

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

UNDER THE Resource Management Act 1991 (“**RMA**”)
IN THE MATTER OF Stage 3 Proposed District Plan – Wāhi Tūpuna
BETWEEN **CARDRONA CATTLE COMPANY, GIBBSTON VALLEY STATION LIMITED, MJGR. SEMPLE TRUSTEE, J.C SEMPLE & M.B SEMPLE, K.F & T.S DERY, TOMANOVICH INVESTMENTS LIMITED, SILVER CREEK LIMITED, THE STATION AT WAITIRI LIMITED, R. BUCKHAM, NEW ZERMATT PROPERTIES LIMITED, KEN MUIR, CARDRONA VILLAGE LIMITED, KINGSTON LIFESTYLE POPERTIES LIMITED.**
Submitters 3344, 3345, 3346, 3347, 3349, 3350, 3351, 3395, 3396, 3211, 3404, 3297
AND **QUEENSTOWN LAKES DISTRICT COUNCIL**
Planning Authority

**EVIDENCE OF BRETT JAMES GIDDENS IN SUPPORT OF
THE SUBMISSIONS 3344, 3345, 3346, 3347, 3349, 3350, 3351, 3395, 3396,
3211, 3404, 3297**

19 JUNE 2020

PROFESSIONAL DETAILS

Qualifications and experience

1. My full name is Brett James Giddens.
2. I am a Senior Planner and Managing Director of Town Planning Group (NZ) Limited, a resource management and development consultancy established in 2006 with offices in Queenstown, Christchurch and Auckland.
3. I am an associate member of the New Zealand Planning Institute and have over 17 years planning experience. I hold the qualifications of Bachelor of Science (Geology) from Canterbury University, Master of Environmental Management from Lincoln University, Master of Regional and Resource Planning (current) from Massey University.
4. Prior to establishing Town Planning Group, I had been employed in planning and development for local authorities, as well as in private practice undertaking planning work throughout New Zealand. This work has included large scale plan changes, development planning and consenting, policy development, and consent processing for local authorities. Clients include private landowners, corporations, iwi groups, local authorities and government agencies.
5. I have been working with the Queenstown Lakes District Plan since 2003 and I am very familiar with the current Operative and Proposed Plans, as well as its former versions. I have been involved in the review of the Queenstown Lakes District Plan for a large number of clients and have provided planning advice and evidence in both Stage 1 and 2, and more recently, Stage 3, of the review.

Code of conduct

6. Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witness contained in the Environment Court Practice Note and that I agree to comply with it.
7. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

Scope of Evidence

8. The scope of my evidence relate to matters pertinent to proposed Chapter 39 – Wāhi Tūpuna.
9. In the preparation of my evidence I have reviewed the following:
 - (a) the Council's section 32 report prepared by Ms Sarah Pickard;
 - (b) the summary of submissions and Council's section 42A report prepared by Ms Pickard; and
 - (c) the evidence on behalf of Ka Rūnaka.

Submitters

10. This evidence is prepared on behalf of the following submitters:
- (a) **Cardrona Cattle Company Limited (#3349)** own property located above the true right of the Kawarau River, adjacent to Victoria Flats Road and State Highway 6. As the Wāhi Tūpuna layer extends beyond the Statutory Acknowledgement Area, the submitters property is affected by the Wāhi Tūpuna provisions in the same manner as that noted for Waitiri Station.
 - (b) **Tomanovich Investments Ltd (#3346)** own property to the north of State Highway 6, within the Gibbston Valley accessed via Rafter Road. As the Wāhi Tūpuna layer extends beyond the Statutory Acknowledgement Area, the submitters property is affected by the Wāhi Tūpuna provisions in the same manner as that noted for Waitiri Station severely inhibiting development otherwise encouraged by the Gibbston Character Zone and that can be taken as of right in relation to rural activities.
 - (c) **MRGR. Semple Trustee, J.C Semple & M.B Semple (#3344)** relates to a property in Arthurs Point located on Watties Track above the Shotover River. The majority of the land to the north is affected by the notified Wāhi Tūpuna layers due to the proximity to “Kimiākau” (Shotover River). The notified provisions extend beyond the Statutory Acknowledgement Area with the following values considered to apply to the site: Ara tawhito (trails and routes), mahika kai and nohoaka (seasonal settlements). Due to the undisclosed nature of the Wāhi Tūpuna layer, the submitter is uncertain whether there were/are any nohoaka sites contained within their site and have not seen any evidence of this during their period of ownership, with no historical records existent to support the values identified. The submitter is not opposed to the Wāhi Tūpuna layer being identified on their property, rather the need to undertake consultation and obtain resource consent on the basis that there ‘may’ or ‘may not’ be sites of significance located on their property for otherwise permitted activities related to buildings, structures, earthworks and planting of exotic species is taken issue with. Other resource consent processes related to energy activities, subdivision and development will be more protracted and onerous and on that basis, the relief is opposed.
 - (d) **K. F and T.S Dery (#3345)** also live in Arthurs Point adjacent to Watties Track and the Shotover River with the notified Wāhi Tūpuna provisions in relation to “Kimiākau” (Shotover River) affecting the northern portion of their property. They have the same issues and seek the same relief as #3344.
 - (e) **Silver Creek Limited (#3347)** own a large area of land located on Queenstown Hill (Te Tapunui) which is zoned Lower Density Suburban Residential and is proposed for large scale residential development. The entirety of the submitters site is encapsulated within the Wāhi Tūpuna layer. Any proposed development of the site will trigger those matters outlined under Chapter 39 and the submitter is opposed to the overlay in this location and the impact it will have on development rights enabled through its operative zoning.

- (f) **R. Buckham (#3395)** owns property adjacent to the Clutha River with this portion of the River referred to in Chapter 39 as “Mata-Au” (Clutha River) as it is a tributary. The entirety of the submitters property is located within the Wāhi Tūpuna layer with the following values identified as potentially relevant: Ara tawhito (trails), mahika kai (food gathering), nohoaka (seasonal settlements). The following activities are listed as ‘recognised threats’ which would trigger a resource consent process: damming activities affecting water quality, buildings and structures, utilities, subdivision and development, earthworks, commercial and commercial recreational activities. The submitter is not opposed to the layer as such but the consultation requirements triggered for otherwise generally permitted activities that could be undertaken on their property without there being any assessment undertaken of the submitter’s site to ascertain said values.
- (g) **Gibbston Valley Station Ltd (#3350)** owns a large property within the Gibbston Valley on both the north and south sides of State Highway 6. The extension of the Wāhi Tūpuna layer beyond the Statutory Acknowledgement Area that applies to the Kawarau River has resulted in the submitters site being partially included within the Wāhi Tūpuna layer, and affected by the provisions outlined in Chapter 39. Notably, this property has been recently rezoned Gibbston Valley Resort Zone which is an operative zone. The submitter already has resource consent and special zoning provisions to undertake many of the activities now listed as ‘recognised threat’ and has completed archaeological assessments and a Cultural Impact Assessment as part of the resource consent and rezoning process which only identified archaeological sites from the gold mining era. The Chapter 39 provisions potentially relitigate already consented and authorized activity which has already considered manawhenua values. The submitter requests that the Wāhi Tūpuna is removed from its property and relocated within the confines of the Statutory Acknowledgement Area.
- (h) **The Station at Waitiri Ltd (#3351)** own property to the north of State Highway 6 slightly west of Victoria Flats Road within the Gibbston Valley. Similar to Gibbston Valley Station, the proposed Wāhi Tūpuna layer extends beyond the Statutory Acknowledgement Area and the submitters property is now affected by the Wāhi Tūpuna provisions with the following values identified as potentially relevant: Ara tawhito (trails), mahika kai (food gathering), archaeological. The following activities would trigger Chapter 39 provisions: new roads or alterations to existing roads, vehicle tracks and driveways, buildings and structures, earthworks, subdivision and development, damming, activities affecting water quality, exotic species including wilding pines, commercial and commercial recreational activities.
- (i) **New Zermatt Properties Limited (#3396)** own Mt Isthmus Station situated at Orokotewhatu ‘The Neck’, between Lake Hawea and Lake Wanaka. The Submitter owns land generally located on the Hawea side above and below the Hawea/Makarora Road, except where Lake the wraps around to Lake Wanaka. A significant portion of the submitters property to the north is

affected by the Wāhi Tūpuna layer and provisions outlined under Chapter 29.

- (j) **Ken Muir (#3211)** who has an interest in the Sugar Lane area which was recently rezoned by way of consent order (dated 18 May 2020) from Low Density Suburban Residential to Business Mixed Use zone (**BMU**). That land has long been developed and used for various commercial, light industrial and other purposes. The Wāhi Tūpuna layer extends onto part of the Sugar Land BMU land that fronts the lakefront, and marina (the latter being subject to a very recent, and comprehensive redevelopment).
- (k) **Cardrona Village Limited (#3404)** which is an owner of significant land at Cardrona, including land that straddles both sides of the Cardrona River. It also has an interest in former riverbed land which is subject to a land swap agreement with the Crown. Cardrona Village Limited has sought for that former riverbed land to be brought with the Settlement Zone. That land has been highly modified through natural processes, and has also been subject to historical mining activities. Cardrona Village Limited does not consider the Wāhi Tūpuna overlay should apply to that land (it does not generally apply to the balance of the proposed Settlement Zone land).
- (l) **Kingston Lifestyle Properties Ltd (#3297)** which is the owner of the Kingston Flyer landholdings and the associated steam locomotives, shunting engines, rolling stock, buildings and rail infrastructure at Kingston. The Wāhi Tūpuna layer applies to most of Kingston Village, including the Kingston Flyer rail corridor and other land that has long been owned and/or used for aril purposes. Kingston Flyer is concerned in these circumstances that the Wāhi Tūpuna land should not apply to the Kingston Flyer land.

SUMMARY OF ISSUES

- 11. My evidence does not dispute the importance of manawhenua interests in the district. To that end, I agree that Wāhi Tūpuna should be recognised and provided for within the Queenstown Lakes Proposed District Plan (**PDP**), through support from the Operative Regional Policy Statement (**RPS**) and the RMA.
- 12. What my evidence does take issue with includes:
 - (a) the process adopted by the Council to get to 'where we are at' with Chapter 39, including what information was relied on to inform the initial section 32 assessment that underpins the notified provisions
 - (b) the timing for including the provisions of Chapter 39 into the PDP, taking into account that the PDP already includes numerous operative zonings and provisions that are now effectively being re-evaluated with the substance of those provisions altered;
 - (c) the issues around the mapping of Wāhi Tūpuna in the District, particularly the arbitrary nature of the mapping and the lack of a

Cultural Impact Assessment (**CIA**) specific to properties that are subject to the notified Wāhi Tūpuna overlay; and

- (d) the onerous nature of the rule framework for activities within Wāhi Tūpuna (meaning that essentially all activities require consent irrespective of their operative zone), the implications of Chapter 39 on existing zone provisions, and its inconsistency to the higher order planning provisions, in particular the strategic objectives and policies in Chapter 3.
13. In my opinion, Chapter 39 should be deleted with a revised Wāhi Tūpuna overlay included in the PDP that is underpinned by a district wide CIA that provides an evidential basis for the location of the overlay and the values that are to be protected.
14. Having a district wide CIA undertaken would also allow consideration of those CIA's that have already been undertaken under the resource consent process. Notably in regard to the submitter's I list above, Gibbston Valley Station has had a CIA undertaken as part of previous consenting that evaluated cultural values and as part of its recent rezoning; no cultural values of significance were identified that prevented development and its recent rezoning.
15. Chapter 5 (Tangata Whenua) already contains strategic objectives and policies that give effect to the Regional Policy Statement and in my opinion, there is no need for further duplication within a specific standalone chapter of the PDP. If there are further rules that are required to give effect to these higher order provisions then I consider that the most appropriate place is to have them within the respective zones where consideration can be given as to how any new rules sit against the objectives and policies for the respective zone, and the zones rule framework. If any further policies are required, then consideration can be given in the respective chapter of the PDP in the context of that chapter. This in my opinion would ensure that the strategic chapters of the PDP (strategic direction, urban development and tangata whenua) are appropriately balanced within the district wide chapters.
16. In my opinion, the Council had no evidential basis for the Wāhi Tūpuna overlay being located over the properties of the submitters I refer to above.

DISCUSSION

Section 32

17. Ms Pickard for the Council has undertaken an assessment of the proposal against section 32 of the RMA.
18. In my opinion, this assessment contains a number of flaws:
- (a) The evidence used to inform the application of the Wāhi Tūpuna layer and the subsequent rule framework was not provided to Council until after the s32 report was produced. Logically this means that the Council did not have the information to support the provisions and its evaluation, leading to an inadequate section 32 assessment.

