the site where the mining, exploration, or prospecting is undertaken,—</u></p> <ul style="list-style-type: none"> <u>(i) the extraction, transport, treatment, processing, and separation of any mineral or chemical substance from the mineral; and</u> <u>(ii) the construction, maintenance, and operation of any works, structures, and other land improvements, and of any related machinery and equipment connected with the operations; and</u>
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Comment [CB58]: Submitter 519.

RURAL ZONE 21

	<p><u>(iii) the removal of overburden by mechanical or other means, and the stacking, deposit, storage, and treatment of any substance considered to contain any mineral; and</u></p> <p><u>(iv) the deposit or discharge of any mineral, material, debris, tailings, refuse, or wastewater produced from or consequent on the operations.</u></p>
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Prospecting	<p>Means any activity undertaken for the purpose of identifying land likely to contain exploitable mineral deposits or occurrences; and includes <u>the following activities:</u></p> <ul style="list-style-type: none"> • Geological, geochemical, and geophysical surveys; • The taking of samples by hand or hand held methods; • Aerial surveys.
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Comment [CB59]: Submitter 519

Exploration	<p><u>Means any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of 1 or more minerals; and includes any drilling, dredging, or excavations (whether surface or subsurface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and to explore has a corresponding meaning.</u></p>
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Comment [CB60]: Submitter 519

SCHEDULE 2

WORKING DRAFT: CHAPTER 22 RURAL RESIDENTIAL AND LIFESTYLE

RURAL RESIDENTIAL & LIFESTYLE 22

Key:

Recommend changes to notified chapter are shown in underlined text for additions and ~~strike through text~~ for deletions. Dated 6 April 2016.

Further changes to objectives shown in purple underlined text for additions and ~~strike through~~ text for deletions reflect Working Draft dated 13 April 2016, in response to the Panel's Fourth Procedural Minute, dated 8 April 2016.

22 Rural Residential and Rural Lifestyle

22.1 Zone Purpose

The Rural Residential and Rural Lifestyle zones provide residential living opportunities on the periphery of urban areas and within specific locations amidst the Rural ~~Zone~~. In both zones a minimum allotment size is necessary to maintain the character and quality of the zones and, ~~where applicable, a buffer edge between urban areas, or~~ the open space, rural and natural landscape values of the surrounding Rural Zone.

Comment [CB1]: Submitter 238 and FS1255.38

While development is anticipated in the Rural Residential and Rural Lifestyle zones, the district is subject to natural hazards and, where applicable, it is anticipated that development will recognise and manage the risks of natural hazards at the time of subdivision or the identification of building platforms. Some areas such as Makarora have been identified as areas subject to natural hazards and provisions are provided to manage natural hazards at these locations.

Comment [CB2]: Submitter 383. Relates to clarification.

Rural Residential Zone

The Rural Residential zone generally provides for development at a density of up to one residence every 4000m². Some Rural Residential areas are located within visually sensitive landscapes. Additional provisions apply to development in some areas to enhance landscape values, indigenous vegetation, the quality of living environments within the zone and to manage the visual effects of the anticipated development from outside the zone. Particularly from surrounding rural areas, lakes and rivers. The potential adverse effects of buildings are controlled by bulk and location, colour and lighting standards and, where required, design and landscaping controls imposed at the time of subdivision.

Rural Lifestyle Zone

The Rural Lifestyle zone provides for rural living opportunities, having a development density of one residential unit per hectare with an overall density of one residential unit per two hectares across a subdivision. Building platforms are identified at the time of subdivision to manage the sprawl of buildings, manage adverse effects on landscape values and to manage other identified constraints such as natural hazards and servicing. The potential adverse effects of buildings are controlled by height, colour and lighting standards.

The Deferred Rural Lifestyle (Buffer) zone east of Dalefield Road places limits on the expansion of rural lifestyle development at that location.

The 'Hawthorn Triangle' Rural Lifestyle Zone bordered by Speargrass Flat, Lower Shotover and Domain Roads defines an existing settlement of properties. The adjoining Rural Lifestyle zoned areas within the Wakatipu Basin identify the potential for further limited residential development, within the density limits set out in the provisions.

Many of the Rural Lifestyle zones are located within sensitive parts of the district's distinctive landscapes. While residential development is anticipated within these zones, provisions are included to manage the visual prominence of buildings, control residential density and generally discourage commercial activities. Building location is controlled by the identification of building platforms, bulk and location standards and, where required, design and landscaping controls imposed at the time of subdivision.

Comment [CB3]: Check amendments to the SD chapter re this word.

RURAL RESIDENTIAL & LIFESTYLE 22

Pursuant to Section 86(b)(3) of the RMA, the following rule that protects or relates to water has immediate legal effect:

- 22.5.6: Setback of buildings from water bodies.

22.2 Objectives and Policies

22.2.1 Objective - ~~Maintain and enhance~~ The district's landscape quality, character and visual amenity values are maintained and enhanced while enabling rural living opportunities in areas that can absorb development ~~avoid detracting from these landscapes.~~

Comment [CB4]: Submitters 497, 513, 515, 522

Policies

22.2.1.1 Ensure the visual prominence of buildings is avoided, remedied or mitigated particularly development and associated earthworks on prominent slopes, ridges and skylines.

Comment [CB5]: Submitters 497, 513, 515, 522

22.2.1.2 Set minimum density and building coverage standards in order to maintain ~~so the~~ open space, natural and rural qualities of the District's distinctive rural living character, amenity and landscapes values are not reduced.

Comment [CB6]: Submitter 238

Comment [CB7]: Submitters 497, 513, 515, 522

22.2.1.3 Allow for flexibility of the density provisions, where design-led and innovative patterns of subdivision and residential development, roading and planting would enhance the character of the zone and the District's landscapes.

22.2.1.4 Manage anticipated activities that are located near Outstanding Natural Features and Outstanding Natural Landscapes so that they do not diminish the qualities of these landscapes and their importance as part of the District's landscapes.

22.2.1.5 Maintain and enhance landscape values by controlling the colour, scale, location and height of permitted buildings and in certain locations or circumstances require landscaping and vegetation controls.

22.2.1.6 Have regard to the location and direction of lights so they do not cause glare to other properties, roads, public places or the night sky.

22.2.1.7 Have regard to fire risk from vegetation and the potential risk to people and buildings, when assessing subdivision, development and any landscaping.

22.2.1.8 Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.

Comment [CB8]: Submitter 438

22.2.2 Objective - ~~Ensure~~ Within the Rural Residential and Rural Lifestyle Zones predominant land uses are rural, residential and where appropriate, visitor and community activities.

Policies

22.2.2.1 Provide for residential and farming as permitted activities, and ~~recognise~~ that depending on the location, scale and type, community activities may be compatible with and enhance the Rural Residential and Rural Lifestyle Zones.

22.2.2.2 Any development, including subdivision located on the periphery of residential and township areas, shall avoid undermining the integrity of the urban rural edge and where applicable, the urban growth boundaries.

22.2.2.3 Discourage commercial and non-residential activities, including restaurants, visitor accommodation and industrial activities, so that would diminish the amenity, rural living quality and character of the Rural Residential and Rural Lifestyle zones are not diminished and the vitality of the District's commercial zones is not undermined.

Comment [CB9]: Submitter 764 and multiple submitters seeking VA is not non-complying. Refer Appendix 2.

RURAL RESIDENTIAL & LIFESTYLE 22

22.2.2.4 Encourage intensive visitor accommodation only within the specified visitor accommodation subzone areas and control the scale and intensity of these activities.

Comment [CB10]: Submitter 764

22.2.2.5 The bulk, scale and intensity of buildings used for visitor accommodation activities are to be commensurate with the anticipated development of the zone and surrounding residential activities.

22.2.3 Objective - ~~Manage~~ n New development and adequately manages natural hazards risk.

Comment [CB11]: Submitter 764

Policies

22.2.3.1 Parts of the Rural Residential and Rural Lifestyle zones have been, and might be identified in the future as susceptible to natural hazards and some areas may not be appropriate for residential activity if the natural hazard risk cannot be adequately managed.

22.2.4 Objective - ~~Ensure~~ nNew development does not exceed available capacities for servicing and infrastructure.

Comment [CB12]: Grammar

Policies

22.2.4.1 Discourage new development that requires servicing and infrastructure at an adverse cost to the community.

22.2.4.2 Ensure traffic generated by new development does not compromise road safety or efficiency.

22.2.5 Objective - ~~Manage situations where~~ sSensitive activities conflicting with existing and anticipated rural activities are managed.

Policies

22.2.5.1 Recognise existing and permitted activities, including activities within the surrounding Rural Zone might result in effects such as odour, noise, dust and traffic generation that are established, or reasonably expected to occur and will be noticeable to residents and visitors in rural areas.

22.2.6 Objective - Bob's Cove Rural Residential sub-zone - ~~To create comprehensively-planned r~~ Residential development is comprehensively planned with ample open space and a predominance of indigenous vegetation throughout the zone.

22.2.6.1 Ensure at least 75% of the zone is retained as undomesticated area and at least 50% of this area is established and maintained in indigenous species such that total indigenous vegetation cover is maintained over that area.

22.2.6.2 Ensure there is open space in front of buildings that remains generally free of vegetation to avoid disrupting the open pastoral character of the area and the lake and mountain views.

22.2.7 Objective - Bob's Cove Rural Residential Zone - ~~To maintain and enhance t~~ The ecological and amenity values of the Bob's Cove Rural Residential zone are maintained and enhanced.

22.2.7.1 To ensure views of Lake Wakatipu and the surrounding landforms from the Glenorchy-Queenstown Road are retained through appropriate landscaping and the retention of view shafts.

22.2.7.2 To ensure the ecological and amenity values of Bob's Cove are retained and, where possible, enhanced through:

RURAL RESIDENTIAL & LIFESTYLE 22

- appropriate landscaping using native plants;
- restricting the use of exotic plants;
- removing wilding species;
- providing guidance on the design and colour of buildings;
- maintaining view shafts from the Queenstown-Glenorchy Road.

22.3 Other Provisions and Rules

22.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (ODP).

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 ODP)	25 Earthworks (22 ODP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport (14 ODP)
30 Utilities and Renewable Energy	31 Hazardous Substances (16 ODP)	32 Protected Trees
33 Indigenous Vegetation	34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings
36 Noise	37 Designations	Planning Maps

22.3.2 Clarification

- 22.3.2.1 A permitted activity must comply with all the rules listed in the activity and standards tables, and any relevant district wide rules.
- 22.3.2.2 Where an activity does not comply with a Standard listed in the Standards table, 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
- 22.3.2.3 Compliance with any of the following standards, in particular the permitted standards, does not absolve any commitment to the conditions of any relevant land use consent, consent notice or covenant registered on the site's computer freehold register.
- 22.3.2.4 The Council reserves the right to ensure development and building activities are undertaken in accordance with the conditions of resource and subdivision consent through monitoring.
- 22.3.2.5 Applications for building consent for permitted activities shall include information to demonstrate compliance with the following standards, and any conditions of the applicable resource consent or subdivision.
- 22.3.2.6 For controlled and restricted discretionary activities, the Council shall restrict the exercise of its discretion to the matters listed in the rule.
- 22.3.2.7 Ground floor area means any areas covered by the building or parts of the buildings and includes overhanging or cantilevered parts but does not include pergolas (unroofed),

RURAL RESIDENTIAL & LIFESTYLE 22

projections not greater than 800mm including eaves, bay or box windows, and uncovered terraces or decks less than 1m above ground level.

- 22.3.2.8 Building platforms identified on a site's computer freehold register shall have been registered as part of a resource consent approval by the Council.
- 22.3.2.9 Sub zones, including the Visitor Accommodation Sub Zone, being a subset of the respective Rural Residential and Rural Lifestyle zones require that all rules applicable to the respective zone apply, unless specifically stated to the contrary.
- 22.3.2.10 In addition to Tables 1 and 2, the following standards apply to the areas specified:
- Table 3: Rural Lifestyle Deferred and Buffer Zones
- Table 4: Rural Residential Zone at Forest Hill.
- Table 5: Rural Residential Bob's Cove and Sub Zone.
- Table 6: Ferry Hill Rural Residential Sub Zone.
- Table 7: Wyuna Station Rural Lifestyle Zone.
- 22.3.2.11 These abbreviations are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

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

22.3.3 Exemption

The standards pertaining to the colours and materials of buildings in Table 2 do not apply to soffits or, doors that are less than 1.8m wide.

22.4 Rules - Activities

	Table 1: Activities Rural Residential and Rural Lifestyle Zones	Activity
22.4.1	Any other activity not listed in Tables 1-7.	NC
22.4.2	Rural Residential Zone: The construction and exterior alteration of buildings.	P

RURAL RESIDENTIAL & LIFESTYLE 22

	Table 1: Activities Rural Residential and Rural Lifestyle Zones	Activity
22.4.3	<p>Rural Lifestyle Zone:</p> <p>22.4.3.1 The construction and exterior alteration of buildings located within a building platform approved by resource consent, or registered on the applicable computer freehold register.</p> <p>22.4.3.2 The exterior alteration of buildings located outside of a building platform not exceeding 30% of the ground floor area of the existing building in any ten year period.</p> <p>Non-compliance with rule 22.4.3.2 is a restricted discretionary activity. Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • External appearance. • Visibility from public places. • Landscape character. • Visual amenity. <p>22.4.3.3 The identification of a building platform for the purposes of a residential unit <u>except where identified by Rule 27.5.1.1.</u></p>	<p>P</p> <p>P</p> <p>D</p>
22.4.4	<p>Makarora Rural Lifestyle Zone:</p> <p>The construction of buildings located within a building platform approved by resource consent, or identified on the computer freehold register.</p> <p>Control is reserved to the avoidance or mitigation of the effects of natural hazards as set out in the matters of control in part 22.7.</p>	C
	Rural Residential and Rural Lifestyle Zones	
22.4.5	Residential Activity.	P
22.4.6	Residential Flat (activity only, the specific rules for the construction of any buildings apply).	P
22.4.7	Farming Activity.	P
22.4.8	Home Occupation that complies with the standards in Table 2.	P
22.4.9	<p>Home Occupation activity involving retail sales limited to handicrafts or items grown or produced on the site.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • Privacy on neighbouring properties. • scale and intensity of the activity. • Traffic generation, parking, access. • Noise. • Signs and Lighting. 	C

Comment [CB13]: Clarification in response to submissions rejecting this rule.