- (b) The public did not have an opportunity to consider the information that the Council relied on (or perhaps more correctly, did not rely on) but which has now been presented into the process after the closure of notification. This means it is likely that there are parties who may be affected by Chapter 39 (and any further amendments sought) that have not had an opportunity to submit on the process.
 - (c) Section 32(4A) requires that an evaluation report must “(a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1”. This information was not provided.
 - (d) Many zones within the PDP are operative and the section 32 assessment is silent on whether Chapter 39 accords with these chapters. Using the example of the Lower Density Suburban Residential Zone (**LDSRZ**), this zone is linked to the National Policy Statement (**NPS**) on Urban Development which places obligations on the Council to provide for urban capacity and growth; there is no consideration as to how Chapter 39 links back to this and does not frustrate the outcomes sought in that operative zone.
19. I was initially concerned with the lack of information contained in the section 32 assessment. After further follow ups with the Council and not being provided with an explanation, I made an official information request for:
- “... copies/records of all correspondence, reports, consultations from Iwi and related groups, meeting/file notes and emails that contain information that was used or relied on to ascertain the cultural values that have been outlined in the section 32 report and notified Chapter 39 (Wāhi Tupuna) of the Queenstown Lakes Proposed District Plan. This includes copies of all draft documents that were sent for feedback or review prior to notification of Stage 3.”*
20. I append this request and the response as **Annexure [A]** to my evidence.
21. In my opinion, the lack of information on cultural values is insufficient to support Chapter 39.
22. I have never experienced a plan change process where a section 32 assessment was undertaken without all the pertinent information being available for analysis up front, and where that information was not made available to the public as part of public notification.
23. I also consider that Chapter 39 should have been dealt with in a similar to the Wakatipu Basin variation, where the Council commissioned a basin-wide landscape study. Having a district wide CIA would be beneficial to:
- (a) provide a link between the RMA, Regional Policy Statement (**RPS**), the Iwi Management Plan and the Strategic Objectives and Policies in the PDP;
 - (b) assist with providing a clear outline of the values of manawhenua that are to be provided for within the PDP (which would help inform not only the policy framework, but the rule framework); and

- (c) assist with correctly mapping the location of the Wāhi Tūpuna overlay.
24. In my opinion, this process should at least be placed on hold until such time that this work can be undertaken.

Inconsistencies

25. I note that there are numerous inconsistencies with areas that are located within the proposed Wāhi Tūpuna overlay which are not explained. Lake Hayes is a good example, which sits outside of the overlay, which I was informed during the drop-in sessions was intentional because it was decided that Lake Hayes did not exhibit values that warrant it being included as Wāhi Tūpuna. That is “conclusory” rather than an explanation. Lake Hayes does not appear to be substantially different to many other areas that have, in contrast, been included as Wāhi Tūpuna areas.

Comments on the Provisions of Chapter 39

26. Generally speaking, I consider the proposed provisions are onerous and, where the Wāhi Tūpuna layer is located over an existing zone that enables development, such as the LDSRZ, is counter-productive to those provisions and creates conflict with higher order Strategic Objectives and Policies in Chapter 3 (which sits alongside Chapter 5).
27. As an example, Policy 3.3.14 directs the Council to apply provisions that “enable urban development within the UGBs”. Submitter 3347 owns a large block of currently undeveloped land that is zoned LDRZ and is entirely within the UGB. The Submitters property is now entirely located within the proposed Wāhi Tūpuna layer. The ‘recognised threats’ recorded against their property which is associated with Te Tapunui include earthworks, exotic species (which they are currently clearing) buildings and structures, energy and utility, subdivision and development and activities affecting the ridgeline and upper slopes. Almost all of the recognised threats are works generally required to undertake development. The proposed provisions of Chapter 39 are disabling, rather than “enabling”, and evidently inconsistent with Policy 3.3.14.
28. In terms of the efficiency of the provisions, I consider that the earthworks provisions are a good example of onerous requirements that will create a risk for urban zones (and other development enabling zones) not being able to meet their respective development-enabling objectives and policies.
29. In terms of costs and benefits, I consider that including a Wāhi Tūpuna layer in the PDP is culturally positive. The costs however are significant, both in terms of timeframes for consenting where there is a direction for affected persons approvals for almost all activities in the zone and a monetary cost in terms of additional Council fees and unrestricted consultancy fees through engagement with Te Ao Marama and Aukaha as representatives of Ngāi Tahu.
30. Policy 39.2.1.6 encourages consultation prior to lodging an application. There is no timeframe to consultation as it sits outside of the RMA process. Policy 39.2.1.6 goes further to say that where consultation is not undertaken, a CIA may be required. Ms Picard’s evidence refers to CIA’s as “expert reports” noting that under s92, no timeframes apply to s92 expert

reports. She goes on to further say that CIA's undertaken by individual parties in relation to values associated to an area is a more cost-effective approach as they focus on the specific activity and effects. However, this ignores the requirement for a CIA to be undertaken for every application within a Wāhi Tūpuna area and the potential need for a CIA in every instance. Also, ignores costs incurred for otherwise permitted activities like earthworks to construct a driveway or establish a vegetable garden.

31. Many of the provisions duplicate provisions outlined in other Chapters, for example Chapter 27 relating to subdivision and development. Chapter 39 seeks to manage subdivision and development to ensure it is appropriately located, avoids adverse effects on the landscape and character of the District and does not otherwise adversely affect the surrounding environment (including effects on water quality). These same outcomes appear to be sought by Mr Ellison, Mr Higgins and Ms Carter and are the same outcomes generally sought in Iwi Management Plans. Whilst the values associated with these areas may differ, the outcomes sought appear to be aligned.
32. Much of the evidence of Ms Carter, Mr Ellison and Mr Higgins refers to the importance of landscape features including prominent ridgelines, cliffs, terraces and other notable features as forming important parts of the landscape central to oral traditions and understanding of the landscape. Accordingly, many of these features are classified as Outstanding Natural Features (**ONF**) or are contained within an Outstanding Natural Landscape (**ONL**) where the character and values of the landscape are protected under the PDP and Sections 6 and 7 of the RMA. Whilst Ms. Picard states that the importance of a separate chapter and layer is to ensure that manawhenua values are captured as they are not provided for as matters of discretion in other chapters, I consider that these chapters could be amended to capture Wāhi Tūpuna and include manawhenua values as a matter of control/discretion where necessary. However, the majority of activities undertaken within an ONL or ONF are discretionary which would enable the Council to consider manawhenua values as part of those assessment in any case.

Urban Areas, Resort and Rural Living Zones

33. In my opinion, there needs to be a balance struck between the identification of a Wāhi Tūpuna overlay and managing competing expectations already contained in the PDP (to give effect to the RPS and other statutory documents such as the NPS for Urban Development).
34. It is not clear whether the Wāhi Tūpuna overlay applies to urban areas or not. My understanding is that where the overlay was shown on the notified provisions to extend over an urban area, then that is the maximum extent that is applicable for urban areas.
35. If this overlay is to be extended through this process, as suggested by Mr. Bathgate at his [49], then I consider that there would be a significant scope issue and renotification would be required to ensure that all parties who could be affected by changes have the ability to participate in the process.
36. In my opinion, the Wāhi Tūpuna overlay and any associated rules should exclude the urban areas in the district, including resort zones and rural living zones.

Implications of wāhi tupuna layer on a “site”

37. A matter that I raised through the notification period with the Council was how they intended to interpret the Wāhi Tūpuna layer where it crosses part of a property. I received mixed feedback: one Council officer confirmed that the rules only apply to that part of the property where the layer is located and another Council officer advised me that if the layer goes over a property, then it is the entire property that is subject to Chapter 39.
38. This is a significant inconsistency that needs to be addressed by the Council as, again, this could have implications for the notification process.
39. My understanding is that the Wāhi Tūpuna layer is only relevant to the extent that it is shown on the layer. This in my opinion is how a lay person reading the notified Chapter 39 would have viewed the rule.
40. Ms Kleinlangesloo at her [59] confirms that “the mapped areas reflect the correct extent of the wāhi tupuna”. I understand then that if the Wāhi Tūpuna crosses part of a site, then it is only that part of the site where the overlay crosses that is relevant to Chapter 39. This view seems to conflict with Mr Bathgate where at his [23] he considers that manawhenua values exist outside of the Wāhi Tūpuna overlay and that the mapped areas may not reflect the correct extent of the Wāhi Tūpuna.
41. In my opinion if the overlay is not “correct” then this will create uncertainty in the planning regime.

Otago Regional Policy Statement

42. The Operative RPS is the higher order document that the PDP must give effect to. In my opinion, Chapter 5 achieves this outcome and the proposed Chapter 39 is not necessary to give effect to the operative RPS, providing Wāhi Tupuna (notably sites of significance) are mapped in the PDP. I consider that a better planning outcome would be achieved through amendments to the provisions of the district-wide chapters of the PDP rather than a standalone Chapter 39.

Brett Giddens
19 June 2020

From: [Sarah Picard](#)
To: [REDACTED]
Subject: Definitions and comments in relation to list of threats
Date: Friday, 3 May 2019 9:32:00 AM
Attachments: [Threat.docx](#)
[image002.jpg](#)

Morena,

I have attached a table that sets out the threats, some of the definitions I thought may be relevant and generally where these activities/effects are covered in the plan so far. This is a fairly quick version so please keep that in mind. Happy to expand as needed but hopefully helps provide some direction.

I do think there may be some linkages that can be made between 'subdivision and development'. This may extend to some of the access and road formation threats. Also linkages between mining/mineral exploration and also probably worth looking at the wilding pines chapter but noting we are having to make changes to the plan (likely next week) to align with the NES-PF. I have done the work for that so can talk through it as necessary.

Nga mihi,

Sarah

Sarah Picard | Senior Planner (Policy) | Planning & Development
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 Please consider the environment before printing this e-mail

From: [Anita Vanstone](#)
To: [Emma Turner](#)
Subject: FW: Wahi Tupuna and Future Development Strategy
Date: Friday, 27 July 2018 3:35:45 PM
Attachments: [image001.jpg](#)
[image002.png](#)
[Overview Map 1.pdf](#)

From: [REDACTED]
Sent: Wednesday, 20 June 2018 9:15 AM
To: Anita Vanstone <Anita.Vanstone@qldc.govt.nz>
Subject: Wahi Tupuna and Future Development Strategy

Kia ora Anita,

As discussed yesterday, I've attached the Wahi Tupuna maps for the Queenstown Lakes District. I'm not sure if the file size will allow it to be emailed but I will give it a try.

As you will see, some of the mapped areas still need further refinement, particularly those that include areas of current urban development. These maps can however be used as indicative of no-go areas at the strategic level for your Future Development Strategy work. They will have further work on them before they are used for Stage 3 of the District Plan review.

If you have any questions, just give me a call. I work Monday to Wednesday.

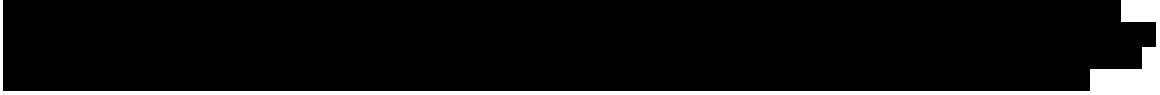
Ka mihi

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]



[REDACTED]



From: [Sarah Picard](#)
To: [REDACTED]
Cc: [REDACTED]
Subject: GIS info
Date: Thursday, 6 June 2019 2:24:00 PM
Attachments: [image002.jpg](#)

Kia ora,

Was great to have a quick catch-up with you yesterday. It was very timely as yesterday afternoon I had the opportunity to go through with Emma the mapping questions/needs we discussed.

As normal a quick and concise answer has alluded me. But here goes....

Your GIS team will be able to see all the layers (and data that make these layers) through the login we have created for you. The link that I have sent to date is a web-viewer. However, this login also gives access to our online ArcGIS also. This has much greater functionality in terms of access to data etc.

<http://qldc.maps.arcgis.com/home/index.html>

User name: TW_QLDC

Password: Sites2018

I can provide instructions for turning on/off layers within ArcGIS if this is helpful. This would enable you to log-in to the ArcGIS and filter through layers as wanted.

I have set out below what is likely to be the most relevant information for your GIS team to use the data should you wish to change the maps or to consider the implication if we set different provisions/thresholds based on the UGB or Urban zones (i.e. you could see where the overlay intersects with these zones as shown in the PDP).

Your GIS team will be able to include data from these layers that are set out in the wahi tupuna group:

- Stage 1 and 2 Decisions feature – Urban Growth Boundary
- Decisions version Zones

The zones layer would include all the zones. The Urban Zones could then be selected or de-selected to understand the implications for the Wahi Tupuna layers as mapped.

I can confirm the 'Urban Zones' in the PDP are:

7. Low Density Suburban Residential
8. Medium Density Residential
9. High Density Residential
10. Arrowtown Residential Historic Heritage Management Zone
11. Large Lot Residential
12. Queenstown Town Centre
13. Wanaka Town Centre
14. Arrowtown Town Centre
15. Local Shopping Centres
16. Business Mixed Use Zone
17. Queenstown Airport Mixed Use
44. Coneburn

Because of the Staged review process there are zones within Stage 3 that will also form part of the Urban areas. The ODP zones that will be part of Stage 3 review are the Industrial, Township (Hawea, Albert Town, Luggate, Makarora, Glenorchy, Kinloch and Kingston) and Rural Visitor Zones. These are not shown in the PDP maps to date (shown as greyed out areas). We will have up-to date mapping as part of the suite of provisions to review for Stage 3.

I think that should cover it. Happy to talk through any of this if needed.

Nga mihi,

Sarah

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23 October 2019

Brett Giddens

Sent via email to brett@townplanning.co.nz

Dear Brett

REQUEST FOR OFFICIAL INFORMATION – PARTIAL RELEASE OF INFORMATION

Thank you for your request for official information dated 24 September 2019. You requested the following information from Queenstown Lakes District Council (QLDC).

- Please provide copies/records of all correspondence, reports, consultations from Iwi and related groups, meeting/file notes and emails that contain information that was used or relied on to ascertain the cultural values that have been outlined in the section 32 report and notified Chapter 39 (Wahi Tupuna) of the Queenstown Lakes Proposed District Plan. This includes copies of all draft documents that were sent for feedback or review prior to notification of Stage 3.

Decision to partially release information requested

QLDC has decided to grant your request for information in part. The information requested is provided below:

QLDC response

- Please see the Share file link provided below, it contains 20 items that are relevant to your request.

<https://qldc.sharefile.com/d-s04f862ccfc44c648>

To address your information request, we conducted an email archive search using some of the key words you provided in your request. The searches were performed in a way that ensured the number of emails produced for our review were at a manageable number (e.g. fewer than 200 emails). In the end, in this search, we also excluded all emails that included the informationrequest@qldc.govt.nz email address, because we found that this search produced a number of emails that related to other information requests you had made previously.

Below is a summary of the email archive search we conducted:

- Date range: August 2018 – 19 September 2019, AND
- The body of the information had to include the following: “Wahi Tupuna” AND

- If the phrase informationrequest@qldc.govt.nz was included in any of the messages, then the email needed to be excluded.

The above search produced 30 emails that were then checked as to whether any of the Local Government Official Information and Meetings Act 1987 (LGOIMA) withholding grounds applied. Out of these 20 items, including emails and attachments were relevant to your information request and rest were withheld under LGOIMA, the rationale to this is explained later in the response.

Decision to withhold remaining information requested

Free and frank expression of opinion

We have decided to withhold eight of the emails that appeared in our internal archive search, in accordance with section 7(2)(f)(i) of the LGOIMA. Section 7(2)(f)(i) of the LGOIMA provides that good reason for withholding official information exists if the withholding of the information is necessary to “maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees of any local authority”.

Personal Information

We have made some minor redactions on a couple of emails shared in this response under section 7(2)(a) of the Local Government Official Information and Meetings Act 1987 (LGOIMA). Section 7(2)(a) of the LGOIMA provides that there is a good reason for withholding official information when the withholding of information is necessary to protect the privacy of natural person. In this case, we felt the redaction was necessary by QLDC staff.

We trust this response satisfactorily answers your request.

Right to review the above decision

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz and freephone 0800 802 602.

If you wish to discuss this decision with us, please contact Naell.Crosby-Roe@qldc.govt.nz. (Governance, Engagement and Communications Manager) Naell is able to provide further assistance should you be willing to change or refine your request. .

We trust this response satisfactorily answers your request.

Kind regards



Poonam Sethi
Governance and Official Information Advisor

Mining Activity status

PDP

Zone	Activity Status
Lower Density Suburban Residential Medium Density Residential High Density Residential Queenstown Town Centre Wanaka Town Centre Arrowtown Town Centre Local Shopping Centre Business Mixed Use Airport Coneburn	Prohibited
Arrowtown Residential Historic Management Zone Large Lot Residential Rural Residential and Rural Lifestyle Gibbston Character Zone Wakatipu Basin Waterfall Park Millbrook	Non-complying (activity not listed)

Mining - Rural Zone PDP

Activity rule	status
<p>Rule 21.4.29</p> <p>The following mining and extraction activities that comply with the standards in Table 8 are permitted:</p> <p>a. mineral prospecting;</p> <p>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</p> <p>c. the mining of aggregate for farming activities provided the total volume does not exceed 1000m³ in any one year.</p>	<p>Permitted where meet standard:</p> <p>Rule 21.11.1 Table 8 – standards for Mining and Extraction Activities</p> <p>21.11.1.1 The activity will not be undertaken on an ONF</p> <p>21.11.1.2 The activity will not be undertaken in the bed of a lake or river.</p> <p>Breach to standard: Non-complying</p>
<p>Rule 21.4.30 Mineral Exploration</p> <p>Mineral exploration that does not involve more than 20m³ in volume in any one hectare</p>	<p>Controlled</p> <p>Control is reserved to:</p> <p>a. the adverse effects on landscape, nature conservation values and water quality;</p>

	<p>b. ensuring rehabilitation of the site is completed that ensures:</p> <ul style="list-style-type: none"> i. the long-term stability of the site; ii. that the landforms or vegetation on finished areas are visually integrated into the landscape; iii. water quality is maintained; iv. that the land is returned to its original productive capacity; <p>c. that the land is rehabilitated to indigenous vegetation where the pre-existing land cover immediately prior to the exploration, comprised indigenous vegetation as determined utilising Section 33.3.3 of Chapter 33.</p> <p>Exempt from Notification under Rule 21.20.2</p>
<p>Rule 21.4.31 Any mining activity or mineral prospecting other than provided for in Rules 21.4.29 or 21.4.30</p>	<p>Discretionary</p>

Queenstown Lakes District Council – Proposed District Plan

As part of Stage 3 of the Proposed District Plan (PDP), Queenstown Lakes District Council (QLDC) are seeking the input from Aukaha and Te Ao Marama Inc. for the mapping of wāhi tūpuna areas, identify the values associated with these areas and what risk there might be to these values. After the areas, values and risks have been identified, planning maps and provisions will be able to be included in the PDP to ensure appropriate protection of the values of these areas

The following is intended to provide a snap shot of the current situation in terms of the PDP. An overview is set out with the current provisions and their status within the relevant planning framework. It is important to acknowledge that for the areas that have not been included within the PDP to date (in Stage 1 or 2), that the provisions and zoning as set out under the Operative District Plan (ODP) still applies.

The following is intended to assist in providing direction to the parts of the PDP where there are matters that are likely to be relevant to areas of value (broadly identified in the strategic chapter) and some of the activities that may put these values at risk. These are not intended to be relied upon, rather, direct to the provisions as set out in the various parts of the PDP.

Queenstown Lakes District Plan – an overview

The council is undertaking a staged review of the district plan. The iwi mapping is intended to be part of Stage 3 of the PDP, with an indicative notification time around mid-2019.

Due to the staged process the District Plan is essentially divided into 2 volumes. Volume A includes the chapters under the PDP and covers the areas that have been notified as part of this process. For any zone that has not yet been notified as part of the plan review, the existing ODP provisions continue to apply until they are notified.

Volume B applies to areas that have not been included in the PDP thus far and the ODP provisions remain the operative provisions, such as special zones (Chapter 12 ODP).

The framework for the PDP is grouped (Section 1.4.2) into 7 parts (parts 1-5 shown in more detail in Table 1 below);

- Part One: introduction
- Part Two: strategic matters
- Part Three: urban environment
- Part Four: rural environment
- Part Five: district wide matters
- Part Six: special zones
- Part Seven: maps

From the date of notification the Stage 1 and 2 provisions of the PDP have 'legal effect' under the RMA (s86B). Council as the consent authority is able to give 'weight' when processing resource consents to objectives, policies, other issues, reasons, or methods in proposed plans before becoming operative.

Stage 1 of the PDP review commenced in April 2014 and was publicly notified on 26 August 2015. Stage 1 comprised of 33 chapters, 1 variation and was heard across 13 separate hearing streams including requests related to rezoning and mapping annotations. Hearings were held from March 2016 to September 2017. Council Decisions on Stage 1 of the PDP were publically notified on 7 May 2018 and were made open to appeal. Appeals closed on 22 June 2018 and notices to become party to proceedings closed on 10 July 2018. A number of appeals and 274 party notices have been received on Stage 1 decisions and Council will be involved in Environment Court proceedings on these appeals from the end of 2018 and into 2019.

The Stage 1 decisions released on 7 May 2018 contains the 'strategic' plan provisions (Part Two: Chapters 3 to 6), and the majority of urban and rural zones.

The 'hierarchy' within the plan (established by the strategic Chapters 3-6) means that the zones and their associated rules need to achieve the relevant zone's objectives and policies, which in turn, need to achieve the higher order objectives and policies as set out in the strategic direction chapters.

Chapter 5: Tangata Whenua is part of the 'strategic' plan provisions and as such all other zones will need to meet the objectives and policies set out in Chapter 5. The need to map wāhi tūpuna as part of future stages was clearly indicated within the Stage 1 decisions.

Where there are no appeals received on provisions greater weight can be given to them. No appeals have been received in relation to Chapter 5: Tangata Whenua and so weight would now be given to these, notwithstanding, that they are not yet operative under the RMA (Schedule 1 clause 20(1)).

Stage 2 was notified on 23 November 2017 and includes chapters on Transport, Earthworks, Signs, Open Space and Recreation, and variations on Visitor Accommodation and Wakatipu Basin land-use. Stage 2 has been split into two hearing streams, Stream 14 covered the Wakatipu Basin Variation and was heard in July 2018. Hearing Stream 15 covers the remaining chapters and variation and are scheduled for September 2018.

Initial work is underway for Stage 3 of the PDP and this is to include; Affordable and Community Housing, Mapping Sites of Significance to Iwi, Township zones (chapters and mapping), Residential Development Design Guidelines, Gorge Road High Density Residential, Business Zones and Natural Hazards, Industrial A and B zones (chapters and mapping) and Rural Visitor Zones. This document is part of the work to inform the Mapping of Sites of Significance to Iwi.

The final stage would be Stage 4 with the remaining special zones to be considered, including Arrowtown South, Penrith Park, Bendemeer, Hydro Generation Zone including Financial Contributions, Quail Rise, Meadow Park, Frankton Flats, Ballantyne Road Mixed Use, Three Parks, Kingston Village and Shotover Country. The final stage would be to include a number of special zones to ensure that the district wide matters of the PDP apply to all areas, not just those that have been covered in the PDP to date.

Table 1: QLDC Proposed District Plan (PDP) parts 1-5, Chapters in bold have been addressed in following sections.

QLDC Proposed District Plan (PDP)		
PDP Stage 1		Chapter 2 Definitions
	Part Two: strategic matters	Chapter 3 Strategic Directions Chapter 4 Urban Environment Chapter 5 Tangata Whenua Chapter 6 Landscapes and Rural Amenity
	Part Three: urban environment	Chapter 7 Lower Density Suburban Residential Chapter 8 Medium Density Residential Chapter 9 High Density Residential Chapter 10 Arrowtown Residential Historic Management Zone Chapter 11 Large Lot Residential Chapter 12 Queenstown Town Centre Chapter 13 Wanaka Town Centre Chapter 14 Arrowtown Town Centre Chapter 15 Local Shopping Centres Chapter 16 Business Mixed Use Chapter 17 Airport zone (chapter 17)
	Part Four: rural environment	Chapter 21 Rural Chapter 22 Rural Residential and Rural Lifestyle Chapter 23 Gibbston Character Area
	Part Five: district wide matters	Chapter 26 Historic Heritage Chapter 27 Subdivision and Development Chapter 28 Natural Hazards Chapter 30 Utilities and Renewable Energy Chapter 32 Protected Trees Chapter 33 Indigenous Vegetation Chapter 34 Wilding Exotic Trees Chapter 35 Temporary Activities and Relocated Buildings Chapter 36 Noise Chapter 37 Designations
PDP Stage 2	Part Five: district wide matters (cont.)	Chapter 25 Earthworks Chapter 29 Transport Chapter 31 Signs Chapter 38 Open Space and Recreation

Chapters in **bold** have been addressed below.

Stage One PDP

Chapter 2: Definitions

Definitions Chapter 2 sets the definitions that apply throughout the plan. There are no definitions of Māori words within this chapter, rather a glossary has been provided in Chapter 5 that includes a range of Māori words.

Chapter 3: Strategic Direction

This chapter brings together key resource management issues for the Queenstown Lakes District in a concise manner and provides a policy framework that establishes the intended direction for the other components of the District Plan. A range of issues are identified, including the recognition of the status and values of Tangata Whenua (section 3.1.i and g. Issue 6). The provision for diversification of land use within the rural areas requires that Ngāi Tahu values, interest and customary resources are maintained (Strategic Objective 3.2.1.8). Objective 3.2.7 seeks that the partnership between Council and Ngāi Tahu is nurtured. Policy 3.3.26 seeks subdivision or development use best practice design to avoid or minimise adverse effects on water quality.

Policy 3.3.33-3.3.35 specifically address cultural environments. Specifically, that significant adverse effects on wāhi tūpuna are avoided (Policy 3.3.33), that other adverse effects are avoided, remedied or mitigated (Policy 3.3.34) and that the wāhi tūpuna are managed in a culturally appropriate manner and recognises the need for early consultation with the relevant iwi or hapū (Policy 3.3.35).

The majority of the strategic directions chapter has been appealed, however, there are no direct appeals on objectives and provisions identified above except for Policy 3.3.26.

Chapter 4: Urban Development

The chapter sets out the objectives and policies for managing the spatial location and layout of urban development within the District. They seek to provide for coordinated planning of urban capacity, infill development within existing urban areas, and for existing urban settlements to become better connected. A number of provisions relate to the need to provide for a range of housing needs and the efficient use of land through infill development to meet predicted growth, whilst also maintaining the amenity and character of the Districts key urban settlements. Urban growth boundaries are to be used to define and contain urban development.