RURAL RESIDENTIAL & LIFESTYLE 22

Table 1: Activities Rural Residential and Rural Lifestyle Zones		Activity
22.4.10	<p>Visitor accommodation within a visitor accommodation subzone, including the construction or use of buildings for visitor accommodation.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • The bulk and scale of buildings in the context of the scale of residential buildings in the surrounding area. • Access safety and transportation effects. • Car Parking. • Noise. • Signs and Lighting. • Landscaping to mitigate effects associated with buildings, infrastructure and car parking areas. • Where buildings are located near water bodies, ensuring the buildings are compatible with the scenic and amenity values of any waterbodies. • Whether the building will be located in an area subject to natural hazards including the effects of any mitigation to manage the location of the building. 	C
22.4.11	Visitor accommodation outside of a visitor accommodation subzone, including the construction or use of buildings for visitor accommodation.	NC D
22.4.12	Community activity.	D
22.4.13	Informal airports.	D
22.4.14	Informal Airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities.	P
22.4.15	Any building within a Building Restriction Area that is identified on the planning maps.	NC
22.4.16	Any other commercial or Industrial activity.	NC
22.4.17	<p>Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, or any activity requiring an Offensive Trade Licence under the Health Act 1956.</p> <p><u>Except</u> commercial fish or meat processing where undertaken as part of a permitted home occupation in terms of Rule 22.5.7.</p>	PR

Comment [CB14]: Submitter 127

RURAL RESIDENTIAL & LIFESTYLE 22

22.5 Rules - Standards

	Table 2: Standards Rural Residential and Rural Lifestyle Zones	Non-compliance:
22.5.1	<p>Building Materials and Colours</p> <p>All buildings, including any structure larger than 5m², new, relocated, altered, reclad or repainted, are subject to the following in order to ensure they are visually recessive within the surrounding landscape:</p> <p>Exterior colours of buildings:</p> <p>22.5.1.1 All exterior surfaces* shall be coloured in the range of black, browns, greens or greys;</p> <p>22.5.1.2 Pre-painted steel, and all roofs shall have a <u>light</u> reflectance value not greater than 20%;</p> <p>22.5.1.3 Surface finishes** shall have a <u>light</u> reflectance value of not greater than 30%.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Whether the building would be visually prominent, especially in the context of the wider landscape, rural environment and as viewed from neighbouring properties. • Whether the proposed colour is appropriate given the existence of established screening or in the case of alterations, if the proposed colour is already present on a long established building. • The size and height of the building where the subject colours would be applied. <p>* Excludes soffits, windows and skylights (but not glass balustrades).</p> <p>** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.</p>	RD
22.5.2	<p>Building Coverage (Rural Residential Zone only)</p> <p>The maximum ground floor area of any building shall be 15% of the net site area.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • The effect on open space, character and amenity. • Effects on views and outlook from neighbouring properties. • Ability of stormwater and effluent to be disposed of on-site. 	RD
22.5.3	<p>Building Size</p> <p>The maximum <u>ground floor area</u> size of any building shall be 500m².</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Visual dominance. • The effect on open space, rural <u>living</u> character and amenity. 	RD

Comment [CB15]: Submitter 497 and others.

Comment [CB16]: Clarification.

Comment [CB17]: FS1255

RURAL RESIDENTIAL & LIFESTYLE 22

	<ul style="list-style-type: none"> Effects on views and outlook from neighbouring properties. Building design and reasons for the size. 	
22.5.4	<p>Setback from internal boundaries</p> <p>The minimum setback of any building from internal boundaries shall be:</p> <p>22.5.4.1 Rural Residential zone - 6m</p> <p>22.5.4.2 Rural Lifestyle zone - 10m</p> <p>22.5.4.3 Rural Residential zone at the north of Lake Hayes - 15m</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> Visual dominance. The effect on open space, rural <u>living</u> character and amenity. Effects on privacy, views and outlook from neighbouring properties. Reverse sensitivity effects on adjacent properties. Landscaping. 	RD
22.5.5	<p>Setback from roads</p> <p>The minimum setback of any building from a road boundary shall be: 40m, except in the Rural Residential zone at the north of Lake Hayes, the minimum setback from Speargrass Flat Road shall be 15m.</p> <p>22.5.5.1 Rural Lifestyle Zone: <u>20m</u></p> <p>22.5.5.2 Rural Residential Zone: 10m</p> <p>22.5.5.3 Rural Residential Zone where the road is a State Highway: <u>15m</u></p>	NC
22.5.6	<p>Setback of buildings from water bodies</p> <p>The minimum setback of any building from the bed of a river, lake or wetland shall be 20m.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> Any indigenous biodiversity values. Visual amenity values. Landscape character. Open space. Whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building. <p>Except this rule does not apply to the visitor accommodation sub zones.</p>	RD
22.5.7	<p>Home Occupation</p> <p>Home occupation activities shall comply with the following:</p> <p>22.5.7.1 No more than one full time equivalent person from outside the household shall be employed in the home occupation</p>	D

Comment [CB18]: Submitter 444.

Comment [CB19]: FS 1255

Comment [CB20]: Submitter 367

Comment [CB21]: Submitter 719

RURAL RESIDENTIAL & LIFESTYLE 22

	<p>activity.</p> <p>22.5.7.2 The maximum number of vehicle trips* shall be:</p> <p style="margin-left: 20px;">a. Heavy Vehicles: 2 per week</p> <p style="margin-left: 20px;">b. other vehicles: 10 per day</p> <p>22.5.7.3 Maximum net floor area:</p> <p style="margin-left: 20px;">a. Rural Residential Zone: 60m²</p> <p style="margin-left: 20px;">b. Rural Lifestyle Zone: 150m²</p> <p>22.5.7.4 Activities and the storage of materials shall be indoors</p> <p>*A vehicle trip is two movements, generally to and from a site.</p>	
22.5.8	<p>Building Height</p> <p>The maximum height for any building is 8 metres.</p>	NC
22.5.9	<p>Glare</p> <p>22.5.9.1 All fixed exterior lighting shall be directed away from adjacent roads and sites.</p> <p>22.5.9.2 Activities on any site shall not result in more than a 3 lux spill (horizontal and vertical) of light to any other site, measured at any point within the boundary of the other site.</p> <p>22.5.9.3 There shall be no upward light spill.</p>	NC
22.5.10	<p>Heavy Vehicle Storage</p> <p>No more than one heavy vehicle shall be stored or parked outside, overnight on any site for any activity.</p>	NC
22.5.11	<p>Residential Density: Rural Residential Zone</p> <p>22.5.11.1 Not more than one residential unit per 4000m² net site area.</p> <p><u>In the Rural Residential zone at the north of Lake Hayes:</u></p> <p><u>22.5.11.2 for allotments less than 8000m² in size, there shall be only one residential unit;</u></p> <p><u>22.5.11.3 for allotments equal to or greater than 8000m² there shall be no more than 1 residential unit per 4000m², on average.</u></p>	NC
22.5.12	<p>Residential Density: Rural Lifestyle Zone</p> <p>22.5.12.1 One residential unit located within each building platform.</p> <p>22.5.12.2 On sites less than 2ha there shall be only one residential unit.</p> <p>22.5.12.3 On sites equal to or greater than 2 hectares there shall be no more than one residential unit per two hectares on average. For the purpose of calculating any average, any allotment greater than 4 hectares, including the balance, is deemed to</p>	NC

Comment [CB22]: Submitter 26.

RURAL RESIDENTIAL & LIFESTYLE 22

	be 4 hectares.	
22.5.13	<p>Visitor Accommodation in the Rural Lifestyle Zone Visitor Accommodation Subzone.</p> <p>Building Coverage:</p> <p>The maximum building coverage shall be 10% and on sites greater than 1ha the maximum building coverage shall be 10% or 2500m², whichever is the lesser.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • The scale and intensity of the activity and the extent to which it is compatible with surrounding activities. • The effect on open space, character and amenity. • Effects on views and outlook from neighbouring properties. • Ability of stormwater and effluent to be disposed of on-site. 	RD
21.5.X	<p><u>Fire Fighting water and access: Rural Residential Zone</u></p> <p><u>New buildings where there is no reticulated water supply or it is not sufficient for fire-fighting water supply shall provide the following provision for firefighting:</u></p> <p><u>22.5.x.1 A water supply of 20,000 litres and any necessary couplings.</u></p> <p><u>22.5.x.2 A hardstand area adjacent to the firefighting water supply capable of supporting fire service vehicles.</u></p> <p><u>22.5.x.3 Firefighting water connection point within 6m of the hardstand, and 90m of the dwelling.</u></p> <p><u>22.5.x.4 Access from the property boundary to the firefighting water connection capable of accommodating and supporting fire service vehicles.</u></p> <p><u>Discretion is restricted to all of the following:</u></p> <ul style="list-style-type: none"> • <u>The extent to which SNZ PAS 4509: 2008 can be met including the adequacy of the water supply.</u> • <u>The accessibility of the firefighting water connection point for fire service vehicles.</u> • <u>Whether and the extent to which the building is assessed as a low fire risk.</u> 	RD

Comment [CB23]: Submitter 438.

	Table 3: Rural Lifestyle Deferred and Buffer zones	Non-compliance:
22.5.14	The erection of more than one non-residential building.	NC
22.5.15	In each area of the Deferred Rural Lifestyle zones east of Dalefield Road up to two residential allotments may be created with a single residential building platform on each allotment.	D
22.5.16	The land in the Deferred Rural Lifestyle (Buffer) zone shall be held in a single allotment containing no more than one residential building platform.	D
22.5.17	In the Deferred Rural Lifestyle (Buffer) zone, apart from the curtilage area, the land shall be maintained substantially in pasture. Tree planting	D

RURAL RESIDENTIAL & LIFESTYLE 22

	and natural revegetation shall be confined to gullies and watercourses, as specified in covenants and on landscape plans.	
22.5.18	In the Buffer zone, the maximum building height in the building platform shall be 6.5m.	NC

Table 4: Rural Residential Forest Hill		Non-compliance:
22.5.19	Indigenous Vegetation The minimum area on any site to be retained or reinstated in indigenous vegetation shall be 70 percent of the net site area. For the purpose of this rule net area shall exclude access to the site, consideration of the risk of fire and the building restriction area	NC
22.5.20	Building Restriction The building restriction area adjoining the Queenstown-Glenorchy Road, shall be retained and/or reinstated in indigenous vegetation.	NC

Table 5: Rural Residential Bob's Cove and sub-zone		Non-compliance:
22.5.21	Building Height (sub zone only) Maximum building height is 6m. The matters of discretion are listed in provision 22.5.1.32.	RD
22.5.22	Setback from roads Buildings shall be setback a minimum of 10m from roads, and 15m from Glenorchy – Queenstown Road.	NC
22.5.23	Open space (sub zone only) Those areas that are set aside as “open space” shall not contain any vegetation of a height greater than 2 metres, such that the vegetation does not disrupt the open pastoral character or the views of the lake and mountains beyond. The matters of discretion are listed in provision 22.5.32.	RD
22.5.24	Residential Density The maximum average density of residential units shall be 1 residential unit per 4000m ² calculated over the total area within the zone.	D
22.5.25	Boundary Planting: sub zone only 22.5.25.1 Where the 15 metre Building Restriction Area adjoins a development area, it shall be planted in indigenous tree and shrub species common to the area, at a density of one plant per square metre. 22.5.25.2 Where a building is proposed within 50 metres of the Glenorchy-Queenstown Road, such indigenous planting shall be established to a height of 2 metres and shall have	RD

RURAL RESIDENTIAL & LIFESTYLE 22

	<p>survived for at least 18 months prior to any residential buildings being erected.</p> <p>The matters of discretion are listed in provision 22.5.32.</p>	
22.5.26	<p>Building setbacks</p> <p>Buildings shall be located a distance of 10m from internal boundaries.</p> <p>The matters of discretion are listed in provision 22.5.32.</p>	RD
22.5.27	<p>Building setbacks and landscaping</p> <p>Where a building is proposed within 50 metres of the Glenorchy-Queenstown Road, all landscaping to be undertaken within this distance on the subject property shall consist of native species in accordance with the assessment criteria in provision 22.5.32, subject to the requirement below:</p> <p>22.5.27.1 All landscaping within 15 metres of the Glenorchy-Queenstown Road shall be planted prior to the commencement of the construction of the proposed building.</p> <p>22.5.27.2 All landscaping from 15 metres to 50 metres from the Glenorchy-Queenstown Road shall be established within the first planting season after the completion of the building on the site.</p> <p>The matters of discretion are listed in provision 22.5.32.</p>	RD
22.5.28	<p>Building setbacks: sub zone only</p> <p>No building shall be erected within an area that has been identified as Undomesticated Area.</p>	NC
22.5.29	<p>Landscaping: sub zone only</p> <p>Where development areas and undomesticated areas have not been identified as part of a previous subdivision, at least 75% of the total area of the zone shall be set aside as "Undomesticated Area" and the remainder as "Development Area"; and at least 50% of the 'undomesticated area' shall be retained, established, and maintained in indigenous vegetation with a closed canopy such that this area has total indigenous litter cover.</p> <p>This rule shall be given effect to by consent notice registered against the title of the lot created, to the benefit of the lot holder and the Council.</p> <p>Such areas shall be identified and given effect to by way of covenant, as part of any land use consent application.</p>	NC
22.5.30	<p>Indigenous vegetation: sub zone only</p> <p>At least 50% of the undomesticated area within the zone shall be retained, established, and maintained in indigenous vegetation with a closed canopy, such that complete indigenous litter cover is maintained over the area; and</p> <p>The landscaping and maintenance of the undomesticated area shall be detailed in a landscaping plan that is provided as part of any subdivision application. This landscaping plan shall identify the proposed species and shall provide details of the proposed maintenance programme to ensure a survival rate of at least 90% within the first 5 years.</p>	NC