Chapter 5: Tangata Whenua

The chapter is set out to recognise and provide for the partnership between Ngāi Tahu and QLDC. The role as kaitiaki is recognised, and the protection of values, interests and resources is sought to be provided for. An introduction to Ngāi Tahu/Kāi Tahu, and a number of key principles that are inherent to their whakawhanauaungatanga (the process of establishing relationships) and katiakitanga.

The key environmental issues identified within the chapter (section 5.3) are Taonga species and related habitats as well as increasing land use intensification, especially increasing dairying and subdivision. Objectives and policies have been included to address these key environmental issues. In addition, methods for meeting these objective and policies are set out in section 5.5. A number of methods identified in Section 5.5 are yet to be carried out, including mapping of wāhi tūpuna. Section 5.5 also sets out that consultation with Ngāi Tahu is required where cemeteries, urupā, crematoria, landfills and wastewater treatment plants are proposed.

In addition to the objectives and policies, the chapter provides a glossary of Māori terms (section 5.6) and Ngāi Tahu Taonga Species (section 5.7) and the Ngāi Tahu Claims Settlement Act 1998 Cultural Redress Provisions (section 5.8) and specifically sets out the Statutory Acknowledgement areas, Nohoanga and Tōpuni. These areas are shown on Map 40 of the Notified Stage 1 PDP.

Chapter 6: Landscape and Rural Character

The districts landscapes are recognised as having significant values, including value to tangata whenua. These landscapes can be vulnerable to degradation. The lakes and rivers and their part within the distinctive landscapes of the area, are recognised as part of the district's identity.

Outstanding Natural Features (ONF) and Outstanding Natural Landscapes (ONL) make up approximately 97% of the Queenstown Lakes District, within these areas subdivision and

development is considered inappropriate in almost all locations (Policy 6.3.12). Protection of ONF and ONL is directed to be undertaken so that values held by tangata wheua are recognised (Policy 6.3.13). Managing activities on lakes and rivers are also addressed within this chapter. However, specific rules for these activities are contained within Chapter 21 Rural.

There are a large number of appeals on Chapter 6 and therefore, the level of certainty with these provisions is limited at this point in time.

Part Three: Urban Environment

The urban environment includes residential areas, as well as business and town centres. The strategic approach for these areas are directed by Chapter 4. The zones that include primary residential use are Chapter 7: Lower Density Suburban Residential, Chapter 8: Medium Density Residential, Chapter 9: High Density Residential, and Chapter 11: Large Lot Residential. The urban environment of Queenstown, Wanaka and Arrowtown Town Centres (Chapter 12, 13 and 14 respectively), Chapter 15: Local Shopping Centres, Chapter 16: Business Mixed Use and Chapter 17 Airport zone make up the remaining zones included in Part Three.

Cultural values have limited reference within these chapters or are covered at a broad level. The Queenstown and Wanaka Town Centres zones seek to acknowledge and celebrate our cultural heritage, and incorporate tangata whenua values in the design of public spaces, where appropriate (Policy 12.2.2.7 and 13.2.2.4). Chapter 17 Airport Zone seeks consideration of positive cultural benefits in assessment matters.

These areas are subject to the district wide provisions (Part 5) where earthworks and subdivision in particular address known areas of significance to tangata whenua.

Part Four: Rural Environment

There are four main zones associated with the rural environment; Chapter 21: Rural, Chapter 22: Rural Residential and Rural Lifestyle and Chapter 23: Gibbston Character Area.

Chapter 21: Rural

The Rural zone is the most extensive of the rural environment zones. The purpose is to enable farming activities and provide for appropriate other activities that rely on rural resources while protecting, maintaining and enhancing landscape values, ecosystem services, nature conservation values, the soil and water resource and rural amenity. It is recognised that the rural land values tend to be driven by the high landscape and amenity values in the district. The landscape areas that the rural zone is divided into are; Outstanding Natural Landscapes (ONL), Outstanding Natural Features (ONF), and Rural Character Landscape (RCL).

Specific consideration is directed to the values held by tangata whenua with regard to be given to spiritual beliefs, cultural traditions and practices of tangata whenua (Policy 21.2.1.7) and the Statutory obligations, beliefs and traditions where activities are undertaken on the surface of lakes and rivers and their margins (Policy 21.2.12.1). When addressing the effects on landscape quality and character, assessment matters direct that appreciation and cultural attributes are taken into account, including the values of tangata whenua (21.21.1.3.c.ii, 21.21.2.5). It is acknowledged that Council may not know the beliefs and values of tangata whenua for a specific location without input from iwi.

Any activity not provided for within the Tables of activities within Chapter 21 require a non-complying activity resource consent (Rule 21.4.34). This would include any cemetery or crematorium.

Part 5: District Wide

The PDP district wide chapters include a wide range of matters including; Chapter 26: Historic Heritage, Chapter 27: Subdivision and Development, Chapter 28: Natural Hazards, Chapter 30: Utilities and Renewable Energy, Chapter 32: Protected Trees, Chapter 33: Indigenous Vegetation, Chapter 34: Wilding Exotic Trees, Chapter 35: Temporary Activities and Relocated Buildings, and Chapter 36: Noise. The relevant chapters where tangata whenua values are directly addressed within

the Stage 1 PDP are subdivision and development and indigenous vegetation. Other district wide chapters have been included in Stage 2 PDP (see below) and of most relevance is earthworks.

Chapter 27: Subdivision and Development

Subdivision can create new opportunities that are an important part of the District's economy. Subdivision will be supported where it is well designed, in appropriate locations and there is sufficient capacity for infrastructure servicing and integrated transportation. All subdivisions require resource consent. A subdivision design guideline has also been developed as part of this chapter.

Policy 27.2.4.3 encourages subdivision design to protect and incorporate cultural features in recognition that these can contribute to and create a sense of place. All rural subdivision requires a discretionary activity resource consent. A specific subdivision rule is set out where the proposal would alter, or create new boundary within a Significant Natural Area (Rule 27.5.15).

It is noted that any earthworks undertaken as part of subdivision are to be considered at the time of subdivision, with the matters set out in Chapter 25 *Earthworks* to be considered.

Chapter 33: Indigenous Vegetation

The intent of the chapter is to limit the extent of indigenous vegetation clearance and to ensure the maintenance of indigenous biodiversity. Significant natural areas have been mapped, with these areas afforded greater recognition with areas to be protected, maintained and enhanced (Objective 33.2.2).

Policy 33.2.1.3 seeks that the values of tangata whenua and kaitiakitanga are taken into account when considering any resource consent for indigenous vegetation clearance. This policy is under appeal (ENV-2018-CHC-127).

Stage 2 PDP

Under Stage 2 of the PDP the district wide chapters of Earthworks and Open Space and Recreation contain objectives and provisions that relate to tangata whenua.

Chapter 25: Earthworks (Notified Version)

These provisions apply only to those zones that have been notified as part of Stage 1 or 2 of the PDP.

Chapter 25 recognises that earthworks are often an integral part of development. The effects can include sedimentation and erosion. Provisions have been included so that adverse effects on cultural heritage are avoided, if they are unable to be remedied or mitigated (Policy 25.2.2.4), and sets out an Accidental Discovery Protocol (Policy 2.2.2.5, Schedule 25.10). Within Chapter 25 there is direction for the iwi management plans to be taken into account (25.3.3.7).

Rule 25.4.5 requires a discretionary resource consent for any earthworks that modify, damage or destroy a wāhi tapu, wāhi taonga or archaeological site (whether mapped or not) and Rule 25.4.6 requires a discretionary activity resource consent for any earthworks within a Statutory Acknowledgement Area, Tōpuni or Nohoanga identified on Map 40.

Cleanfill and landfill earthworks require a discretionary activity resource consent. In all other areas earthworks have standards set in terms of volume, cut and fill height and where earthworks exceed these amount resource consent would be required.

There is an expectation that earthworks are undertaken in a way that prevents sediment from entering water bodies, stormwater networks or going across the boundary of a site (Standard 25.5.12). A 10 metre setback is required from the bed of any water body (Standard 25.5.20) with a breach to this requiring a restricted discretionary resource consent.

Assessment Matters for considering any resource consent for earthworks includes consideration of cultural values (AM 25.8.7), encourages consultation with tangata whenua, to have regard to the relevant iwi management plan, whether a proposal protects the relationship of Mana Whenua with their cultural heritage.

Submissions and further submissions have been received on Chapter 25. A section 42A report has considered these submissions and some amendments have been recommended to the drafting of some of the provisions as notified. .

Chapter 38: Open Space & Recreation (Notified Version)

The intent of this chapter is to include the district's open space and recreation areas. The resource that these areas provide is recognised and protection is sought from inappropriate activities where qualities, character and values could be degraded.

The community purpose subzone (cemeteries) provides for the on-going operation of the districts cemeteries. Within all other Open Space and Recreation Zones (OSRZ) either a non-complying or discretionary resource consent would be required for a cemetery.

Some of the OSRZ are within ONF or ONL. Assessment of ONF and ONL within the OSRZ require consideration of cultural and spiritual values for tangata whenua (Assessment Matter 38.15.1.1.c). Within RLC, assessment requires consideration of the extent a proposal would degrade tangata values (including Tōpuna or nohoanga), any positive effects existing or proposed, protection or regeneration of these values or features will have.

It is noted that submissions have been received on these provisions from Kāi Tahu. Some amendments have been recommended in the s42A report from these submission received.

From: [Sarah Picard](#)
To: [REDACTED]
Subject: QLDC - follow up from Thurs meeting
Date: Tuesday, 16 July 2019 11:07:00 AM
Attachments: [image004.jpg](#)
[image006.jpg](#)
[image008.jpg](#)
[image009.jpg](#)

Kia ora,

I hope you have a good meeting today.

Just following up on activities on the surface of lakes and rivers. These are all zoned Rural and the rules relating to these activities are found in [Chapter 21](#). There are a set of tables on pages 21:28 – 21:32 that set out the various activity status for these activities in various locations. As you can tell for the number of pages involved there is quite a detailed set of rules relating to this. There are some limited permitted activities.

We also discussed the difference between commercial and commercial recreational. These are defined terms in [Chapter 2](#) of the PDP:



Commercial recreation activities are permitted in the rural area (Rule 21.4.13), subject to standards (Rule 21.9.1) undertaken on land, outdoors and no more than 12 persons in any one group. A non-compliance becomes a D activity.

We discussed this in terms of the islands – I would note where these a DoC controlled the operators would still be subject to concessions. Where it is Council managed land there would be a requirement for a permit also.

Bob's Cove is shown on [Map 38](#). The relevant provisions are contained within Chapter 22. There is a suite of Bob's Cove specific provisions that focus on inclusion of open space and indigenous vegetation, ecological and amenity values. Residential buildings are permitted at a density of 1 res unit per 4000m² calculated over the total area of the zone.

I still have a couple more points to cover off, but thought would at least provide this as a start.

Nga mihi,

Sarah

Sarah Picard | Senior Planner (Policy) | Planning & Development
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E: sarah.picard@qldc.govt.nz



From: [Sarah Picard](#)
To: [REDACTED]
Subject: QLDC definitions
Date: Friday, 8 February 2019 9:53:00 AM
Attachments: [PDP definitions associated with identifies threats.docx](#)
[image002.jpg](#)
[image004.jpg](#)

Hi [REDACTED]

Thank you for our meeting yesterday. It does feel like there is good momentum forward. I hope you had safe and enjoyable travels back to Dunedin yesterday.

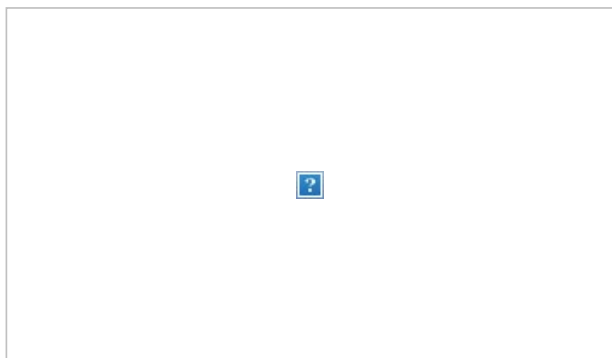
To follow up on a few points discussed -

Attached is a summary of definitions. There are links to the full set of definitions but I have identified the ones that I think may be the most relevant in terms of the threats identified.

We briefly touched on setbacks from waterways. There are rules for this in the [earthworks chapter](#) as recommended by the Independent hearings panel. This will go before Council to adopt as the decision in early March.

This covers setback from water bodies and I note that there are some assessment matters here (confirming that they are used in some areas).

Stage 2 Earthworks, the Independent hearings panel have recommended the following rules in relation to water bodies:



In addition to the matters of discretion, which are set out in 25.7.1, there are assessment matters set out in 25.8.

I will continue work on the table from yesterday with the intention of finish asap, but for our next possible meeting time (21 or 22 Feb). In addition, I will run the report so that breaks down number of discretionary and non-complying for the Rural zone and this will be accompanied by a brief run down on where some of the activities may have a different status under the PDP vs the ODP.

Nga mihi,

Sarah

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From: [Sarah Picard](#)
To: [REDACTED]
Subject: QLDC PDP Indigenous Vegetation & Stage 2 decision update
Date: Thursday, 21 March 2019 3:11:00 PM
Attachments: [image003.jpg](#)

Kia ora,

So the decisions versions of Stage 2 have now been uploaded to the website - <https://www.qldc.govt.nz/planning/district-plan/proposed-district-plan-stage-2/stage-2-decisions/>.

The waterways within the District are not listed anywhere that I am aware of. I am not aware of any process to create this list. As outlined in previous emails we do rely on the RMA definition of waterbody and this has been the term used within the PDP.

The Statutory Acknowledgement areas are set out in [Map 40](#) of the PDP introduced as part of Stage 1. I would suggest that we take the information set out in Map 40 and include it with the Wahi Tupuna schedule so that it has a consistent approach with the other District Wider Chapters rather than a District Wide map that essentially needs to be read separately. This does show some the statutory waterways, although would note it is not the clearest for this purpose.

In terms of [Chapter 33: Indigenous Vegetation](#)

The above hyperlink is for the decisions version. Annotated [appeals versions Chapter 33](#) is also available to view.

The intent of the chapter is to limit the extent of indigenous vegetation clearance and to ensure the maintenance of indigenous biodiversity. Significant natural areas have been mapped, with these areas afforded greater recognition with areas to be protected, maintained and enhanced (Objective 33.2.2).

Policy 33.2.1.3 seeks that the values of tangata whenua and kaitiakitanga are taken into account when considering any resource consent for indigenous vegetation clearance. This policy is under appeal (ENV-2018-CHC-127).

There are no specified notification rules in this chapter, therefore any consent application would be considered under the standard RMA notification provisions.

Within the GIS viewer we have set up, you can spatially see where any wahi tupuna (as drafted) contains a scheduled SNA.

Eventually we will have the table that will have this information listed, but I believe the maps provide a quick and understandable view of both these areas.

Here are the links and login details again:

<http://qldc.maps.arcgis.com/apps/webappviewer/index.html?id=0de1970b17e24dbf9452c904aec17946>

User: TW_QLDC
Password: Sites2018

I am working on the list of SNA that intersect with the Wahi Tupuna layer. I am out of the office tomorrow but hope to complete this on Monday.

Nga mihi,

Sarah

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E: sarah.picard@qldc.govt.nz



Please consider the environment before printing this e-mail

From: [Sarah Picard](#)
To: [REDACTED]
Cc: [Emma Turner](#)
Subject: QLDC PDP Indigenous Vegetation
Date: Monday, 4 March 2019 11:42:00 AM
Attachments: [image003.jpg](#)

Morena,

Here is a brief of the District Wide Indigenous Vegetation chapter that is in the PDP so far.

[Chapter 33: Indigenous Vegetation](#)

The above hyperlink is for the decisions version. Annotated [appeals versions Chapter 33](#) is also available to view.

The intent of the chapter is to limit the extent of indigenous vegetation clearance and to ensure the maintenance of indigenous biodiversity. Significant natural areas have been mapped, with these areas afforded greater recognition with areas to be protected, maintained and enhanced (Objective 33.2.2).

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Eventually we will have the table that will have this information listed, but I believe the maps provide a quick and understandable view of both these areas.

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<http://qldc.maps.arcgis.com/apps/webappviewer/index.html?id=0de1970b17e24dbf9452c904aec17946>

User: TW_QLDC
Password: Sites2018

If you have any issues or questions please let either myself or Emma know.

Nga mihi,

Sarah

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Queenstown Lakes District Council
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From: [Sarah Picard](#)
To: [REDACTED]
Subject: QLDC PDP mining activity status
Date: Friday, 10 May 2019 4:24:00 PM
Attachments: [image003.jpg](#)

Kia ora,

Was really great to have our meeting yesterday. Thought I would go for one of the quick win items today to round out the week. I have gathered together the information on rules within the PDP relating to mining to clarify what is in the plan already.

Would note the definition as set out in the threat table in terms of mining, mineral extraction etc. This is an example of an activity that is dealt with by zone, rather than a district wide approach (such as for earthworks).

There are essentially three approaches set out for mining in the PDP. Within the areas that would be classified as the urban environment mining is prohibited. Within the rural areas, but not the rural zone, mining is a non-complying activity as a non-identified activity.

The rural zone has a more staged approach, with specific small scale mining permitted subject to standards, mineral extraction as a controlled activity and then all other mining as a discretionary activity. I have detailed these approaches out a bit more below.

Please note that we will be considering mining rules within the zones that will form part of Stage 3 (Townships, Industrial, Three Parks, Ballantyne Road Mixed Use, Gorge Road Business, Rural Visitor). These will be within the set of draft provisions that we send through for your review. I will make sure that the people doing each of these chapters is aware where mining is an identified threat within a wahi tupuna that intersects or covers the zone areas. I would anticipate that we would be adopting a similar approach as already contained within the plan (i.e. the three approaches of urban and other rural areas).

I'm also working through consideration of how to set out notification, but will get back to you early next week as still have some work to do on this.

Have a great weekend.

Nga mihi

Sarah

**Mining Activity status
PDP**

Zone	Activity Status
Lower Density Suburban Residential Medium Density Residential High Density Residential Queenstown Town Centre Wanaka Town Centre Arrowtown Town Centre Local Shopping Centre Business Mixed Use Airport Coneburn	Prohibited
Arrowtown Residential Historic Management Zone Large Lot Residential Rural Residential and Rural Lifestyle Gibbston Character Zone Wakatipu Basin Waterfall Park Millbrook	Non-complying (activity not listed)

Mining - Rural Zone PDP

Activity rule	status
<p>Rule 21.4.29</p> <p>The following mining and extraction activities that comply with the standards in Table 8 are permitted:</p> <p>a. mineral prospecting;</p> <p>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</p> <p>c. the mining of aggregate for farming activities provided the total volume does not exceed 1000m³ in any one year.</p>	<p>Permitted where meet standard:</p> <p>Rule 21.11.1 Table 8 – standards for Mining and Extraction Activities</p> <p>21.11.1.1 The activity will not be undertaken on an ONF</p> <p>21.11.1.2 The activity will not be undertaken in the bed of a lake or river.</p> <p>Breach to standard: Non-complying</p>
<p>Rule 21.4.30 Mineral Exploration</p> <p>Mineral exploration that does not involve more than 20m³ in volume in any one hectare</p>	<p>Controlled</p> <p>Control is reserved to:</p> <p>a. the adverse effects on landscape, nature conservation values and water quality;</p> <p>b. ensuring rehabilitation of the site is completed that ensures:</p> <ol style="list-style-type: none"> i. the long-term stability of the site; ii. that the landforms or vegetation on finished areas are visually integrated into the landscape; iii. water quality is maintained; iv. that the land is returned to its original productive capacity; <p>c. that the land is rehabilitated to indigenous vegetation where the pre-existing land cover immediately prior to the exploration, comprised indigenous vegetation as determined utilising Section 33.3.3 of Chapter 33.</p> <p>Exempt from Notification under Rule 21.20.2</p>
<p>Rule 21.4.31 Any mining activity or mineral prospecting other than provided for in Rules 21.4.29 or 21.4.30</p>	<p>Discretionary</p>

Nga mihi,

Sarah

Sarah Picard | Senior Planner (Policy) | Planning &
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Queenstown Lakes District Council
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E: sarah.picard@qldc.govt.nz



Please consider the environment before printing this e-mail

From: [Sarah Picard](#)
To: [REDACTED]
Subject: QLDC PDP setback from waterbodies
Date: Friday, 1 March 2019 4:19:00 PM
Attachments: [image002.jpg](#)

Hi [REDACTED]

Here's a start for setback from waterbodies.

For earthworks, this is set out in the District Wide Earthworks Chapter ([Stg 2 PDP](#)).

For buildings, here are the chapters where a building setback is specified:

Chapter 7: Lower Density Suburban Residential	<p>7.5.14 Setback of buildings from water bodies The minimum setback of any building from the bed of a river, lake or wetland shall be 7m.</p> <p>RD Discretion is restricted to: a. indigenous biodiversity values; b. visual amenity values; c. landscape character; d. open space and the interaction of the development with the water body; e. environmental protection measures (including landscaping and stormwater management); f. whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building.</p>
Chapter 8 Medium Density Residential	<p>8.5.12 Setback of buildings from water bodies The minimum setback of any building from the bed of a river, lake or wetland shall be 7m.</p> <p>RD Discretion is restricted to: a. indigenous biodiversity values; b. visual amenity values; c. landscape character; d. open space and the interaction of the development with the water body; e. environmental protection measures (including landscaping and stormwater management); f. whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building.</p>
Chapter 11: Large Lot Residential	<p>11.5.5 Setback of buildings from water bodies The minimum setback of any building from the bed of a river, lake or wetland shall be 20m.</p> <p>RD Discretion is restricted to: a. any indigenous biodiversity values; b. visual amenity values; c. landscape character; d. open space including public access; e. whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building.</p>
Chapter 21 Rural	<p>21.5.4 Setback of buildings from Water bodies The minimum setback of any building from the bed of a wetland, river or lake shall be 20m.</p> <p>RD Discretion is restricted to: a. indigenous biodiversity values; b. visual amenity values; c. landscape and natural character; d. open space; e. whether the waterbody is subject to flooding or natural hazards and any</p>

		mitigation to manage the adverse effects of the location of the building.
Chapter 22 Rural Residential and Rural Lifestyle	22.5.6 Setback of buildings from water bodies The minimum setback of any building from the bed of a river, lake or wetland shall be 20m.	RD Discretion is restricted to: a. any indigenous biodiversity values; b. visual amenity values; c. landscape character; d. open space; e. whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building.
Chapter 23: Gibbston Character Zone	23.5.7 Setback of buildings from Water bodies The minimum setback of any building from the bed of a water body shall be 20m.	RD Discretion is restricted to: a. any indigenous biodiversity values; b. visual amenity values; c. landscape character; d. open space; e. whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building.
Chapter 38: Open Space and Recreation ^[1]	Table 38.2: Standards for Activities in the Open Space and Recreation Zones 38.10.5 Setback of buildings from water bodies The minimum setback of any building from the bed of a river or lake or wetland shall be 10m. RD Discretion is restricted to: a. biodiversity values; b. Public access; c. Effects on visual amenity and landscape character values; d. Open space e. The functional and locational need and interaction of the development with the water body; f. Landscaping; g. Environmental protection measures (including landscaping and stormwater management); and h. Natural hazards.	
Chapter 24 Wakatipu Basin	24.5.12 Setback of buildings from waterbodies The minimum setback of any building from the bed of a wetland,	RD Discretion is restricted to the following: a. Biodiversity

	river or lake shall be 30m.	values; b. Natural Hazards; c. Visual and recreational amenity values; d. Landscape and natural character; e. Open space.
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Shaded sections are part of Stage 2 PDP and these are the provisions as set out in the Recommending Reports. The Reports are being taken to Full Council next week (7 March 2019) for Council to consider if they adopt the recommendations as their decision and if so, set a date for notification.

Nga mihi,

Sarah

<p>Sarah Picard Senior Planner (Policy) Planning & Development Queenstown Lakes District Council DD: +64 3 4430419 P: +64 3 441 0499 E: sarah.picard@qldc.govt.nz</p>	
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^[1] Recommending Report version. To be taken to Full Council 7 March 2019.

From: [Sarah Picard](#)
To: [REDACTED]
Subject: QLDC PDP utilities and infrastructure
Date: Wednesday, 10 April 2019 3:07:00 PM
Attachments: [image002.jpg](#)
[image006.jpg](#)

Kia ora,

Utilities and Infrastructure

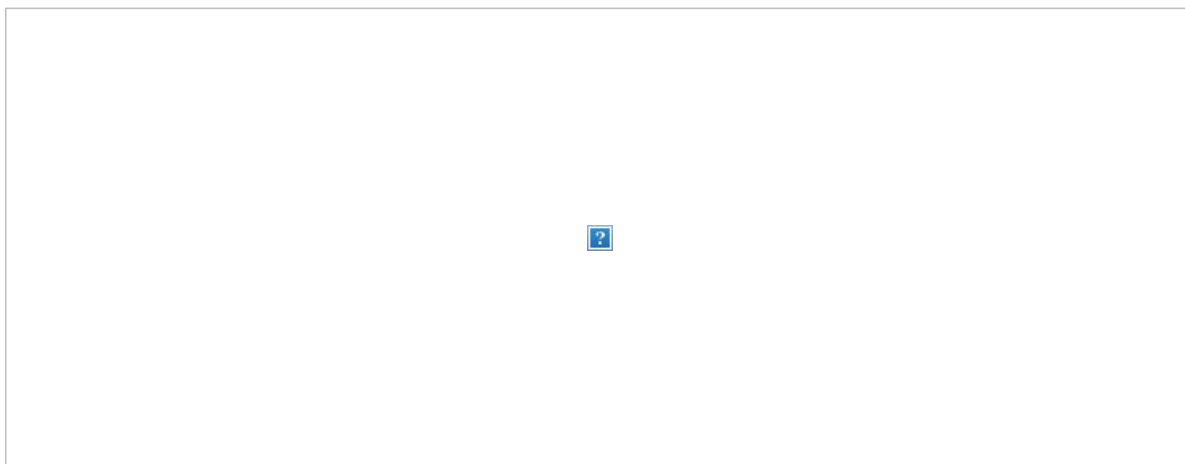
Here is some notes on utilities in the PDP. I realise we have other topics on the go but had the opportunity to pull the notes together, so thought share them now and they will be available to discuss when we get to it.