RURAL RESIDENTIAL & LIFESTYLE 22

22.5.31	<p>Definitions that apply within the Bob’s Cove Rural-Residential sub-zone:</p> <p><u>Development Area</u></p> <p>means all that land used for:</p> <ul style="list-style-type: none"> • Buildings; • Outdoor living areas; • Pathways and accessways, but excluding the main accessway leading from the Glenorchy-Queenstown Road to the development areas; • Private garden; and • Mown grass surfaces, but <u>excluding</u> large areas of commonly-owned mown pasture or grazed areas that are to be used for recreational purposes. <p><u>Undomesticated Area</u></p> <p>means all other land not included in the definition of “Development Area”.</p>	
22.5.32	<p>Matters of discretion for restricted discretionary activities:</p> <p>22.5.32.1 The form and density of development (including buildings and associated accessways) are designed to:</p> <ol style="list-style-type: none"> a. compliment the landscape and the pattern of existing and proposed vegetation; and b. mitigate the visual impact of the development when viewed from Lake Wakatipu and the Glenorchy-Queenstown Road. <p>22.5.32.2 The vegetation is, or is likely to be, of sufficient maturity to effectively minimise the impact of the proposed building when viewed from Lake Wakatipu and the Glenorchy-Queenstown Road.</p> <p>22.5.32.3 The development provides for 75% of the zone to be established and maintained as undomesticated, such that there is a predominance of indigenous vegetation.</p> <p>22.5.32.4 The form of development mitigates the visual impact from Lake Wakatipu and the Glenorchy-Queenstown Road.</p> <p>22.5.32.5 Whether and the extent to which the proposed landscaping contains predominantly indigenous species (comprising a mix of trees, shrubs, and grasses) that are suited to the general area, such as red beech, native tussocks, hebes, pittosporum, coprosmas, cabbage trees, and lancewoods.</p>	

Comment [CB24]: Underlined text not associated with s42a analysis.

Comment [CB25]: Underlined text not associated with s42a analysis.

	Table 6: Ferry Hill Rural Residential Sub Zone	Non-compliance:
	Refer to Part 22.7.2 for the concept development plan	
22.5.33	Density	NC

RURAL RESIDENTIAL & LIFESTYLE 22

	There shall be no more than one residential unit per lot.	
22.5.34	<p>Building Height</p> <p>The maximum building height shall be 6.5m for lots 9-15 on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone. Chimney and ventilation structures may be 7.2m high in this sub-zone.</p>	D
22.5.35	<p>Building Location</p> <p>The location of buildings shall be in accordance with the Concept Development Plan for the Ferry Hill Rural Residential sub-zone, in rule 22.7.2.</p>	D
22.5.36	<p>Design Standards</p> <p>Within Lots 9-15 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone:</p> <p>22.5.36.1 The roof pitch shall be between 20° and 30° and roof dormers and roof lights are to be incorporated in the roof pitch;</p> <p>22.5.36.2 Roof finishes of buildings shall be within the following range: Slate shingle, cedar shingle, steel roofing (long run corrugated or tray) in the following colours, or similar, only: Coloursteel colours New Denim Blue, Grey Friars, Ironsand or Lignite;</p> <p>22.5.36.3 Wall claddings of buildings shall be within the following range: cedar shingles, natural timber (clear stain), painted plaster in the following colours or equivalent: Resene 5YO18, 5B025, 5B030, 4GR18, 1B55, 5G013, 3YO65, 3YO20; stone cladding provided the stone shall be limited to Otago schist only and all pointing/mortar shall be recessed.</p>	D
22.5.37	<p>Landscaping</p> <p>22.5.37.1 Any application for building consent shall be accompanied by a landscape plan that shows the species, number, and location of all plantings to be established, and shall include details of the proposed timeframes for all such plantings and a maintenance programme.</p> <p>22.5.37.2 The landscape plan shall ensure:</p> <p style="margin-left: 40px;">a. That the escarpment within Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone is planted with a predominance of indigenous species in a manner which enhances naturalness; and</p> <p style="margin-left: 40px;">b. That residential development on sites adjoining Tucker Beach Road is subject to screening.</p> <p>22.5.37.3 Plantings at the foot of, on, and above the escarpment within lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone shall include indigenous trees, shrubs, and tussock grasses.</p> <p>22.5.37.4 Plantings on Lots 1 – 17 may include, willow (except Crack Willow), larch, maple as well as indigenous species.</p>	D

RURAL RESIDENTIAL & LIFESTYLE 22

22.5.37.5	The erection of solid or paling fences is not permitted.	
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Table 7: Wyuna Station Rural Lifestyle Zone		Non-compliance:
22.5.38	The identification of any building platforms or construction of dwellings prior to the granting of subdivision consent that has assessed policies 27.7.1, 27.7.8.1 and 27.7.8.2.	PR

22.6 Rules - Non-Notification of Applications

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

- 22.6.1 Controlled activity Home occupation (Rule 22.4.9), except where the access is onto a State Highway.
- 22.6.2 Controlled activity Visitor Accommodation within a Visitor Accommodation subzone (Rule 22.4.10).

Comment [CB26]: Submitter 719.

22.7 Rules - Assessment Matters

22.7.1 Controlled Activities – Natural Hazards Makarora Rural Lifestyle Zone

- 22.7.1.1 The likelihood of the building being subject to the effects of any natural or other hazard, the degree to which the hazard could result in damage, destruction and/or loss of life, and the need to avoid or mitigate any potential damage or danger from the hazard.
- 22.7.1.2 Any potential adverse effects on other land that may be caused by the anticipated land use activities as a result of the effects of natural or other hazards.
- 22.7.1.3 Any need for conditions to avoid or mitigate potential damage or danger from the hazard, such as the provision of works, location and type of services, minimum floor heights and locations for buildings, and location and quantity of fill or earthworks.
- 22.7.1.4 Whether a minimum floor height should be specified for buildings in situations where inundation is likely and damage to structures could occur, but the land may not be suitable for filling.
- 22.7.1.5 In relation to flooding and inundation from any source, the Council shall have regard to the following:
- The effects of any proposed filling being undertaken to avoid inundation and the consequential effects on the natural drainage pattern and adjoining or downstream land;
 - Any proposed boundary drainage to protect surrounding properties;
 - Any effect of such filling or boundary drainage on the natural character or hydrological functions of wetlands;
 - The adequacy of existing outfalls and any need for upgrading;
 - Any need for retention basins to regulate the rate and volume of surface run-off.
- 22.7.1.6 In relation to erosion, falling debris, slope instability or slippage:

SCHEDULE 3

WORKING DRAFT: CHAPTER 23 GIBBSTON CHARACTER ZONE

GIBBSTON CHARACTER ZONE 23

Key:

Recommend changes to notified chapter are shown in underlined text for additions and ~~strike through text~~ for deletions. Dated 6 April 2016.

Further changes to objectives shown in purple underlined text for additions and ~~strike through~~ text for deletions reflect Working Draft dated 13 April 2016, in response to the Panel's Fourth Procedural Minute, dated 8 April 2016.

23 Gibbston Character Zone

23.1 Zone Purpose

The purpose of the Gibbston Character Zone is to provide primarily for viticulture and commercial activities with an affiliation to viticulture within the confined space of the Gibbston Valley.

The zone is recognised as having a distinctive character and sense of place. It incorporates terraced areas above the Kawarau River, lying between and including Chard Farm and Waitiri. Soils, the microclimate within this area and availability of water have enabled development for viticulture to the extent that this is an acclaimed wine producing area.

The zone has experienced residential subdivision and development. This creates the potential to degrade the distinctive character and create conflict with established and anticipated intensive viticultural activities.

Pursuant to Section 86(b)(3) of the RMA, the following rule that protects or relates to water has immediate legal effect:

- 23.5.7: Setback of buildings from water bodies.

23.2 Objectives and Policies

23.2.1 Objective - ~~Protect~~ The economic viability, character and landscape values of the Gibbston Character Zone are protected by enabling viticulture activities and controlling the adverse effects resulting from inappropriate other activities locating in the Zone.

Comment [CB1]: Submitter 377

Policies

- 23.2.1.1 Enable viticulture activities while protecting, maintaining or enhancing the values of indigenous biodiversity, ecosystems services, the landscape and surface of lakes and rivers and their margins.
- 23.2.1.2 Ensure land with potential value for rural productive activities is not compromised by the inappropriate location of other developments and buildings.
- 23.2.1.3 Ensure activities not based on the rural resources of the area occur only where the character and productivity of the Gibbston Character Zone and wider Gibbston Valley will not be adversely impacted.
- 23.2.1.4 Provide for a range of buildings allied to rural productive activity and worker accommodation.
- 23.2.1.5 Avoid or mitigate adverse effects of development on the landscape and economic values of the Gibbston Character Zone and wider Gibbston Valley.
- 23.2.1.6 Protect, maintain and enhance landscape values by ensuring all structures are to be located in areas with the potential to absorb change.

GIBBSTON CHARACTER ZONE 23

23.2.1.7 Avoid ~~remedy or mitigate the location of~~ locating structures and water tanks on skylines, ridges, hills and prominent slopes, while having regard to the location constraints, technical or operational requirements of regionally significant infrastructure.

Comment [CB2]: Submitter 805.

Comment [CB3]: Submitter 805.

23.2.1.8 ~~Recognise that~~ Have regard to the establishment of complementary activities such as commercial recreation or visitor accommodation that may be complementary to the character and viability of the Gibbston Character Zone, providing they do not impinge on rural productive activities.

Comment [CB4]: Grammatical change.

23.2.1.9 Have regard to the location and direction of lights so they do not cause glare to other properties, roads, public places or the night sky.

23.2.1.10 Avoid adverse cumulative impacts on ecosystem and nature conservation values.

23.2.1.11 Have regard to the risk of fire from vegetation and the potential risk to people and buildings, when assessing subdivision and development.

23.2.2 Objective - ~~Sustain~~ The life supporting capacity of soils is sustained.

Policies

23.2.2.1 Avoid the adverse effects of subdivision and development on the life-supporting capacity of soil.

23.2.2.2 Enable a range of activities to utilise the range of soil types and microclimates.

23.2.2.3 Protect the soil resource by controlling activities including earthworks and indigenous vegetation clearance.

23.2.2.4 Prohibit the planting and establishment of identified trees with the potential to spread and naturalise.

23.2.2.5 Encourage land management practices and activities that benefit soil and vegetation cover.

23.2.3 Objective - ~~Safeguard~~ The life supporting capacity of water is safeguarded through the integrated management of the effects of activities.

Policy

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

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

23.2.4 Objective - ~~Encourage~~ Land management practices that recognise and accord with the environmental sensitivity and amenity values of the Gibbston Character Zone are encouraged.

Policies

23.2.4.1 Encourage appropriate management of vegetation cover and development including earthworks to prevent siltation and sedimentation effects on water resources.

23.2.4.2 Noise levels should not be inconsistent with rural productive activities and the character and rural amenity of the Gibbston area.

23.2.4.3 Control access and egress to ensure safe and efficient movement of traffic on roads and for users of trails, walkways and cycleways.

GIBBSTON CHARACTER ZONE 23

23.2.4.4 Manage forestry and farm-forestry activities to avoid adverse effects on landscape, amenity and viticulture production.

23.3 Other Provisions and Rules

23.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (ODP).

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 ODP)	25 Earthworks (22 ODP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport (14 ODP)
30 Utilities and Renewable Energy	31 Hazardous Substances (16 ODP)	32 Protected Trees
33 Indigenous Vegetation	34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings
36 Noise	37 Designations	Planning Maps

23.3.2 Clarification

23.3.2.1 A permitted activity must comply with all the rules listed in the activity and standards tables, and any relevant district wide rules.

23.3.2.2 Compliance with any of the following standards, in particular the permitted standards, does not absolve any commitment to the conditions of any relevant land use consent, consent notice or covenant registered on the site's computer freehold register.

23.3.2.3 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.

23.3.2.4 The Council reserves the right to ensure development and building activities are undertaken in accordance with the conditions of resource and subdivision consent through monitoring.

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

23.3.2.6 For controlled and restricted discretionary activities, the Council shall restrict the exercise of its discretion to the matters listed in the rule.

23.3.2.7 Ground floor area means any areas covered by the building or parts of the buildings and includes overhanging or cantilevered parts but does not include pergolas (unroofed), projections not greater than 800mm including eaves, bay or box windows, and uncovered terraces or decks less than 1m above ground level.

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

GIBBSTON CHARACTER ZONE 23

23.3.2.9 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

23.4 Rules - Activities

All activities, including any listed permitted activities shall be subject to the rules and standards contained in Tables 1 to 3.

Table 1 – Activities

Table 2 – Buildings

Table 3 – Commercial activities

Rule	Table 1 - Activities	Activity
23.4.1	Any activity not listed in Tables 1 to 3.	NC
	Farming Activities	
23.4.2	Farming Activity (includes viticulture).	P
23.4.3	Factory Farming.	NC
23.4.4	Domestic Livestock.	P
	Residential Activity, Subdivision and Development	
23.4.5	The construction and exterior alteration of residential buildings located within a building platform approved by resource consent, or registered on the applicable computer freehold register, subject to compliance with Table 2.	P
23.4.6	The exterior alteration of any lawfully established building located outside of a building platform, subject to compliance with the standards in Table 2.	P
23.4.7	The use of land or buildings for Residential Activity except as provided for by any other rule.	D
23.4.8	One residential unit within any building platform approved by resource consent.	P
23.4.9	The identification of a building platform not less than 70m ² and not greater than 1000m ² .	D
23.4.10	The construction of any building including the physical activity associated with buildings including roading, access, lighting, landscaping and earthworks, not provided for by any other rule.	D
23.4.11	Residential Flat (activity only, the specific rules for the construction of any buildings apply).	P

GIBBSTON CHARACTER ZONE 23

Rule	Table 1 - Activities	Activity
	Commercial Activities	
23.4.12	Home Occupation that complies with the standards in Table 3.	P
23.4.13	Industrial Activities limited to wineries and underground cellars, not exceeding 300m ² .	P
23.4.14	<p>Retail sales of farm and garden produce, handicrafts and wine that is grown, reared or produced on the site and that comply with the standards in Table 3.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • the location of the activity and buildings. • access, vehicle crossing location, car parking. • screening and location of storage areas for waste materials, outdoor display areas and parking. • signage. • Lighting. 	C
23.4.15	Commercial recreation activities that comply with the standards in Table 3.	P
23.4.16	<p>Winery and farm Buildings.</p> <p>The construction, addition or alteration of a farm or winery <u>building, including extensions to activities</u>, with control reserved to:</p> <ul style="list-style-type: none"> • Location, scale, height and external appearance, as it effects the Gibbston Valley's landscape and amenity values. • Landscaping. • Parking and access, in respect of earthworks and the impact on the safety and efficiency of State Highway 6. • <u>The location, scale and functional need of car parking.</u> • Associated earthworks. • Provision of water supply, sewage treatment and disposal; • <u>Lighting, including car parking areas.</u> • Screening and location of storage areas for waste materials, outdoor display and signage areas and parking. 	C
23.4.17	Visitor Accommodation.	D
	Other Activities	
23.4.18	Informal Airports.	D
23.4.19	Informal Airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities.	P

Comment [CB5]: Submitter 490 and FS 1155.

GIBBSTON CHARACTER ZONE 23

Rule	Table 1 - Activities	Activity
23.4.20	Non-commercial recreation and recreational activity.	P

GIBBSTON CHARACTER ZONE 23

23.5 Rules - Standards

	Table 2: Standards for buildings	Non-compliance
23.5.1	<p>Buildings</p> <p>Any building, including any structure larger than 5m², that is new, relocated, altered, reclad or repainted, including containers intended to, or that remain on site for more than six months, and the alteration to any lawfully established building are subject to the following:</p> <p>All exterior surfaces shall be coloured in the range of browns, greens or greys (except soffits), including;</p> <p>23.5.1.1 Pre-painted steel, and all roofs shall have a reflectance value not greater than 20%.</p> <p>23.5.1.2 Surface finishes shall have a reflectance value of not greater than 30%.</p> <p>23.5.1.3 In the case of alterations to an existing building not located within a building platform, it does not increase the coverage by more than 30% in a ten year period.</p> <p><u>Except</u> these standards do not apply to the blades of frost fighting devices.</p> <p><u>Control</u> Discretion is reserved restricted to all of the following:</p> <ul style="list-style-type: none"> • External appearance. • Visibility from public places and surrounding properties. • Lighting. • Landscape character. • Visual amenity. 	RD
23.5.2	<p>Building size</p> <p>The maximum ground floor area of any building shall be 500m².</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • External appearance. • Visibility from public places. • Landscape character. • Visual amenity. • Privacy, outlook and amenity from adjoining properties. 	RD
23.5.3	<p>Building Height</p> <p>The maximum height of any residential building, residential accessory building or commercial building other than for a farming or winery building shall be 8m.</p>	NC
23.5.4	<p>Building Height</p> <p>The maximum height of any farming or winery building shall be 10m, <u>except this</u></p>	NC

Comment [CB6]: Submitter 12.

Comment [CB7]: Clarification for better consistency with the RMA.

Comment [CB8]: Submitter 12.

GIBBSTON CHARACTER ZONE 23

	<u>standard shall not apply to frost fighting towers and blades.</u>	
23.5.5	<p>Setback from Internal Boundaries (any building)</p> <p>The minimum setback of buildings from internal boundaries shall be 6m.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Rural Amenity. • Landscape character. • Privacy, outlook and amenity from adjoining properties. 	RD
23.5.6	<p>Setback from Roads (any building)</p> <p>The minimum setback of buildings from road boundaries shall be 20m, except the minimum setback of any building for other sections of State Highway 6 where the speed limit is 70 km/hr or greater shall be 40m.</p>	NC
23.5.7	<p>Setback of buildings from Water bodies</p> <p>The minimum setback of any building from the bed of a water body shall be 20m.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Any indigenous biodiversity values. • Visual amenity values. • Landscape character. • Open space. • Whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building. 	RD
23.5.8	All fixed exterior lighting shall be directed away from adjacent sites and roads.	NC

	Table 3: Standards for Commercial Activities	Non - Compliance
23.5.9	<p>Commercial Recreation Activities</p> <p>Commercial recreation activity undertaken outdoors and involving not more than 10 persons in any one group.</p>	D
23.5.10	<p>Retail Sales</p> <p>Buildings in excess of 25m² gross floor area to be used for retail sales identified in Table 1 shall be setback from road boundaries by a minimum distance of 30m.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Landscape character and visual amenity. • Access. • On-site parking. 	RD

GIBBSTON CHARACTER ZONE 23

Table 3: Standards for Commercial Activities		Non - Compliance
23.5.11	<p>Home Occupation</p> <p>23.5.11.1 The maximum net floor area of home occupation activities shall be 100m².</p> <p>23.5.11.2 No goods, materials or equipment shall be stored outside a building.</p> <p>23.5.11.3 All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • The nature, scale and intensity of the activity in the context of the surrounding rural area. • Visual amenity from neighbouring properties and public places. • Noise, odour and dust. • The extent to which the activity requires a rural location because of its affiliation to rural resources. • Screening and location of storage areas for waste materials, lighting, outdoor display areas and parking. • Access safety and transportation effects. 	RD

23.6 Rules - Non-Notification of Applications

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

- 23.6.1** Controlled activity retail sales of farm and garden produce and handicrafts grown or produced on site (Rule 23.4.14), except where the access is directly onto a State highway.
- 23.6.2** Controlled activity winery and farm buildings (Rule 23.4.16) , except where the access is directly onto a State highway.

Comment [CB9]: Submitter 719.

23.7 Rules - Assessment Matters (Landscape)

Unless where the matters of control or discretion are specified in the rule (controlled or restricted discretionary activities), the following assessment matters apply to any discretionary or non-complying activity within the Gibbston Character Zone where the landscape is relevant.

23.7.1 Effects on landscape character:

The following shall be taken into account:

- 23.7.1.1 Where the activity is adjacent to an Outstanding Natural Feature or Landscape, whether and the extent to which the proposed development will adversely affect the quality or character of the adjacent Outstanding Natural Landscape or Feature.
- 23.7.1.2 Whether and the extent to which the scale and nature of the proposed development will degrade the character of the surrounding landscape.
- 23.7.1.3 Whether the design and landscaping would be compatible with or would enhance the character of the landscape.

GIBBSTON CHARACTER ZONE 23

23.7.2 Effects on visual amenity

Whether the development will result in a loss of the visual amenity of the Gibbston Valley landscape, having regard to whether and the extent to which:

- 23.7.2.1 The visual prominence of the proposed development from any public places, in particular State Highway 6, cycleways and bridleways.
- 23.7.2.2 The proposed development is likely to be visually prominent such that it detracts from private views.
- 23.7.2.3 Any screening or other mitigation by any proposed method such as earthworks and/or new planting will detract from the landscape character or obstruct views of the landscape from both public and private locations.
- 23.7.2.4 The proposed development is enclosed by any confining elements of topography and/or vegetation and the ability of these elements to reduce visibility from public and private locations.
- 23.7.2.5 Any roads, access boundaries and associated planting, earthworks and landscaping will reduce visual amenity, with particular regard to elements that are inconsistent with the existing natural topography and patterns.
- 23.7.2.6 Boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape or landscape units.

23.7.3 Design and density of development

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

- 23.7.3.1 Opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (ie. open space held in one title whether jointly or otherwise).
- 23.7.3.2 There is merit in clustering the proposed building(s) or building platform(s) having regard to the overall density of the proposed development and whether this would exceed the ability of the landscape to absorb change.
- 23.7.3.3 Development is located within the parts of the site where they will be least visible from public and private locations.
- 23.7.3.4 Development is located in the parts of the site where they will have the least impact on landscape character.

23.7.4 Tangata Whenua, biodiversity and geological values

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

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

23.7.5 Cumulative effects of development on the landscape

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

GIBBSTON CHARACTER ZONE 23

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

23.7.6 Other Factors and positive effects

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

- 23.7.6.1 Whether the proposed subdivision or development provides an opportunity to protect the landscape from further development and may include open space covenants or esplanade reserves.
- 23.7.6.2 Whether the proposed subdivision or development would enhance the character of the landscape, or protects and enhances indigenous biodiversity values, in particular the habitat of any threatened species, or land environment identified as chronically or acutely threatened on the Land Environments New Zealand (LENZ) threatened environment status.
- 23.7.6.3 Any positive effects including environmental compensation, easements for public access to lakes, rivers or conservation areas.
- 23.7.6.4 Any opportunities to retire marginal farming land and revert it to indigenous vegetation.
- 23.7.6.5 Where adverse effects cannot avoided, mitigated or remedied, the merits of any compensation.
- 23.7.6.6 In the case of a proposed residential activity or specific development, whether a specific building design, rather than nominating a building platform, helps demonstrate the proposed development would maintain or enhance the character of the Gibbston Valley landscape.

SCHEDULE 4

WORKING DRAFT: CHAPTER 33 INDIGENOUS VEGETATION AND BIODIVERSITY

INDIGENOUS VEGETATION & BIODIVERSITY 33

Key:

Recommend changes to notified chapter are shown in underlined text for additions and ~~strike through text~~ for deletions. Dated 7 April 2016.

Further changes to objectives shown in purple underlined text for additions and ~~strike through~~ text for deletions reflect Working Draft dated 13 April 2016, in response to the Panel's Fourth Procedural Minute, dated 8 April 2016.

33 Indigenous Vegetation and Biodiversity

33.1 Purpose

The District contains a diverse range of habitats that support indigenous plants and animals. Many of these are endemic, comprising forests, shrubland, herbfields, tussock grasslands, wetlands, lake and river margins. Indigenous biodiversity is also an important component of ecosystem services and the District's landscapes.

Comment [CB1]: Submitter 706

The Council has a responsibility to maintain indigenous biodiversity and to recognise and provide for the protection of significant indigenous vegetation and significant habitats of indigenous fauna, which are collectively referred to as Significant Natural Areas (SNAs).

Activities ~~involving the efficient use of land~~ including ski-field development within identified Ski Area Sub Zones, farming, fence, road and track construction can be reasonably expected to be undertaken providing such activities maintain or enhance the District's indigenous biodiversity values.

Comment [CB2]: Submitter 706 and 373.

The limited ~~removal~~ clearance of indigenous vegetation is permitted, with discretion applied through the resource consent process to ensure that indigenous vegetation clearance activities exceeding the permitted limits protect, maintain or enhance indigenous biodiversity values. Where the ~~removal clearance of indigenous vegetation would have significant residual effects after avoiding, remedying or mitigating adverse effects cannot be avoided or mitigated and would diminish the District's indigenous biodiversity values~~, opportunities for biodiversity offsetting the enhancement of other areas are encouraged to ~~offset the adverse effects of the loss of those indigenous biodiversity values~~.

Comment [CB3]: Grammatical consistency.

Comment [CB4]: Submitter 373.

Alpine environments are identified as areas above 1070m and are among the least modified environments in the District. Due to thin and infertile soils and severe climatic factors, establishment and growth rates in plant life are slow, and these areas are sensitive to modification. In addition, because these areas contribute to the District's distinctive landscapes, and are susceptible to exotic pest plants, changes to vegetation at these elevations may be conspicuous and have significant effects on landscape character and indigenous biodiversity.

The District's lowlands comprising the lower slopes of mountain ranges and valley floors have been modified by urban growth, farming activities and rural residential development. Much of the indigenous vegetation habitat has been removed and these areas are identified in the Land Environments of New Zealand Threatened Environment Classification as either acutely or chronically threatened environments, having less than 20% indigenous vegetation remaining.

Pursuant to Section 86(b)(3) of the RMA, the rules applicable to Significant Natural Areas have immediate legal effect.