With utilities and infrastructure need to keep in mind the NES's that are in place and restrictions on what rules can be more stringent in a District Plan within these regulations.

Chapter 30 was part of Stage 1 of the PDP review.

Below is a summary of some objectives and provisions that I thought may be relevant to consider. This is not intended as a full review, rather a quick run through as a starting point for discussions.

[Definition \(Chapter 2\)](#)



[Chapter 30 Energy and Utilities](#)

There are a number of [appeals on Chapter 30](#).

This is a District Wide chapter that sits in part 5 of the PDP.

Objective 30.2.3 seeks that energy resources are developed and electricity is generated, in a manner that minimises adverse effects on the environment.

Policy 30.2.3.4b. seeks that effects on recreation and cultural values, including relationships with tangata whenua are assessed for Renewable Electricity Generation proposals.

Objective 30.2.7 the adverse effects of utilities on the surrounding environments are avoided or minimised.

Policy 30.2.7.1 sets out that sensitive sites are avoided. This includes skylines and ridgelines and where avoidance not practicable, seeks to avoid significant effects.

Policy 30.2.7.2 seeks undergrounding of services in new areas of development where technically feasible.

Rules provide for some utilities as permitted. For example, utility buildings (<10m² and <3m in height) are permitted, except in ONL or ONF, where the activity status is discretionary.

Flood protection works for maintenance, reinstatement, repair or replacement of existing works is permitted, with all other flood protection works being a discretionary activity.

Buildings associated with a utility are a discretionary activity in any SNA.

New lines or supporting structure within ONL, ONF or SNA are a discretionary activity.


The maximum height of poles (telecommunication, radio communication, navigation or meteorological communication

activities) is 25m in the Rural zone, except for an ONL where the maximum height is 8m.
There are colour controls in rural areas to ensure recessive colour (<16% LRV).
Water facilities, waste water treatment facilities and waste management facilities are all discretionary activities.

Let me know if you have any comments or questions.

Nga mihi,

Sarah

<p>Sarah Picard Senior Planner (Policy) Planning & Development Queenstown Lakes District Council DD: +64 3 4430419 P: +64 3 441 0499 E: sarah.picard@qldc.govt.nz</p>	
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 Please consider the environment before printing this e-mail

From: [Sarah Picard](#)
To: [REDACTED]
Cc: [Hope Marson](#)
Subject: QLDC Purchase Order
Date: Tuesday, 11 December 2018 1:50:00 PM
Attachments: [image002.png](#)
[image007.jpg](#)
[image008.png](#)
[image009.jpg](#)
[image001.jpg](#)

Tena korua [REDACTED]

I hope you are both well.

A purchase order number for the work programme for identifying sites of significance has finally been raised:

P0027015

My apologies for the length of time it took to get this sorted. It's a process that includes sign off requirements from a number of people and departments, which unfortunately can lead to delays.

Please ensure that any invoice use this reference. If you have any specific questions, I recommend you get in contact with Hope who deals with invoicing for the Policy team.

Nga mihi,

Sarah

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QLDC_Christmas_Signature_Email_Nov18 (002)



 Please consider the environment before printing this e-mail

From: Sarah Picard
Sent: Monday, 26 November 2018 2:08 PM
To: [REDACTED]
Subject: RE: Update - QLDC PDP summary

Kia ora [REDACTED]

Thank you - I have forwarded this on to get account set-up sorted.

Nga mihi

Sarah

From: [REDACTED]
Sent: Monday, 26 November 2018 1:59 PM
To: Sarah Picard <Sarah.Picard@qldc.govt.nz>
Subject: FW: Update - QLDC PDP summary

Kia ora Sarah

Please find attached the completed supplier form as requested.

Na

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



[REDACTED]



[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED] Picard [<mailto:Sarah.Picard@qldc.govt.nz>]
Sent: Thursday, 22 November 2018 9:59 AM

To: [REDACTED]

Subject: RE: Update - QLDC PDP summary

Kia ora [REDACTED]

Yes- must be a busy time for everyone in Dunedin. Glad to hear that the viewer has worked.

The attached form is to enable us to confirm a purchase order and sort payments. If you can fill it out and return it.

Let me know if there is any other information that we can provide to assist in the process.

Nga mihi,

Sarah

<p>Sarah Picard Senior Planner (Policy) Planning & Development Queenstown Lakes District Council DD: +64 3 4430419 P: +64 3 441 0499 E: sarah.picard@qldc.govt.nz</p>	
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 Please consider the environment before printing this e-mail

From: [REDACTED]

Sent: Tuesday, 20 November 2018 1:11 PM

To: Sarah Picard <Sarah.Picard@qldc.govt.nz>

Cc: Emma Turner <emma.turner@qldc.govt.nz>

Subject: RE: Update - QLDC PDP summary

Thanks Sarah. Sorry for the lack of response – I’m just trying to get through DCC 2GP decisions before I get on to QLDC and that’s a marathon project in itself!

The viewer works, thanks.

I am (optimistically) hoping the Runaka will be able to re-map / confirm the wahi tupuna maps this side of Christmas. Once this occurs I’ll get them to you to re-load on your system and perhaps we could look at how they overlay the zoning – and the effect of this – early in the NY. I’m going to be around most of the summer now.

I’m working through the DCC decisions report on the Manawhenua content of the 2GP and that has some useful reminders of what we did there and why. It’s here if you want to look at it:

<https://2gp.dunedin.govt.nz/2gp/documents/decisions/Manawhenua%20Decision%20Report.pdf>

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[Redacted]



[Redacted]

From: Sarah Picard [<mailto:Sarah.Picard@qldc.govt.nz>]
Sent: Tuesday, 20 November 2018 12:17 PM
To: [Redacted]
Cc: Emma Turner <emma.turner@qldc.govt.nz>
Subject: Update - QLDC PDP summary

Kia ora [Redacted]

Hope you are staying warm with the return of winter.

I have updated the document that gives a summary of the Proposed District Plan, and now includes the Historic Heritage chapter summary. There is some discussion on notification throughout the document. I have also given hyperlinks to the chapters which will hopefully also assist. Obviously this will be a bit of a living document and there is likely to be additional updates in January when the Stage 2 decisions have come through.

If you can let me know if you have had any success with the GIS login that would be greatly appreciated.

If there is further clarification or more specific information or if you would prefer the information presented differently please let me know.

Nga mihi,

Sarah

Sarah Picard | Senior Planner (Policy) | Planning & Development
Queenstown Lakes District Council
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E: sarah.picard@qldc.govt.nz



Sent: Mon, 5 Aug 2019 10:26:54 +1300

To: [REDACTED]

Subject: QLDC Stage 3

Attachments: RR RL & wāhi tūpuna DRAFT.docx, SETZ & Wāhi Tūpuna DRAFT.docx

Kia ora [REDACTED]

I hope you had a relaxing and enjoyable weekend.

Here are some tables that identify some areas where the existing rules would not capture wāhi tūpuna in certain zones. They greyed out activities are the one that need to consider.

The zones covered are:

- Settlements Zones
- Rural Visitor Zones
- Rural Residential
- Rural Lifestyle
- Wakatipu Lifestyle Precinct

I have included a screen shot of areas for reference.

The question that I have is whether you are comfortable for these activities to occur (happy with the existing 'threshold').

I would also note that for all of these the trigger could be that earthworks greater than 10m³ would likely occur with all of the permitted or controlled activities and therefore this could be the 'capture' for consideration.

I still have the urban area table to complete – this includes small areas of LDSR and Business Mixed Use. Hope to finish this within the hour.

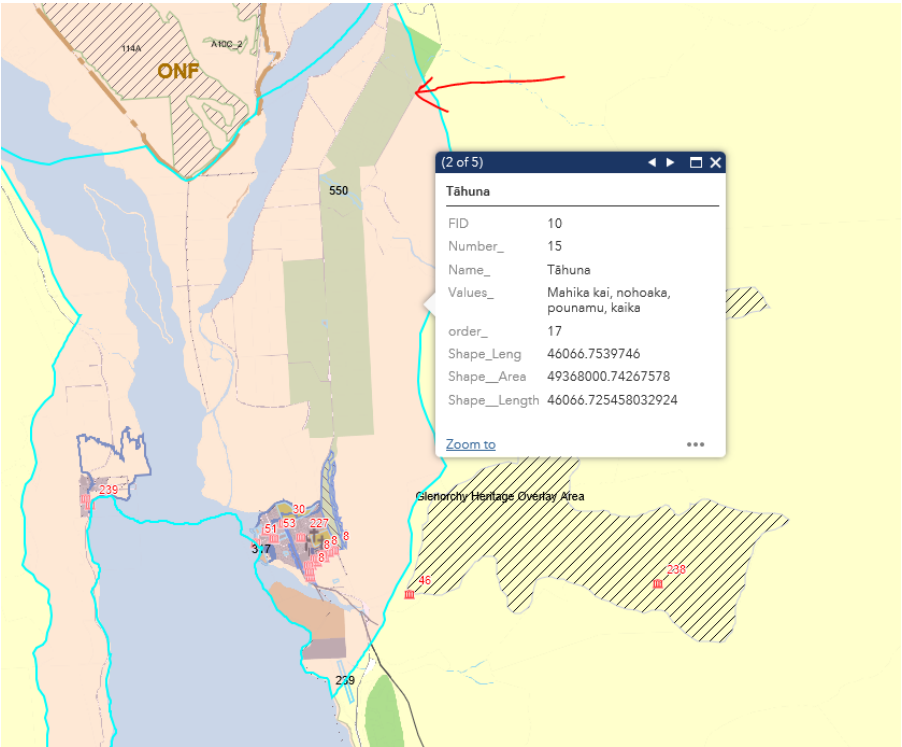
Ngā mihi,

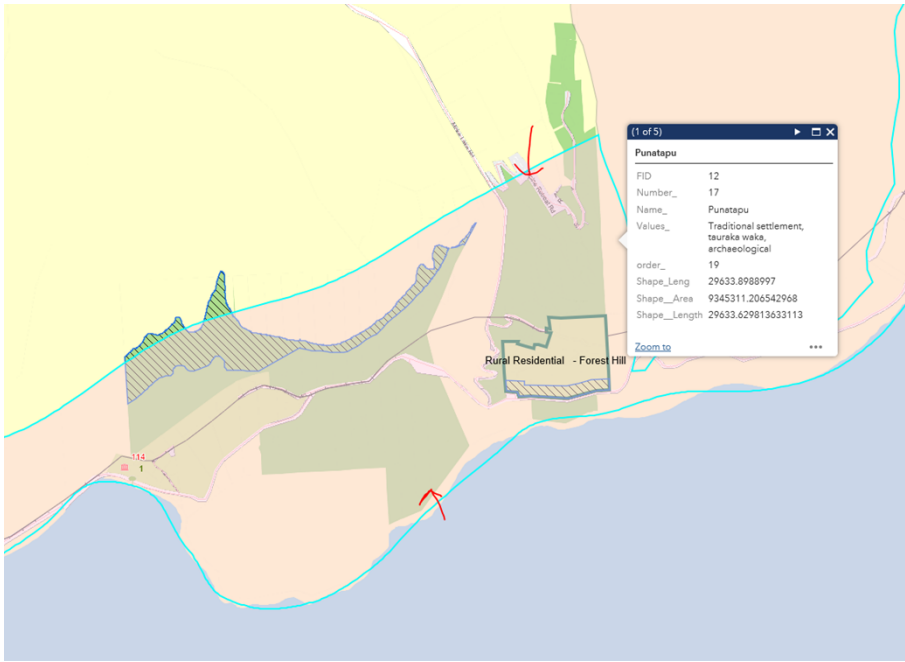
Sarah

Sarah Picard | Senior Planner (Policy) | Planning & Development
Queenstown Lakes District Council
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E: sarah.picard@qldc.govt.nz