33.2 Objectives and Policies

33.2.1 **Objective** – ~~The P protection, maintain maintenance and enhancement of i~~ Indigenous biodiversity is protected maintained and enhanced.

Comment [CB5]: Grammar to make the statement more outcomes / goal focused.

INDIGENOUS VEGETATION & BIODIVERSITY 33

Policies

33.2.1.1 Identify the District's Significant Natural Areas and schedule them in the District Plan, including the ongoing identification of Significant Natural Areas through ~~resource consent applications~~ development proposals, using the criteria set out in Policy 33.2.1.9.

Comment [CB6]: Clarity.

33.2.1.2 Identify the District's rare or threatened indigenous species and schedule them in the District Plan to assist with the management of their protection.

33.2.1.3 Provide standards in the District Plan for indigenous vegetation that is not identified as a Significant Natural Area or threatened species, which are practical to apply and that permit the removal of a limited area of indigenous vegetation.

33.2.1.4 ~~Recognise~~ Have regard to land take into account the values of tangata whenua and kaitiakitanga.

Comment [CB7]: Grammar

33.2.1.5 ~~Recognise~~ Have regard to anticipated activities in rural areas such as farming or Ski Area Activities within the Ski Area Sub Zones and the efficient use of land and resources while having regard to the maintenance, protection or enhancement of while avoiding, remedying or mitigating the adverse effects of clearance on indigenous biodiversity values.

Comment [CB8]: Grammar

Comment [CB9]: Submitter 706.

33.2.1.6 Encourage the long-term protection of indigenous vegetation and in particular Significant Natural Areas by encouraging land owners to consider non-regulatory methods such as open space covenants administered under the Queen Elizabeth II National Trust Act.

33.2.1.7 Activities involving the clearance of indigenous vegetation are undertaken in a manner to ensure the District's indigenous biodiversity values are protected, maintained or enhanced.

33.2.1.8 Where the adverse effects of an activity on indigenous biodiversity values cannot be avoided, remedied or mitigated, consideration will be given to whether there has been any ~~compensation or~~ biodiversity offset proposed and the extent to which any offset will result in no net loss and preferably, a net indigenous biodiversity gain.

Comment [CB10]: Submitter 373. And clarity.

Comment [CB11]: Submitter 706.

Comment [CB12]: Submitter 373.

33.2.1.9 Protect the habitats of indigenous animals and in particular birds in wetlands, beds of rivers and lakes and their margins for breeding, roosting, feeding and migration.

Comment [CB13]: Submitter 706

33.2.1.9¹⁰ Assess the nature and scale of the adverse effects of indigenous vegetation clearance on the District's indigenous biodiversity values by applying the following criteria:

a. Representativeness

Whether the area is an example of an indigenous vegetation type or habitat that is representative of that which formerly covered the Ecological District:

OR

Comment [CB14]: Submitter 706

b. Rarity

Whether the area supports;

- indigenous vegetation and habitats within originally rare ecosystems;
- indigenous species that are threatened, at risk, uncommon, nationally or within the ecological district;
- indigenous vegetation or habitats of indigenous fauna that has been reduced to less than 20% of its former extent, regionally or within a relevant Land Environment or Ecological District.

OR

c. Diversity and Pattern

Comment [CB15]: Submitter 706

INDIGENOUS VEGETATION & BIODIVERSITY 33

Whether the area supports a highly diverse assemblage of indigenous vegetation and habitat types, and whether these have a high indigenous biodiversity value, including:-

- indigenous taxa;
- ecological changes over gradients.

Comment [CB16]: Submitter 706

OR

d. Distinctiveness

Whether the area supports or provides habitats for indigenous species:

- at their distributional limit within Otago or nationally;
- are endemic to the Otago region,
- are distinctive, of restricted occurrence or have developed as a result of unique environmental factors.

OR

e. Ecological Context

The relationship of the area with its surroundings, including whether the area proposed to be cleared:

- has important connectivity value allowing dispersal of indigenous fauna between different areas;
- has an important buffering function to protect values of an adjacent area of feature;
- is important for indigenous fauna during some part of their life cycle.

33.2.2 **Objective – The P protection and enhancement of Significant Natural Areas are protected maintained and enhanced.**

Comment [CB17]: Grammar

Policies

33.2.2.1 Avoid the clearance of indigenous vegetation within Significant Natural Areas including those that meet the criteria in Policy 33.2.1.10 that would reduce indigenous biodiversity values.

Comment [CB18]: Submitter 706, Cross referencing.

33.2.2.2 Allow the clearance of indigenous vegetation within Significant Natural Areas only in exceptional circumstances and ensure that clearance is undertaken in a manner that retains the values of the area in circumstances where these activities will have a low impact or offer compensation commensurate to the nature and scale of the clearance.

Comment [CB19]: Submitters 373, 706, 600.

33.2.2.3 Recognise that The majority of Significant Natural Areas are located within land used for farming activity and provide for small scale, low impact indigenous vegetation removal, stock grazing, the construction of fences and small scale farm tracks, and the maintenance of existing fences and tracks.

Comment [CB20]: Grammar

33.2.3 **Objective – Ensure the efficient use of land, including ski-field development, farming activities and infrastructure improvements, do not reduce the District's Land use and development maintains indigenous biodiversity values.**

Comment [CB21]: Objective 33.2.3 and Policies 33.2.3.1 to 33.2.3.7: Submitters 706, 373 and 806.

Policies

33.2.3.1 Provide standards controlling The clearance of indigenous vegetation within 20 meters the margins of water bodies, and ensure that proposals for clearance does not create erosion, or reduce natural character and indigenous biodiversity values.

INDIGENOUS VEGETATION & BIODIVERSITY 33

- 33.2.3.2 ~~Where the permanent removal of indigenous vegetation is proposed, e~~ Encourage opportunities to remedy adverse effects through the retention, rehabilitation or establishment protection of the same indigenous vegetation community elsewhere on the site.
- 33.2.3.3 Encourage the retention and enhancement of indigenous vegetation including in locations that have potential for regeneration, or provide stability, and particularly where productive values are low, or in riparian areas or gullies.
- ~~33.2.3.4 When considering the effects of proposals for the clearance of indigenous vegetation, have particular regard to whether threatened species are present, or the area to be cleared is within a land environment (defined by the Land Environments of New Zealand at Level IV) identified as having less than 20% indigenous vegetation remaining; and,~~
- ~~33.2.3.5 Where indigenous vegetation clearance is proposed within an environment identified as having less than 20% indigenous vegetation remaining (defined by the Land Environments of New Zealand at Level IV), have regard to the threatened environment status, the nature and scale of the clearance, potential for recovery or the merit of any indigenous biodiversity offsets.~~
- ~~33.2.3.4 Have regard to whether the area to be cleared is within a chronically or acutely threatened land environment (defined by the Land Environments of New Zealand at Level IV), and the degree to which the clearance would maintain indigenous biodiversity, using the criteria in Policy 33.2.1.10.~~
- ~~33.2.3.6 Ensure indigenous vegetation removal does not adversely affect the natural character of the margins of water ways.~~
- 33.2.3.65 Have regard to any areas in the vicinity of the indigenous vegetation proposed to be cleared, that constitute the same habitat or species which are protected by covenants or other formal protection mechanisms.
- 33.2.4 Objective – ~~Protect the i~~ Indigenous biodiversity and landscape values of alpine environments are protected from the effects of vegetation clearance and exotic tree and shrub planting.**

Policies

- 33.2.4.1 ~~Recognise that The~~ alpine environments contribute to the distinct indigenous biodiversity and landscape qualities of the District, and are vulnerable to change and require protection from vegetation clearance or establishment of exotic plants.
- 33.2.4.2 Protect the alpine environment from degradation due to planting and spread of exotic species.

Comment [CB22]: Grammar.

Comment [CB23]: Submitter 706 and FS1340

33.3 Other Provisions and Rules

33.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (ODP).

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 ODP)	25 Earthworks (22 ODP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport (14 ODP)
30 Utilities and Renewable	31 Hazardous Substances (16)	32 Protected Trees

INDIGENOUS VEGETATION & BIODIVERSITY 33

Energy	ODP)	
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	Planning Maps	

33.3.2 Clarification

- 33.3.2.1 Compliance with any of the following standards, in particular the permitted standards, does not absolve any commitment to the conditions of any relevant land use consent, consent notice or covenant registered on the site's computer freehold register.
- 33.3.2.2 Where an activity does not comply with a Standard listed in the Standards table, 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.
- 33.3.2.3 The rules apply to all zones in the District, including formed and unformed roads, whether zoned or not.
- 33.3.2.4 Refer to part 33.7 for the schedule of threatened species.
- 33.3.2.5 Refer to the planning maps and part 33.8 for the schedule of Significant Natural Areas.
- 33.3.2.6 Refer to Part 33.9 for the District's land environment (defined by the Land Environments of New Zealand at Level IV) that has 20 percent or less remaining in indigenous cover.
- 33.3.2.7 Refer to the Landcare Research Threatened Environment Classification: http://www.landcareresearch.co.nz/_data/assets/pdf_file/0007/21688/TECUserGuideV1_1.pdf
- 33.3.2.8 The following abbreviations are used in the tables. Any activity that is not permitted (P) or prohibited (PR) requires resource consent.

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

33.3.3 Application of the indigenous vegetation rules

- 33.3.3.1 For the purposes of determining compliance with Rules 33.4.1 to 33.4.3, indigenous vegetation shall be measured cumulatively over the area(s) to be cleared.
- 33.3.3.2 Rules 33.5.1 to 33.5.4 shall apply where indigenous vegetation attains 'structural dominance' and, the indigenous vegetation exceeds 20% of the total area to be cleared or total number of species present of the total area to be cleared.
- 33.3.3.3 Rules 33.5.1 to 33.5.4 shall apply where indigenous vegetation does not attain structural dominance and exceeds 30% of the total area to be cleared, or total number of species present of the total area to be cleared.
- 33.3.3.4 Structural dominance means indigenous species that are in the tallest stratum.
- 33.3.3.5 Requirements (33.3.3.2) and (33.3.3.3), do not apply to threatened species listed in Schedule 33.7, the clearance of a threatened species applies to any single plant.

INDIGENOUS VEGETATION & BIODIVERSITY 33

33.3.3.6 Requirements (33.3.3.2) and (33.3.3.3), do not apply to Significant Natural Areas listed in Schedule 33.8. Any clearance or activity is applicable to the land identified as a Significant Natural Area and identified in the planning maps.

33.3.4 Exemptions

33.3.4.1 Any area identified in the District Plan maps and scheduled as a Significant Natural Area that is, or becomes protected by a covenant under the Queen Elizabeth II National Trust Act, shall be removed from the schedule and be exempt from rules in Table 3.

33.3.4.2 Indigenous vegetation clearance for the operation and maintenance of existing and in service/operational roads, tracks, drains, utilities, structures and/or fence lines, but excludes their expansion.

33.3.4.3 Indigenous vegetation clearance for the construction of walkways or trails up to 1.5 metres in width provided that it does not involve the clearance of any threatened plants listed in section 33.7 or any tree greater than a height of 4 metres.

33.4 Rules – Clearance of Indigenous Vegetation

Table 1	Any activity involving the clearance of indigenous vegetation shall be subject to the following rules:	Non-Compliance
33.4.1	The clearance of indigenous vegetation complying with all the standards in Table 2 shall be a permitted activity.	D
33.4.2	Activities located within Significant Natural Areas that comply with all the standards in Table 3 shall be a permitted activity.	D
33.4.3	Activities located within alpine environments (any land at an altitude higher than 1070m above sea level) that comply with Table 4 shall be a permitted activity.	D

33.5 Rules - Standards for Permitted Activities

Table 2	Clearance of indigenous vegetation not located within a Significant Natural Area or within Alpine Environments:
33.5.1	Clearance is less than 5000m ² in area of any site and, 500m ² in area of any site less than 10ha, in any continuous period of 5 years.
33.5.2	Where indigenous vegetation is greater than 2.0 metres in height, clearance is less than 500m ² in area of any site and, and 50m ² in area of any site less than 10ha, in any continuous period of 5 years.
33.5.3	Within a land environment (defined by the Land Environments of New Zealand at Level IV) that has 20 percent or less remaining in indigenous cover, clearance is less than 500m ² in area of any site and, 50m ² in area of any site less than 10ha, in any continuous period of 5 years (refer to section 33.9).
33.5.4	Clearance is more than 20m from <u>the bed of</u> a water body.
33.5.5	Is for the clearance of indigenous trees that have been windthrown and/or are dead standing as a result of natural causes and have become dangerous to life or property.
33.5.6	Is not the clearance of a plant identified as a threatened species listed in section 33.7.

Comment [CB24]: Submitter 706.

INDIGENOUS VEGETATION & BIODIVERSITY 33

Table 3	Activities within Significant Natural Areas identified in Schedule 33.8 and on the District Plan maps:
33.5.7	Earthworks shall: 33.5.7.1 be less than 50m ² in any one hectare in any continuous period of 5 years; 33.5.7.2 not be undertaken on slopes with an angle greater than 20°.
33.5.8	The clearance of indigenous* vegetation shall not exceed 50m ² in area in any continuous period of 5 years. <u>With the exception of specified indigenous animal habitat within exotic vegetation.</u>
33.5.9	<u>Does not involve the planting of any exotic species tree or shrub planting.</u>

Comment [CB25]: Submitter 706. Policy 33.2.1.9 and clarification.

Comment [CB26]: Submitter 706

Table 4	Activities within Alpine Environments – land 1070 metres above sea level:
33.5.10	Does not involve the clearance of indigenous vegetation, <u>or the planting of shelterbelts, or any exotic species tree or shrub planting.</u>
	Clarification: For the purpose of the clearance of indigenous vegetation by way of burning, the altitude limit of 1070 metres shall mean the average maximum altitude of any land to be burnt, averaged over north and south facing slopes

Comment [CB27]: Submitter 706

33.6 Rules - Non-Notification of Applications

The provisions of the RMA apply in determining whether an application needs to be processed on a notified basis. No activities or non-compliances with the standards in this chapter have been identified for processing on a non-notified basis.

33.7 Threatened Plant List

33.7.1 Identification of Threatened Plants

Assistance with the identification of threatened plants is available through the New Zealand Plant Conservation Networks' website: <http://www.nzpcn.org.nz/default.aspx>.

Scientific name	Family	Location (Does not preclude location in any other areas)
Threatened - Nationally Critical		
<i>Pseudognaphalium ephemerum</i>	Asteraceae	North Von
<i>Triglochin palustris</i>	Juncaginaceae	Upper Shotover, Moke Lake
<u><i>Dysphania pusila</i> (locally extinct?)</u>		
<u>Cardamine (b) CHR3129947; tarn)</u>		
<u>Cardamine (c) CHR511706</u>		
<u><i>Chaerophyllum colensoi</i> var. <i>delicatula</i></u>		
<u><i>Crassula peduncularis</i> (locally extinct?)</u>		

INDIGENOUS VEGETATION & BIODIVERSITY 33

Scientific name	Family	Location (Does not preclude location in any other areas)
<u>Epilobium pictum</u>		
Threatened - Nationally Endangered		
Carex uncifolia	Cyperaceae	
Crassula multicaulis	Crassulaceae	
Leonohebe cupressoides	Plantaginaceae	Shotover key population, Wye, Deep Creek, Bullendale
Lepidium sisymbrioides	Brassicaceae	Kawarau
Myosurus minimus subsp. novae-zelandiae	Ranunculaceae	Crown Range
Olearia hectorii	Asteraceae	Lake Dispute, McKinlays Creek
Pittosporum patulum	Pittosporaceae	Dingle Burn
Uncinia strictissima	Cyperaceae	Kingston
<u>Centipeda minima ssp. minima</u>		
<u>Euchiton ensifer</u>		
<u>Ranunculus brevis</u>		
<u>Trithuria inconspicua</u>		
Threatened - Nationally Vulnerable		
Anogramma leptophylla	Pteridaceae	Annual fern, Mt. Alta area Wanaka
Carmichaelia crassicaulis var. racemosa	Fabaceae	
Carmichaelia juncea	Fabaceae	Recorded by McCaskill 1999, Makarora
Carmichaelia kirkii	Fabaceae	Cardrona Valley, West Matukituki
Isolepis basillaris	Cyperaceae	
Kirkianella novae-zelandiae	Asteraceae	Shotover
Myosotis brevis	Boraginaceae	
Myosotis glauca	Boraginaceae	Nevis
Olearia fimbriata	Asteraceae	Hawea, Loch Linnhe
Pachycladon cheesemanii	Brassicaceae	Wye, Bobs Cove, Kingston
Senecio dunedinensis	Asteraceae	Cliffs
<u>Carex cirrhosa</u>		
<u>Carex rubicunda</u>		
<u>Daucus glochidiatus</u>		
<u>Geranium retrorsum</u>		

Comment [CB28]: Submitter 373

Comment [CB29]: Submitter 373

INDIGENOUS VEGETATION & BIODIVERSITY 33

Scientific name	Family	Location (Does not preclude location in any other areas)
<u>Gratiola concinna</u>		
<u>Mazus novaezeelandiae</u>		
<u>Myosotis glauca</u> <u>Ranunculus ternatifolius</u>		
At Risk - Declining		
Acaena buchananii	Rosaceae	
Alepis flavida	Loranthaceae	Sunshine Bay
Carex tenuiculmis	Cyperaceae	
Carmichaelia crassicaulis subsp. crassicaulis	Fabaceae	
Carmichaelia uniflora	Fabaceae	Caples Valley
Carmichaelia vexillata	Fabaceae	
Coprosma intertexta	Rubiaceae	
Coprosma virescens	Rubiaceae	
Deschampsia caespitosa	Poaceae	
Luzula celata	Juncaceae	Shotover
Mentha cunninghamii	Lamiaceae	
Myosotis pygmaea	Boraginaceae	
Olearia fragrantissima	Asteraceae	Kingston
Olearia lineata	Asteraceae	
Peraxilla colensoi	Loranthaceae	
Peraxilla tetrapetala	Loranthaceae	
Pimelea aridula	Thymelaeaceae	
Pimelea sericeovillosa var pulvinaris	Thymelaeaceae	
Ranunculus piliferus	Ranunculaceae	
At Risk - Naturally Uncommon		
Achnatherum petriei	Poaceae	
Aciphylla dissecta	Apiaceae	Alpine
Aciphylla lecomtei	Apiaceae	Alpine
Aciphylla montana var. gracilis	Apiaceae	Alpine
Aciphylla spedenii	Apiaceae	Alpine.
Agrostis petriei	Poaceae	
Anemone tenuicaulis	Ranunculaceae	

Comment [CB30]: Submitter 373

INDIGENOUS VEGETATION & BIODIVERSITY 33

Scientific name	Family	Location (Does not preclude location in any other areas)
<i>Anisotome cauticola</i>	Apiaceae	
<i>Anisotome lanuginosa</i>	Apiaceae	Alpine
<i>Anthosachne aprica</i>	Poaceae	
<i>Anthosachne falcis</i>	Poaceae	
<i>Carex allanii</i>	Cyperaceae	
<i>Carex berggrenii</i>	Cyperaceae	
<i>Carex capillacea</i>	Cyperaceae	
<i>Carex carsei</i>	Cyperaceae	
<i>Carex edgarae</i>	Cyperaceae	
<i>Carex lachenallii</i> subsp. <i>parkeri</i>	Cyperaceae	Alpine
<i>Carex pterocarpa</i>	Cyperaceae	Alpine
<i>Carmichaelia compacta</i>	Fabaceae	Kawarau- Cromwell Gorge endemic
<i>Celmisia graminifolia</i>	Asteraceae	
<i>Celmisia philocremna</i>	Asteraceae	Alpine Eyre Mt endemic
<i>Celmisia spedenii</i>	Asteraceae	Alpine Eyre Mt endemic
<i>Celmisia thomsonii</i>	Asteraceae	Alpine Eyre Mt endemic
<i>Chionochloa crassiuscula</i> subsp. <i>torta</i>	Poaceae	Alpine
<i>Chionochloa crassiuscula</i> subsp. <i>crassiuscula</i>	Poaceae	Alpine
<i>Chionochloa vireta</i>	Poaceae	Alpine
<i>Chionohebe glabra</i>	Plantaginaceae	Alpine
<i>Colobanthus brevisepalus</i>	Caryophyllaceae	
<i>Deschampsia pusilla</i>	Poaceae	Alpine
<i>Epilobium margaretae</i>	Onagraceae	Alpine
<i>Epilobium purpuratum</i>	Onagraceae	Alpine
<i>Euchiton paludosus</i>	Asteraceae	
<i>Euchiton polylepis</i>	Asteraceae	
<i>Festuca mathewsii</i> subsp. <i>pisamontis</i>	Poaceae	Alpine Pisa
<i>Geranium microphyllum</i>	Geraniaceae	
<i>Gingidia baxterae</i>	Apiaceae	
<i>Hebe annulata</i>	Plantaginaceae	Alpine Wye

INDIGENOUS VEGETATION & BIODIVERSITY 33

Scientific name	Family	Location (Does not preclude location in any other areas)
<i>Hebe biggarii</i>	Plantaginaceae	
<i>Hebe dilatata</i>	Plantaginaceae	Alpine
<i>Hebe pimelioides</i> subsp. <i>faucicola</i>	Plantaginaceae	Kawarau Gorge. Endemic
<i>Lagenifera barkeri</i>	Asteraceae	
<i>Leptinella albida</i>	Asteraceae	Alpine
<i>Leptinella serrulata</i>	Asteraceae	
<i>Libocedrus plumosa</i>	Cupressaceae	East Matukituki, Siberia both Mt Aspiring National Park
<i>Luzula leptophylla</i>	Juncaceae	
<i>Luzula traversii</i> var. <i>tenuis</i>	Juncaceae	
<i>Myosotis goyenii</i>	Boraginaceae	Alpine. Endemic
<i>Myosotis tenericaulis</i>	Boraginaceae	
<i>Ourisia confertifolia</i>	Plantaginaceae	Alpine. Eyre Mt endemic
<i>Ourisia remotifolia</i>	Plantaginaceae	Alpine. Eyre Mt endemic
<i>Ourisia spathulata</i>	Plantaginaceae	Alpine. Eyre Mt endemic
<i>Pachycladon wallii</i>	Brassicaceae	Alpine
<i>Pimelea poppelwellii</i>	Thymelaeaceae	Alpine. Eyre Mt endemic
<i>Plantago obconica</i>	Plantaginaceae	Alpine. Hector Mts, Cardrona
<i>Plantago triantha</i>	Plantaginaceae	
<i>Poa incrassata</i>	Poaceae	Alpine
<i>Poa pygmaea</i>	Poaceae	Alpine
<i>Poa senex</i>	Poaceae	Alpine
<i>Poa sudicola</i>	Poaceae	Alpine
<i>Pseudopanax ferox</i>	Araliaceae	
<i>Ranunculatus maculatus</i>	Ranunculaceae	
<i>Ranunculua scrithalmis</i>	Ranunculaceae	Alpine. Eyre Mt endemic
<i>Raoulia beauverdii</i>	Asteraceae	
<i>Raoulia goyenii</i>	Asteraceae	Alpine
<i>Raoulia hectorii</i> var. <i>mollis</i>	Asteraceae	Alpine. Remarkables
<i>Uncinia elegans</i>	Cyperaceae	
<i>Uncinia purpurata</i>	Cyperaceae	Alpine
<i>Uncinia viridis</i>	Cyperaceae	

INDIGENOUS VEGETATION & BIODIVERSITY 33

Scientific name	Family	Location (Does not preclude location in any other areas)
<i>Urtica aspera</i>	Urticaceae	Wye Creek
Data Deficient		
<i>Agrostis imbicilla</i>	Poaceae	
<i>Agrostis pallescens</i>	Poaceae	
<i>Brachyscome longiscapa</i>	Asteraceae	Alpine. Remarkables
<i>Brachyscome montana</i>	Asteraceae	Alpine. Remarkables
<i>Carex decurtata</i>	Cyperaceae	
<i>Coprosma brunnea</i>	Rubiaceae	
<i>Epilobium elegans</i>	Onagraceae	
<i>Epilobium insulare</i>	Onagraceae	
<i>Myosotis glabrescens</i>	Boraginaceae	
<i>Poa xenica</i>	Poaceae	
<i>Ranunculus macropus</i>	Ranunculaceae	Lake Dispute

33.8 Schedule of Significant Natural Areas

33.8.1 Significant Natural Areas

Identifier	Map Number	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
A10C	9	SNA C Mount Alfred Faces	Mt Earnslaw Station, Glenorchy	Mixed beech forest, montane and sub-alpine shrubland and sub-alpine short tussock land.
A8A	12	SNA A Fan Creek Shrublands	Mt Creighton Station	Grey shrubland. Old matagouri with <i>Olearia odorata</i> , <i>Coprosma propinqua</i> , <i>Aristotelia fruticosa</i> , <i>Carmichaelia petriei</i> and briar.
A8B	12	SNA B Lake Face Shrublands	Mt Creighton Station	Broadleaf indigenous hardwood community. Common species within this community include: <i>Griselinia littoralis</i> , <i>Olearia</i> spp., cabbage tree, <i>Pseudopanax</i> sp., marble leaf and <i>Coprosma</i> spp..
A8C	9, 10, 12, 13	SNA C Sites 1 to 9 Manuka Shrublands	Mt Creighton Station	Extensive shrublands of manuka.
A8D	12	SNA D Moke Creek Wetland	Mt Creighton Station	Wetland marsh.
A23A	12, 38	SNA A	Closeburn	Shrubland dominated by manuka and <i>Coprosma propinqua</i> .