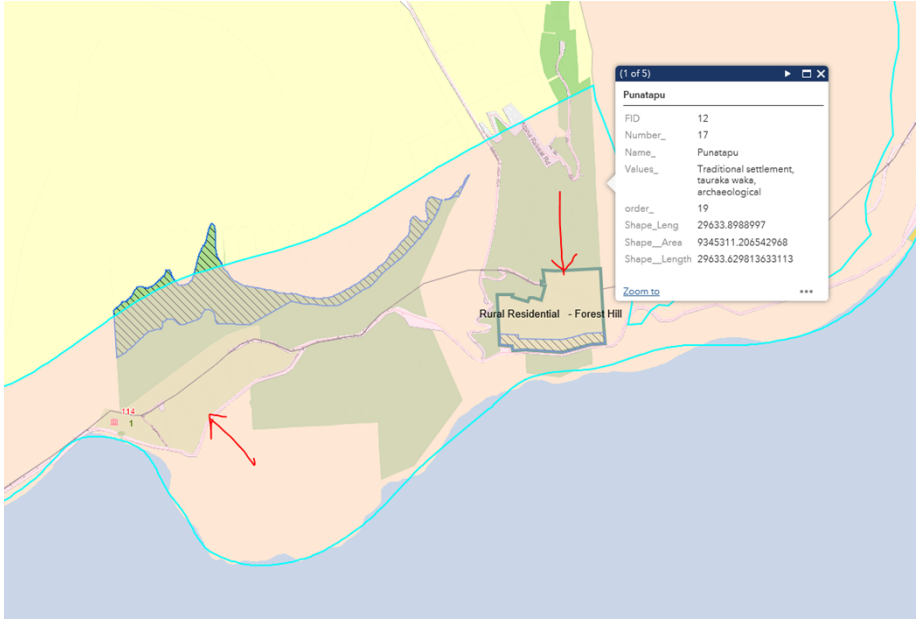


Please consider the environment before printing this e-mail

Area, Item name & Values	Recognised Threats	Rural Lifestyle provisions
<p>Glenorchy</p>  <p>Item 15: Tāhuna</p> <p>Values: Nohoaka, mahika kai, pounamu, kāika, ara tawhito</p>	<p>Activities affecting water quality</p> <p>Subdivision and development</p> <p>Earthworks</p> <p>Buildings and structures</p> <p>Utilities</p>	<p>Rule 22.5.6 Setback of building from a waterbody minimum less than 20m - RD</p> <p>Chapter 39 - Setback of building and structure setback from waterbody and within wāhi tūpuna less than 20m - RD</p> <p>Chapter 27 Proposal Rule 27.5.12A - D</p> <p>Chapter 25 Proposal Rule 25.5.2 RD – where more than 10m³</p> <p>Rule 22.4.2 - P : Buildings within a building platform (subject to std's)</p> <p>Rule 22.4.2.4 – D: Identification of a building platform</p> <p>Chapter 30 Proposal Policy 30.3.3.3 – No precedence within Wāhi Tūpuna</p>

Area, Item name & Values	Recognised Threats	Rural Lifestyle provisions
	Activities affecting the ridgeline and upper slopes	No rules directly relating to this.
	Quarrying	Rule 22.4.13 – NC as activity not listed in Table 1
	Exotic species including wilding pines	NC – between 0.5ha and 1 ha, greater than 1ha the NES-PF prevails
<p>Forest Hill</p>  <p>Item 17:</p>	Earthworks	Chapter 25 Proposal Rule 25.5.2 RD – where more than 10m³
	Subdivision and development	Chapter 27 Proposal Rule 27.5.12A - RD
	Buildings and structures	<p>Rule 22.4.2 - P : Buildings within a building platform (subject to std's)</p> <p>Rule 22.4.2.4 – D: Identification of a building platform</p> <p>BRA located at Forest Hill</p>
	utilities	Chapter 30 Proposal Policy 30.3.3.3 – No precedence within Wāhi Tūpuna

Area, Item name & Values	Recognised Threats	Rural Lifestyle provisions
Punatapu Values: Tauraka waka, settlements, archaeological values, mahika kai		

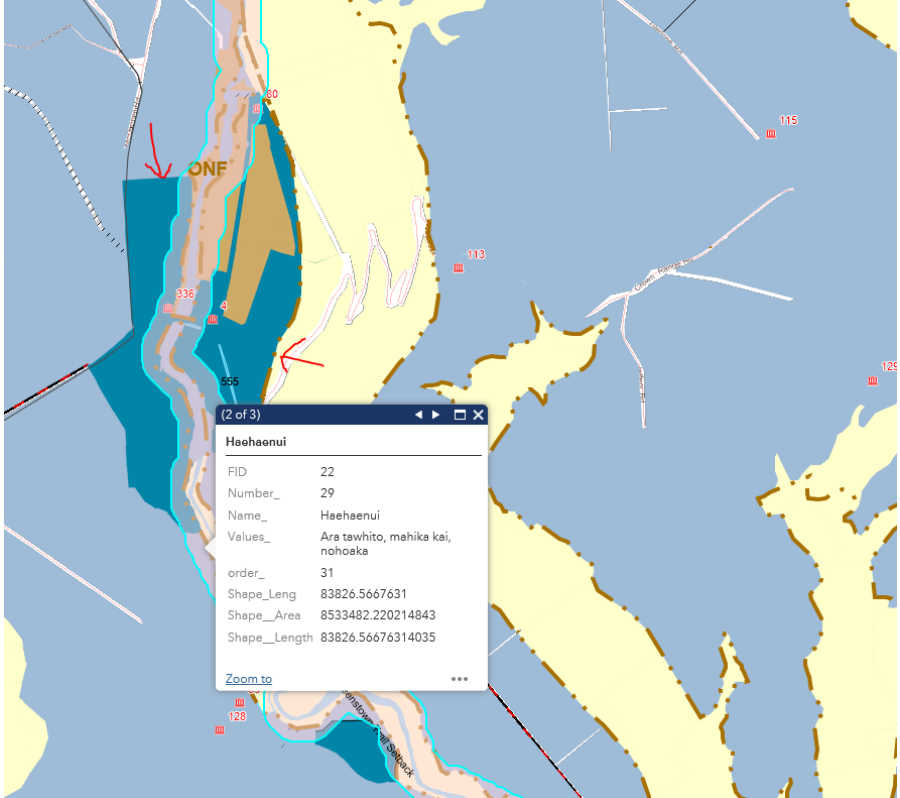
Area, Item name & Values	Recognised Threats	Rural Residential Provisions																
Forest Hill and Bobs Cove  <p>The map shows a coastal area with various colored zones. A red arrow points to a specific area labeled 'Rural Residential - Forest Hill'. A pop-up window titled '(1 of 5)' provides the following metadata for 'Punatapu':</p> <table border="1"> <tr><td>FID</td><td>12</td></tr> <tr><td>Number_</td><td>17</td></tr> <tr><td>Name_</td><td>Punatapu</td></tr> <tr><td>Values_</td><td>Traditional settlement, tauraka waka, archaeological</td></tr> <tr><td>order_</td><td>19</td></tr> <tr><td>Shape_Leng</td><td>29633.8988997</td></tr> <tr><td>Shape_Area</td><td>9345311.206542968</td></tr> <tr><td>Shape_Length</td><td>29633.629813633113</td></tr> </table>	FID	12	Number_	17	Name_	Punatapu	Values_	Traditional settlement, tauraka waka, archaeological	order_	19	Shape_Leng	29633.8988997	Shape_Area	9345311.206542968	Shape_Length	29633.629813633113	Earthworks Subdivision and development Buildings and structures utilities	Chapter 25 Proposal Rule 25.5.2 RD – where more than 10m³ Chapter 27 Proposal Rule 27.5.12A - RD Rule 22.4.1 P – subject to std's Chapter 30
FID	12																	
Number_	17																	
Name_	Punatapu																	
Values_	Traditional settlement, tauraka waka, archaeological																	
order_	19																	
Shape_Leng	29633.8988997																	
Shape_Area	9345311.206542968																	
Shape_Length	29633.629813633113																	

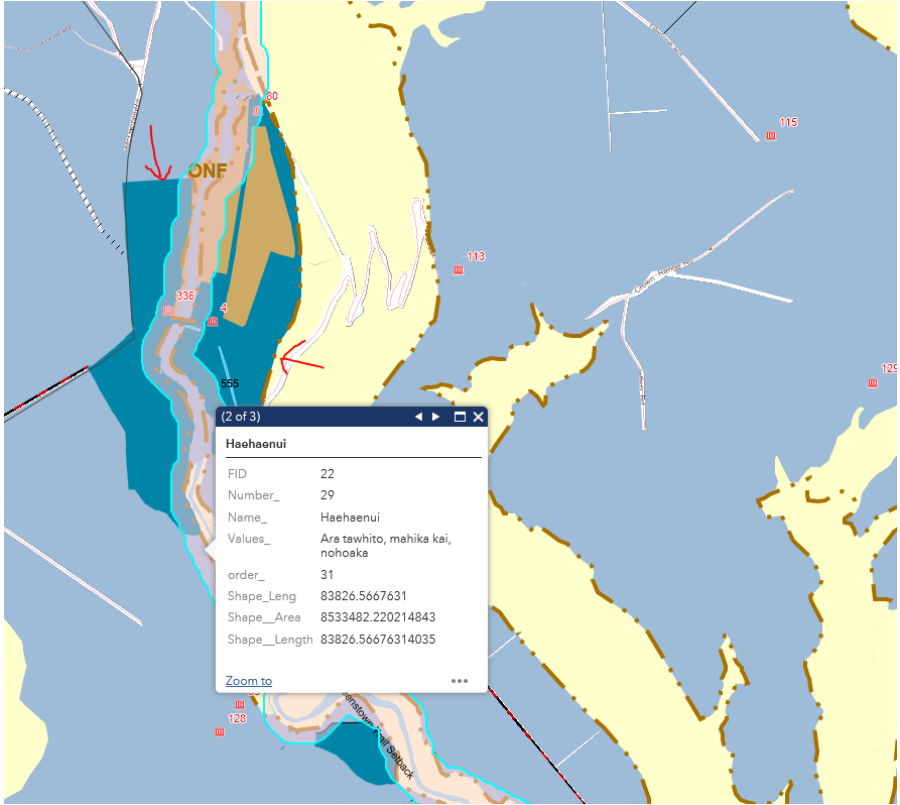


Item 17:
Punatapu

Values:
Tauraka waka, settlements, archaeological values, mahika kai

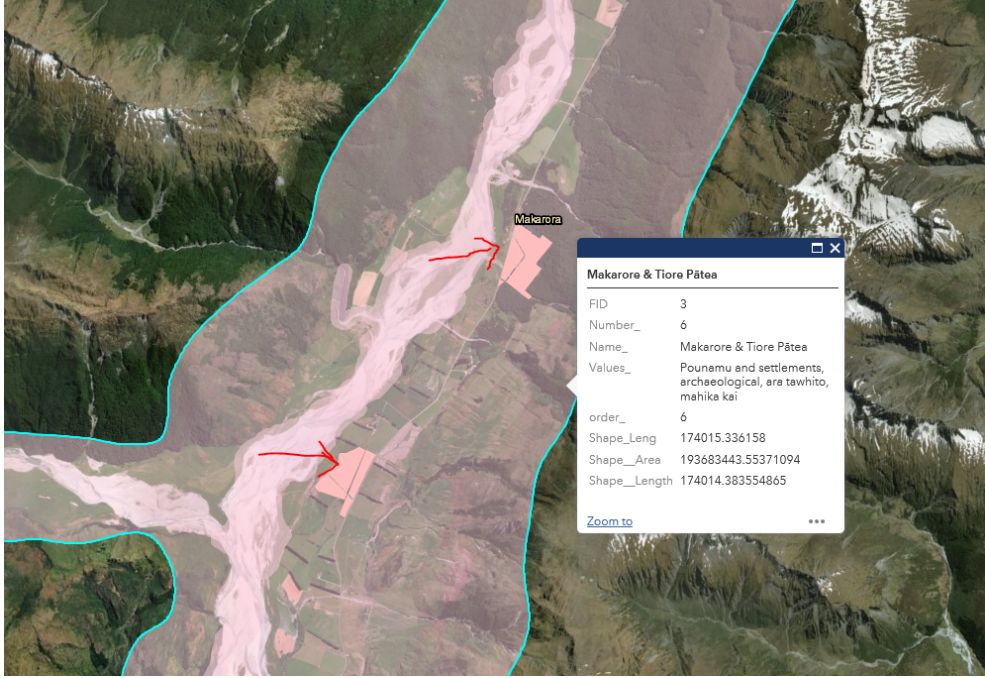
Area, Item name & Values	Recognised Threats	Wakatipu Lifestyle Precinct Provisions
Wakatipu Lifestyle Precinct	Damming, activities affecting water quality	Chapter 39


Area, Item name & Values	Recognised Threats	Wakatipu Lifestyle Precinct Provisions
 <p>Item 29: Haehaenui</p>	<p>Buildings and structures</p>	<p>Rule 24.4.6 - C building for residential activity within building platform</p> <p>Rule 24.4.7 buildings for res activity not otherwise provided for – RD MOD:</p> <ul style="list-style-type: none"> a. Landscape character b. Visual amenity values c. Access d. Infrastructure e. Landform modification, landscaping and planting (existing and proposed) f. Natural hazards
	utilities	Chapter 30
	Subdivision and development	Chapter 27