INDIGENOUS VEGETATION & BIODIVERSITY 33

Identifier	Map Number	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
B3A	8	SNA A	Mt Burke Station	Shrubland consisting of kanuka (<i>Kunzea ericoides</i>), manuka (<i>Leptospermum scoparium</i>), matagouri (<i>Discaria toumatou</i>), kowhai (<i>Sophora</i> sp.) and briar (<i>Rosa rubiginosa</i>).
B3B	8, 18	SNA B	Mt Burke Station	Woodland dominated by kanuka, but also contains a stand of halls totara (<i>Podocarpus cunninghamii</i>) on rubbly slopes at the head of the catchment and kowhai (<i>Sophora</i> sp.) in the upper kanuka forest.
B3C	8	SNA C	Mt Burke Station	Woodland dominated by halls totara (<i>Podocarpus cunninghamii</i>) and mountain toatoa (<i>Phyllocladus alpinus</i>).
B11A	4	SNA A Sites 1 to 2 Estuary Burn	Minaret Station	Kanuka woodland with a minor component of matagouri and mingimingi.
B11C	4	SNA C Sites 1 to 6 Bay Burn	Minaret Station	Kanuka dominated woodland with a minor component of matagouri and mingimingi and regenerating broadleaved species.
B11D	4, 7	SNA D Minaret Burn	Minaret Station	Shrubland mosaic consisting of manuka/kanuka woodland and broadleaved indigenous hardwoods and beech forest.
B11F	4	SNA F Minaret Bay Riparian	Minaret Station	Indigenous broadleaved hardwoods.
B15A	4, 5	SNA A Sites 1 to 3 Mt Albert Burn & Craigie Burn Kanuka Woodlands	Mt Albert Station	Lakeshore fan communities - dense kanuka forest on flat river fans where the Craigie Burn and Albert Burn flow into the lake. The wet flats on the north side of the Albert Burn contain an excellent population of <i>Olearia lineata</i> growing along a small stream.
B15B	2, 5	SNA B Sites 1 to 5 Lake face shrublands and forest	Mt Albert Station	Beech forest remnants in several gullies and spreading onto some adjacent rolling country and generally surrounded by regenerating manuka shrubland.
B16A	8	SNA A Long Valley Creek	Glen Dene Station	Shrubland mosaic consisting of manuka woodland, broadleaved indigenous hardwoods and beech forest.
B16B	5	SNA B Sites 1 to 3 Lake Wanaka Shrublands	Glen Dene Station	Shrubland mosaic consisting of manuka woodland, broadleaved indigenous hardwoods and beech forest.
C14A	13, 13a	SNA A Sites 1 to 5 Remarkables Face SNA	Remarkables Station	Remnant broadleaf forest forming a buffer to Wye Creek and a good representation of sub-alpine shrubland occurring on several of the south faces of the steep spurs descending from the west faces of the Remarkables, as well as remnant totara logs.
C24A	13	SNA A Wye Creek SNA	Lake Wakatipu Station	Shrubland dominated by bracken fern and <i>Pittosporum tenuifolium</i> , but also including tutu, <i>Coprosma propinqua</i> , <i>Griselinia littoralis</i> , manuka, <i>Hebe salicifolia</i> , matagouri, mistletoe sp., <i>Carmichaelia</i> sp., and <i>Cordyline australis</i> .

INDIGENOUS VEGETATION & BIODIVERSITY 33

Identifier	Map Number	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
D1A	13	SNA A	Loche Linnhe Station	Grey shrubland consisting of <i>Olearia odorata</i> , <i>Olearia fimbriata</i> , <i>Discaria toumatou</i> , <i>Coprosma propinqua</i> , <i>Coprosma rugosa</i> , <i>Melicytus alpinus</i> , <i>Muehlenbeckia complexa</i> , and <i>Rubus schmidelioides</i> .
D1B	13	SNA B Sites 1 to 3	Loche Linnhe Station	Forest and shrubland consisting of <i>Griselinia littoralis</i> , <i>Aristotelia serrata</i> , <i>Olearia arborescens</i> , <i>Metrosideros umbellata</i> , <i>Carpodetus serratus</i> , <i>Fuchsia excorticata</i> , <i>Sophora microphylla</i> , <i>Pittosporum tenuifolium</i> , <i>Pseudopanax crassifolium</i> and <i>Coriaria arborea</i> .
D1C	15	SNA C	Loche Linnhe Station	Beech forest dominated by mountain beech (<i>Nothofagus solandri. cliffortoides</i>) with occasional mature red beech (<i>Nothofagus fusca</i>), located above the highway.
D1D	15	SNA D	Loche Linnhe Station	Grey shrubland and pasture grassland. Species recorded include tree daisys (<i>Olearia odorata</i> , <i>Olearia fimbriata</i>), matagouri, <i>Coprosma propinqua</i> , briar and <i>Melicytus alpinus</i> .
D1E	15	SNA E	Loche Linnhe Station	Beech forest dominated by mountain beech (<i>Nothofagus solandri. cliffortoides</i>), with occasional mature red beech (<i>Nothofagus fusca</i>).
D4A	15	SNA A Halfway Bay Lake Shore	Lake Wakatipu Station	Red and mountain beech forest in gullies, broadleaf lakeshore forest (including kowhai, broadleaf, occasional southern rata, <i>Olearia</i> species and <i>Coprosma</i> species) and regenerating broadleaf forest, shrubland, bracken fernland, occasional gorse and wild conifers.
D5A	13, 13b	SNA A Sites 1 to 7 Lakeshore Gullies	Cecil Peak Station	Beech forest, shrubland, bracken fernland and pasture grasses.
D6A	12, 13	SNA A McKinlays Creek	Walter Peak Station/Cecil Peak Station	Mountain beech forest with remnant and regenerating shrubland on steep, rocky slopes and exotic grassland that follows along a vehicle track.
D6B	14	SNA B Von – White Burn	Walter Peak Station	A series of extensive ponds and bogs with red tussock merging into dryland hard tussockland.
D7A	12, 14	SNA A Sites 1 to 2 North Von, Lower Wetlands	Mt Nicholas Station/Walter Peak Station	Lacustrine wetland, swamp, marshland and bog.
D7B	12, 14	SNA B North Von, Central Wetlands	Mt Nicholas Station	Palustrine wetlands and sub alpine bogs.
D7C	12	SNA C Sites 1 to 3 North Von, Upper Wetlands	Mt Nicholas Station	Cushion bog, sedgeland, rushland and turf communities containing plants typical of these communities.

INDIGENOUS VEGETATION & BIODIVERSITY 33

Identifier	Map Number	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
D7D	14	SNA D North Von Lower Wetlands	Mt Nicholas Station	A kettle lake, kettle holes and adjacent wetlands and ephemeral wetlands.
E18B	8, 18	SNA B	Watkins Rd, Hawea Flat	Mosaic of short tussock grassland, cushionfields and herbfields.
E18C	8, 18	SNA C	Mt Iron	Kanuka woodland.
E18D	8, 18	SNA D Sites 1 to 2	Mt Iron	Kanuka woodland.
E18G	8	SNA G	Wanaka-Luggate Hwy, Upper Clutha River	Kanuka woodland with some small areas of short tussock grassland dominated by introduced grasses.
E18H	8, 18	SNA H	Mt Iron	Kanuka woodland.
E19A	8	SNA A	Glenfoyle Station	Kanuka woodland.
E19B	8, 11	SNA B	Glenfoyle Station	Kanuka woodland, dominated by kanuka but also including a more diverse plant assemblage in the gully bottoms including matagouri, <i>Coprosma propinqua</i> and tree daisys (<i>Olearia</i> sp.).
E19C	8, 11	SNA C	Glenfoyle Station	Kanuka woodland.
E30A	8, 11, 11a	SNA A Dead Horse Creek	Lake McKay Station	Kanuka woodland dominated by kanuka, but also includes shrubland species such as matagouri, native broom, <i>Coprosma propinqua</i> and mature stands of <i>Olearia lineata</i> .
E30B	8, 11	SNA B Sites 1 to 4 Tin Hut Creek	Lake McKay Station	Kanuka woodland dominated by kanuka but also includes other shrubland species such as matagouri, native broom, and <i>Coprosma propinqua</i> .
E30C	11	SNA C Alice Burn Tributary	Lake McKay Station	Grey shrubland, which includes significant populations of <i>Olearia lineata</i> .
E30D	8, 11, 18a	SNA D Luggate Creek	Lake McKay Station	Kanuka woodland dominated by kanuka but also includes other shrubland species such as matagouri, native broom, and <i>Coprosma propinqua</i> .
E30E	8, 11	SNA E Sites 1 to 2 Lake McKay	Lake McKay Station	Kanuka woodland dominated by kanuka but also includes other shrubland species such as matagouri, native broom, and <i>Coprosma propinqua</i> .
E30F	8, 11	SNA F Alice Burn	Lake McKay Station	Kanuka woodland dominated by kanuka but also includes other shrubland species such as matagouri, native broom, and <i>Coprosma propinqua</i> .
E35A	8, 11	Sites 1 to 11 Sheepskin Creek	Luggate-Cromwell Road, Upper Clutha.	Diverse kanuka, and mixed kanuka/mingimimi-matagouri, scrub/shrubland communities in mid to lower reaches of the Sheepskin Creek catchment with intervening areas of pasture.

INDIGENOUS VEGETATION & BIODIVERSITY 33

Identifier	Map Number	SNA Site Name	Property or Location Reference	Description/Dominant Indigenous Vegetation
E37A	8, 11	SNA A	Kane Road – Hawea Back Road, Hawea Flat	Grey shrubland on rocky outcrop, including <i>Coprosma intertexta</i> , <i>Coprosma propinqua</i> , <i>Coprosma tayloriae</i> , <i>Coprosma rigida</i> , <i>Coprosma crassifolius</i> , <i>Carmichaelia petriei</i> , <i>Melicytus alpinus</i> , <i>Discaria toumatou</i> , <i>Pteridium esculentum</i> , <i>Muehlenbeckia complexa</i> and <i>Cordyline australis</i> .
E38A	8, 18a	SNA A Sites 1 to 5	Stevensons Road, Clutha River	Cushion fields (including <i>Pimelea sericeovillosa</i> subsp. <i>pulvinaris</i>) and kanuka stands.
E39A	8, 18, 24b	SNA A	Dublin Bay Road, Albert Town, Wanaka.	Short tussock grassland and cushion field.
E44A	8	SNA A Sites 1 to 2	Te Awa Road Hawea River	Hard tussock grassland with shrubland species, including kanuka, <i>Ozothamnus leptophyllus</i> and matagouri.
E45A	8	SNA A Sites 1 to 2	Te Awa Road Hawea River	Kanuka stands with other native species interspersed including <i>Coprosma propinqua</i> , <i>Ozothamnus leptophyllus</i> , matagouri and stands of bracken fern.
F2A	10	SNA A	Branch Creek, Cardrona Valley	Shrubland including <i>Dracophyllum longifolium</i> , <i>Dracophyllum uniflorum</i> , <i>Olearia avicennifolia</i> , <i>Olearia arborescens</i> , <i>Olearia nummularifolia</i> , <i>Olearia odorata</i> , and <i>Coprosma propinqua</i> , with a small pocket of silver beech forest.
F2B	10	SNA B Sites 1 to 3	Branch Creek, Cardrona Valley	Shrubland consisting of matagouri, <i>Olearia odorata</i> , <i>Olearia bullata</i> , <i>Aristotelia fruticosa</i> , <i>Coprosma propinqua</i> , <i>Coprosma tayloriae</i> , <i>Carmichaelia petriei</i> , sweet briar, elderberry, <i>Melicytus alpinus</i> , <i>Rubus schmidelioides</i> and <i>Meuhlenbeckia australis</i> .
F2C	10	SNA C Sites 1 to 2	Branch Creek, Cardrona Valley	Shrubland consisting of matagouri, <i>Olearia odorata</i> , <i>Olearia bullata</i> , <i>Aristotelia fruticosa</i> , <i>Coprosma propinqua</i> , <i>Carmichaelia petriei</i> , sweet briar, elderberry, <i>Melicytus alpinus</i> , <i>Rubus schmidelioides</i> and <i>Meuhlenbeckia australis</i> .
F2D	10	SNA D	Branch Creek, Cardrona Valley	Shrubland consisting of matagouri, <i>Olearia odorata</i> , <i>Olearia bullata</i> , <i>Aristotelia fruticosa</i> , <i>Coprosma propinqua</i> , <i>Coprosma tayloriae</i> , <i>Carmichaelia petriei</i> , sweet briar, elderberry, <i>Melicytus alpinus</i> , <i>Rubus schmidelioides</i> and <i>Meuhlenbeckia australis</i> .
F21A	10	SNA A	Hillend Station, Wanaka	Coprosma-matagouri-Olearia shrubland with some elder and briar and a small pocket of silver beech forest.
F21B	10	SNA B Sites 1 to and 3	Hillend Station, Wanaka	Shrubland including matagouri, <i>Coprosma propinqua</i> , kanuka – manuka, <i>Olearia odorata</i> , briar and elder.
F21C	10	SNA C Sites 1 to 2	Hillend Station, Wanaka	Beech forest fragments with extensive areas of regenerating shrubland.

Comment [CB31]: Submitter 383. Area reduced.

Comment [CB32]: Submitter 383. Site 2 removed. Sites 1 and 3 reduced.

Comment [CB33]: Submitter. 383. Sites 1 and 2 removed.

INDIGENOUS VEGETATION & BIODIVERSITY 33

Identifier	Map Number	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
F22A	10	SNA A Sites 1 to 2 Back Creek	Back Creek, Cardrona Valley.	Grey shrubland dominated by <i>Olearia odorata</i> , <i>Coprosma propinqua</i> and matagouri.
F26A	10	SNA A	Avalon Station, Cardrona Valley	Grey shrubland including <i>Coprosma propinqua</i> , matagouri, <i>Olearia odorata</i> and briar.
F26B	10	SNA B	Avalon Station, Cardrona Valley	Grey shrubland including <i>Olearia</i> spp., <i>Coprosma propinqua</i> , matagouri and <i>Corokia cotoneaster</i> .
F26C	10	SNA C Sites 1 to 3	Avalon Station, Cardrona Valley	Grey shrubland including <i>Olearia lineata</i> , <i>Coprosma propinqua</i> , matagouri, <i>Hebe salicifolia</i> and <i>Carmichaelia kirkii</i> .
F31A	13, 15a	SNA A Kawarau Faces	Waitiri Station, Kawarau Gorge.	Shrubland heavily dominated by matagouri and sweet briar but also includes <i>Coprosma propinqua</i> and to a lesser degree <i>Olearia odorata</i> .
F32A	13, 30	SNA A Sites 1 to 3 Owen Creek	Remarkables Range.	Grey shrubland dominated by <i>Olearia</i> species, <i>Coprosma propinqua</i> , <i>Discaria toumatou</i> , <i>Carmichaelia petriei</i> , <i>Melicytus alpinus</i> , <i>Rubus schmidelioides</i> and <i>Meuhlenbeckia</i> species.
F32B	13, 30	SNA B Rastus Burn	Remarkables Range.	Grey shrubland dominated by <i>Olearia</i> species, <i>Coprosma propinqua</i> , <i>Discaria toumatou</i> , <i>Carmichaelia petriei</i> , <i>Melicytus alpinus</i> , <i>Rubus schmidelioides</i> , and <i>Meuhlenbeckia</i> species.
F40A	13, 15a	SNA A	Gibbston Valley	Grey shrubland largely dominated by matagouri and <i>Coprosma propinqua</i> , but also includes populations of <i>Olearia</i> spp. and <i>Muehlenbeckia complexa</i> .
F40B	13, 15a	SNA B	Gibbston Valley	Grey shrubland including <i>Olearia odorata</i> , <i>Olearia lineata</i> , <i>Discaria toumatou</i> , <i>Coprosma propinqua</i> , <i>Melicytus alpinus</i> , <i>Muehlenbeckia complexa</i> , <i>Rubus schmidelioides</i> , <i>Carmichaelia petriei</i> , <i>Clematis quadribracteolata</i> and <i>Hebe salicifolia</i> .
F40C	13, 15a	SNA C	Gibbston Valley	Grey shrubland.
F40D	13, 15a	SNA D	Gibbston Valley	Grey shrubland dominated by matagouri and kowhai, but also includes <i>Coprosma propinqua</i> , <i>Melicytus alpinus</i> , <i>Coprosma crassifolia</i> and <i>Muehlenbeckia complexa</i> .
G28A	10, 26	SNA A Site 6	Coronet Peak (Bush Creek)	<i>Olearia odorata</i> –matagouri shrubland.
G28A	10, 26	SNA A Site 7	Coronet Peak (Bush Creek)	Mountain beech forest.
G33A	10	SNA A	Ben Lomond Station, Upper Shotover River	Mixed mingimingi–matagouri– <i>Olearia</i> spp. shrubland.
G33B	10	SNA B	Ben Lomond Station, Upper Shotover River	Mixed mingimingi–matagouri– <i>Olearia</i> spp. shrubland.

INDIGENOUS VEGETATION & BIODIVERSITY 33

Identifier	Map Number	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
G33C	9	SNA C	Ben Lomond Station, Upper Shotover River	Extensive manuka scrub & shrubland community and mountain beech forest.
G34A	7	SNA A	Alpha Burn Station, West Wanaka	Kanuka, mingimingi-matagouri-kohuhu-broadleaf-manuka/bracken shrubland.
G34B	7	SNA B	Alpha Burn Station, West Wanaka	Kohuhu-broadleaf shrubland merging with mingimingi-matagouri/bracken shrubland.
G34C	7	SNA C	Alpha Burn Station, West Wanaka	Mixed broadleaf-kohuhu-mingimingi-matagouri-bracken shrubland.
G34D	7	SNA D	Alpha Burn Station, West Wanaka	Mixed beech forest, manuka forest, montane shrubland.
Identifier	Map Number	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
2A	5	Hunter River Delta	G38 270 557	WERI: A braided river used for fishing and recreational boating activities. An important site for bird breeding.
16A	10	Caspar Flat Bush	E40 669 936	SSWI: An area with mountain beech. Bird species present include yellow breasted tit, rifleman, grey warbler and silveryeye. Reasonable canopy but low plant diversity (natural for environment).
17A	10	Left Branch bush	E40 665 925	SSWI: An area of mountain beech, mountain toatoa, small leaf <i>Coprosma</i> s and ferns. A very steep south facing habitat. Reasonable canopy but very little plant diversity (natural for environment). Bird species include yellow breasted tit, rifleman, silveryeye and grey warbler. Some large slips.
18A	10	Butchers Gully Bush	E40 665 906	SSWI: An area with mountain beech and mountain toatoa. Bird species include grey warbler, rifleman and yellow breasted tit. A steep south facing habitat. Reasonable canopy but little plant diversity. Some slipping.
35A	9, 10	Mount Aurum Remnants	S123 520 930	SSWI: An area with mountain beech, situated in gullies and on southern faces. Reasonable canopy, but low plant diversity. Yellow breasted tit, rifleman and grey warbler present.
38A	12	Moke Lake	S132 470 738	WERI, SSWI: A steep montane lake surrounded by tussock farmland. Brown trout fishery.
40A	12	Lake Isobel	S132 406 807	WERI: A lake with restiad bog and tussock land (<i>Chionochoa</i> species).
41A	12	Lake Kirkpatrick	S132 477 704	WERI, SSWI: A sub-alpine lake with <i>Carex</i> bog and surrounded by tussock farmland. Common native water-fowl present. More important as trout fishery.

INDIGENOUS VEGETATION & BIODIVERSITY 33

Identifier	Map Number	SNA Site Name	Property or location Reference	Description/Dominant Indigenous Vegetation
42A	12, 38	Few Creek Bush (includes 127)	S132 440 675	SSWI: A moderate sized plain beech forest (red beech, mountain beech) with common forest birds, including brown creeper, fantail, bellbird, rifleman, grey warbler and yellow breasted tit.
43A	12, 38	Twelve Mile Bush	S132 420 655	SSWI: Reasonable sized bush with more diversity than usual, with red beech, mountain beech, broadleaf shrubbery, bracken and tussock surrounds. Good range of common forest birds, including brown creeper, fantail, bellbird, rifleman, grey warbler and yellow breasted tit. Very good lakeshore diversity.
57A	31	Lake Johnson	F41 735 695	WERI, SSWI: An eutrophied lowland lake, rush and sedge swamp (<i>Carex</i> species - Cyperaceae).
69A	13	Shadow Basin Tarn	F41 798 639	Montane lake and montane flush surrounded by steep slopes of snow tussock, cushion vegetation and herb fields.
71A	13	Lake Alta (adjoins 70)	F41 801 632	WERI: A montane lake surrounded by steep snow tussock slopes with extensive cushion vegetation and herb fields.
72A	13	Upper Wye Lakes	F41 812 612	WERI: Four montane lakes surrounded by scree and snow tussock. Cushion vegetation and herb fields.
91A	5	Dingle Lagoon	G39 220 347	WERI SSWI: A lagoon with a sloping edge with good plant communities and populations of paradise shelduck, mallard, grey duck and Canada geese.
114A	6, 9	Mt Earnslaw Forest and Bush Remnants	E40	SSWI: A healthy area of bush with red beech, totara, mountain beech, <i>Grisilinea</i> , fuchsia, wineberry, <i>Coprosma</i> sp., hard fern. Good numbers of bush birds present, including yellow breasted tit, rifleman, bellbird, grey warbler and silvereye.
126A	32	Gorge Road Wetland	S132 555 720	Significant site of insects and plants (<i>Carox socta</i>).

33.9 Threatened Environment Classification Maps

Threatened Environment Classification maps (as defined by Land Environments of New Zealand Level IV), identifying the acutely and chronically threatened environments with less than 20% indigenous cover remaining.

Note: The Council's webmap illustrates this information at a greater scale.

INDIGENOUS VEGETATION & BIODIVERSITY 33

RECOMMENDED CHANGES TO DEFINITIONS CHAPTER 2

Indigenous Vegetation	Means vegetation that occurs naturally in New Zealand, or arrived in New Zealand without human assistance, <u>includes both vascular and non-vascular plants.</u>
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Comment [CB34]: Submitter 706

Clearance Of Vegetation (Includes Indigenous Vegetation)	Means the removal, trimming, felling, or modification of any vegetation and includes cutting, crushing, cultivation, <u>soil disturbance including direct drilling,</u> spraying with herbicide or burning. Clearance of vegetation includes, the deliberate application of water where it would change the ecological conditions such that the resident indigenous plant(s) are killed by competitive exclusion. Includes dryland cushion field species.
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Comment [CB35]: Submitter 706

SCHEDULE 5

WORKING DRAFT: CHAPTER 34 WILDING EXOTIC TREES

WILDING EXOTIC TREES 34

Key:

Recommend changes to notified chapter are shown in underlined text for additions and ~~strike through text~~ for deletions. Dated 6 April 2016.

Further changes to objectives shown in purple underlined text for additions and ~~strike through~~ text for deletions reflect Working Draft dated 13 April 2016, in response to the Panel's Fourth Procedural Minute, dated 8 April 2016.

34 Wilding Exotic Trees

34.1 Purpose

The purpose of these provisions is to prevent the spread of wilding exotic trees. Wilding is the term used for the natural regeneration or seedling spread of exotic trees, occurring in unintended locations and not managed for forestry production.

The District values and relies on its distinctive landscapes, open spaces and rural productive land for its social, cultural and economic wellbeing. Wilding trees are spreading across parts of the District and have visually degraded parts of the landscape, biodiversity values and can threaten the productive values of the soil resource. The spread of wilding trees has left other areas vulnerable to landscape and biodiversity degradation.

The Council manages existing wilding trees through the non-statutory document, 'The Wakatipu Wilding Conifer Strategy'. The District Plan also has a role in reducing the potential for wilding tree spread by controlling the planting of wilding potential species.

34.2 Objective and Policyies

Comment [CB1]: Grammar to reflect recommended new policies.

34.2.1 Objective – ~~Protection of t~~ The District's landscape, biodiversity and soil resource values are protected from the spread of wilding exotic trees.

Comment [CB2]: Grammar so the objective is more like an outcomes/goal statement

Policy

34.2.1.1 Avoid the further spread of identified wilding tree species by prohibiting the planting of identified species.

34.2.1.2 Ensure that any planting and ongoing management of Radiata pine (*Pinus radiata*) is effective and can be practicably managed to avoid the adverse effects of the spread of wilding trees and degradation to the landscape.

34.2.1.3 That any proposal for the planting and ongoing management of Radiata pine (*Pinus radiata*) shall satisfy the following to ensure the spread of wilding trees can be contained:

a. The location and potential for wilding take-off, having specific regard to the slope and exposure to wind.

b. The surrounding land uses and whether these would reduce the potential for wilding spread.

c. The ownership of the surrounding land and whether this would constrain the ability to manage wilding spread.

d. Whether management plans are proposed for the avoidance or containment of wilding spread.

e. Whether a risk assessment has been completed and the results are favourable to the proposal.

Comment [CB3]: Submitters 9,117, 286, 332, 386, 458, 600, 784, 829, FS1091, FS1209

WILDING EXOTIC TREES 34

34.3 Other Provisions and Rules

34.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (ODP).

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 ODP)	25 Earthworks (22 ODP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport (14 ODP)
30 Utilities and Renewable Energy	31 Hazardous Substances (16 ODP)	32 Protected Trees
33 Indigenous Vegetation	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	Planning Maps	

34.4 Rule – Planting of wilding exotic trees

Rule	Table 1: Planting of wilding exotic trees	Activity Status
34.4.1	Planting of the following:	Prohibited
	a. Contorta or lodgepole pine (<i>Pinus contorta</i>)	No application for resource consent can be accepted.
	b. Radiata Pine (<i>Pinus radiata</i>)	
	bc. Scots pine (<i>Pinus sylvestris</i> <i>Pinus sylvestris</i>)	
	cd. Douglas fir (<i>Pseudotsuga menziesii</i>)	
	de. European larch (<i>Larix decidua</i>)	
	ef. Corsican pine (<i>Pinus nigra</i>)	
	fg. Bishops pine (<i>Pinus muricata</i>)	
	gh. Ponderosa pine (<i>Pinus Ponderosa</i>)	
	h. Mountain pine (<i>Pinus uncinata</i>)	
	i. Dwarf Mountain pine (<i>Pinus mugo</i>)	
	j. Maritime pine (<i>Pinus pinaster</i>)	
	k. Sycamore (<i>Acer pseudoplatanus</i>)	
	l. Hawthorn (<i>Crataegus monogyna</i>)	
m. Boxthorn (<i>Lycium ferocissimum</i>)		
n. Buddleia (<i>Buddleia davidii</i>)		

Comment [CB4]: Submitters 9, 117, 286, 332, 458, 829

Comment [CB5]: Submitter 373

Comment [CB6]: Submitter 373

Comment [CB7]: Minor grammatical clarification

WILDING EXOTIC TREES 34

	<p><u>o. Grey willow (<i>Salix cinerea</i>)</u></p> <p><u>p. Crack willow (<i>Salix fragilis</i>)</u></p> <p><u>q. Cotoneaster (<i>Simonsii</i>)</u></p> <p><u>r. Rowan (<i>Sorbus aucuparia</i>)</u></p> <p><u>s. Spanish heath (<i>Erica lusitanica</i>)</u></p>	
34.4.2	<p><u>Planting of the following:</u></p> <p><u>a. Radiata pine (<i>Pinus radiata</i>)</u></p>	<u>Discretionary</u>

Comment [CB8]: Submitters 281, 289, 339, 706

Comment [CB9]: Submitter 281

Comment [CB10]: Submitters 9, 117, 286, 332, 386, 458, 600, 784, 829, FS1091, FS1209

34.4.3 Exemption

34.4.3.1 For avoidance of doubt, any tree identified and scheduled in the District Plan as a protected tree shall be exempt from this rule.

34.5 Rules – Non-Notification of Applications

The provisions of the RMA apply in determining whether an application needs to be processed on a notified basis. No activities in this chapter have been identified for processing on a notified basis.

Comment [CB11]: Consequential drafting addition of this section required on the basis prohibited status removed for *Pinus Radiata*.