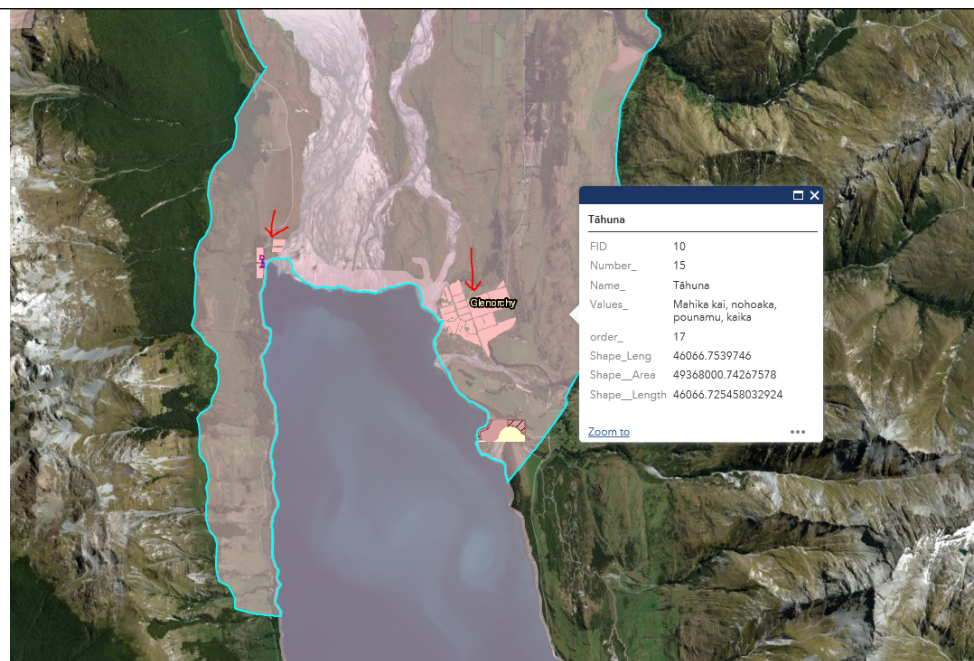
Area, Item name & Values	Recognised Threats	Wakatipu Lifestyle Precinct Provisions
<p>Values: Ara tawhito, mahika kai, nohoaka</p>  <p>Item 29: Haehaenui</p> <p>Values:</p>	<p>earthworks</p>	

Area, Item name & Values	Recognised Threats	Wakatipu Lifestyle Precinct Provisions
Ara tawhito, mahika kai, nohoaka		

SETTLEMENT ZONE

Area, Item name & Values	Recognised Threats	SETZ – rules
<p>Makarora (SETZ indicated by red arrow)</p>  <p>Item 6: Makarora & Tiore Pātea</p> <p>Values: pounamu and settlements, archaeological, ara tawhito, mahika kai</p>	<p>Gravel extraction</p> <p>Earthworks</p> <p>Activities affecting water quality</p> <p>Subdivision and development</p> <p>Buildings and structures</p> <p>Utilities</p> <p>Activities affecting the ridgeline and upper slopes</p> <p>Exotic species including wilding pines</p>	<p>Rule 20.4.17 NC –activities not listed</p> <p>Chapter 27 Proposal Rule 27.5.12A - RD >10m³</p> <p>Rule 20.5.15 setback of building less than 7 metres RD <i>(note: matters of discretion incl g. effects on cultural values of manawhenua).</i></p> <p>Chapter 27 Proposal Rule 27.5.12A - D</p> <p>P</p> <p>Chapter 30</p> <p>Rule 20.4.17 NC –activities not listed up to 1ha (Forestry) NES-PF prevails for >1ha Plantation Forestry</p>
<p>Cardrona</p>	<p>Earthworks</p>	<p>Chapter 25</p>

 <p>Item 12: Ōrau</p> <p>Values: Mahika kai, ara tawhito, nohoaka</p>		Proposal Rule 27.5.12A - RD >10m³
	Subdivision and development	Chapter 27 Proposal Rule 27.5.12A – D
	Activities affecting water quality	Rule 20.5.15 setback of building less than 7 metres RD <i>(Note: matters of discretion incl g. effects on cultural values of manawhenua).</i>
Glenorchy and Kinloch	Activities affecting water quality	Rule 20.5.15 setback of building less than 7 metres RD <i>(Note: matters of discretion incl g. effects on cultural values of manawhenua).</i>
	Subdivision and development	Chapter 27 Proposal Rule 27.5.12A –D

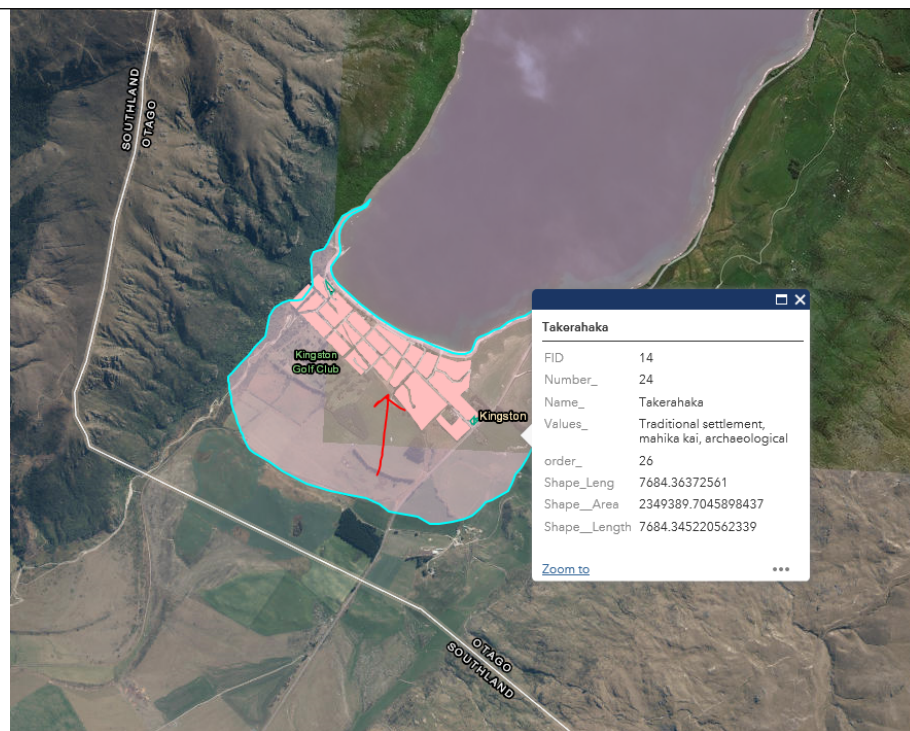


Item 15:
Tāhuna

Values:
Nohoaka, mahika kai, pounamu, kāika, ara tawhito

Kingston

Earthworks	Chapter 25 Proposal Rule 27.5.12A - RD >10m³
Buildings and structures	P
Utilities	Chapter 30
Activities affecting the ridgeline and upper slopes	
Quarrying	Rule 20.4.17 NC –activities not listed
Exotic species including wilding pines	Rule 20.4.17 NC –activities not listed up to 1ha (Forestry) NES-PF prevails for >1ha Plantation Forestry
Activities affecting water quality	Rule 20.5.15 setback of building less than 7 metres RD <i>(Note: matters of discretion incl g. effects on cultural values of manawhenua).</i>
Subdivision and development	Chapter 27 Proposal Rule 27.5.12A – D




Item 24:
Takerahaka

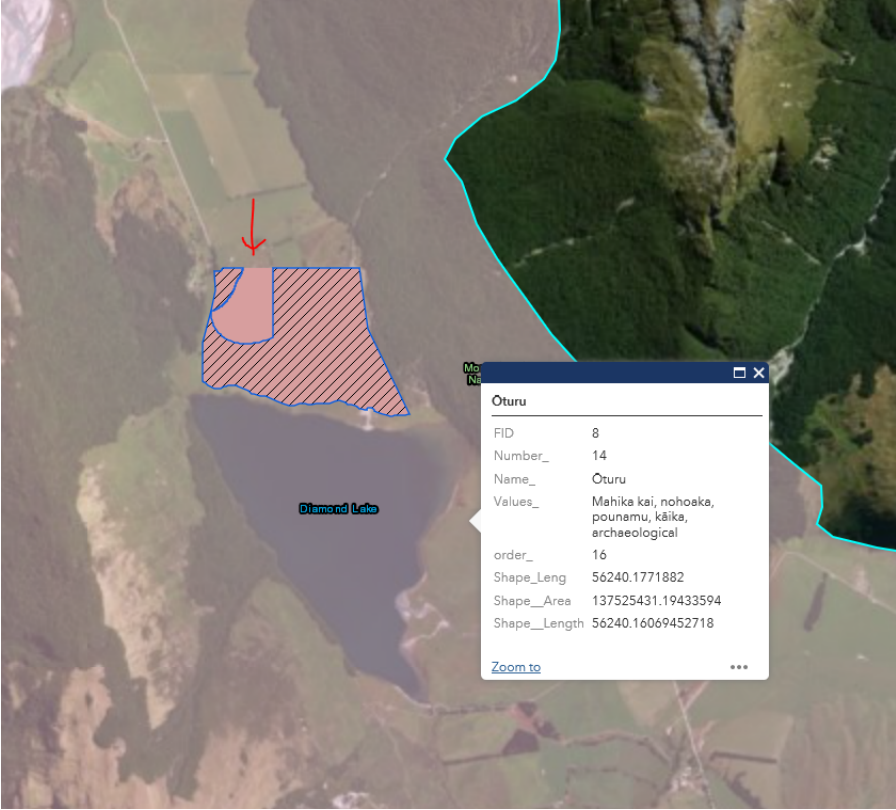
Values:
Traditional settlement, mahika kai, archaeological

Buildings and structures	P
Utilities	Chapter 30
Exotic species including wilding pines	<p>Rule 20.4.17 NC –activities not listed up to 1ha (Forestry)</p> <p>NES-PF prevails for >1ha Plantation Forestry</p>

RURAL VISITOR ZONE

Area, Item name & Values	Recognised Threats	RV – rules
<p>Blanket Bay</p>  <p>Item 15: Tāhuna</p> <p>Values: Mahika Kai, nohoaka, pounamu, kaika</p>	<p>Activities affecting water quality</p> <p>Subdivision and development</p> <p>Earthworks</p> <p>Buildings and structures</p> <p>Utilities</p> <p>Activities affecting the ridgeline and upper slopes</p> <p>Quarrying</p> <p>Exotic species including wilding pines</p>	<p>(note: matters of discretion incl g. effects on cultural values of manawhenua).</p> <p>Chapter 27 Proposal Rule 27.5.12A - D</p> <p>Chapter 25 Proposal Rule 27.5.12A - RD >10m³</p> <p>C (D/NC in BRA or landscape sensitivity area)</p> <p>Chapter 30</p> <p>Proposed Rule 46.4.13 NC - mining</p> <p>46.4.14 Any other activity not listed in Table 46.4</p> <p>NES-PF prevails for >1ha Plantation Forestry</p>

Area, Item name & Values	Recognised Threats	RV – rules
Arcardia	Activities affecting water quality	Proposed Rule 46.5.4 building setbacks from water bodies – 20m <i>(note: matters of discretion incl g. effects on cultural values of manawhenua).</i>
	Subdivision and development	Chapter 27 Proposal Rule 27.5.12A - D
	Earthworks	Chapter 25 Proposal Rule 27.5.12A - RD >10m³
	Utilities	Chapter 30

Area, Item name & Values	Recognised Threats	RV – rules
 <p>Item 4: Oturu</p> <p>Values: Nohoaka, maika kai, pounamu, kāika, archaeological</p>	<p>Buildings and structures</p>	

Sent: Mon, 5 Aug 2019 10:42:50 +1300
To: [REDACTED]
Subject: QLDC Stage 3
Attachments: Residential zones & wāhi tūpuna DRAFT.docx

Kia ora [REDACTED]

Here are the urban area cross overs. This includes:

- LDSR
- MDR
- HDR
- Business Mixed Use

Again the greyed out cells are the ones where activities could occur without consent or controlled or RD within limited matters.

Ngā mihi,

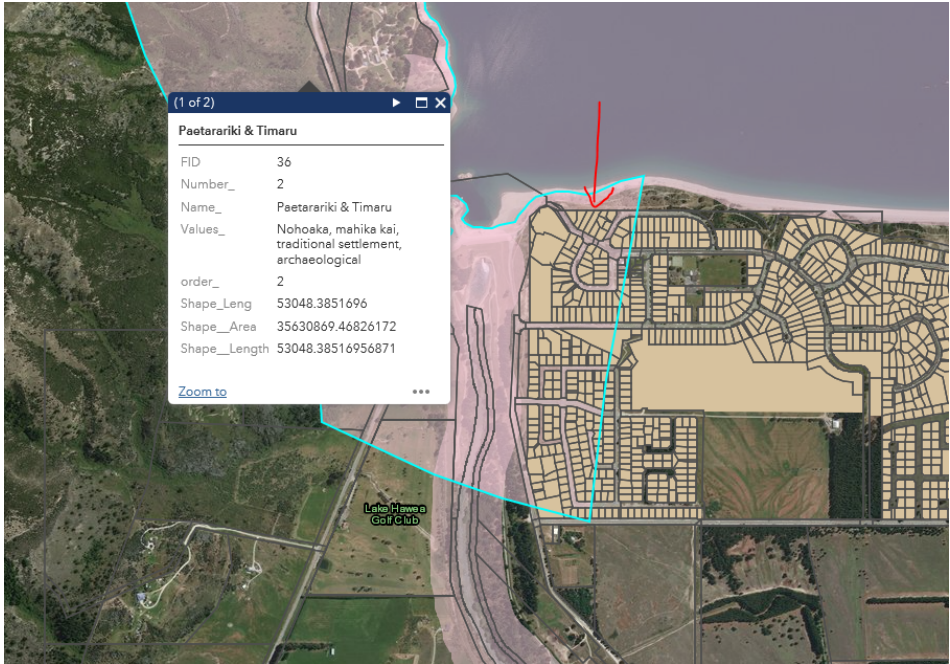
Sarah

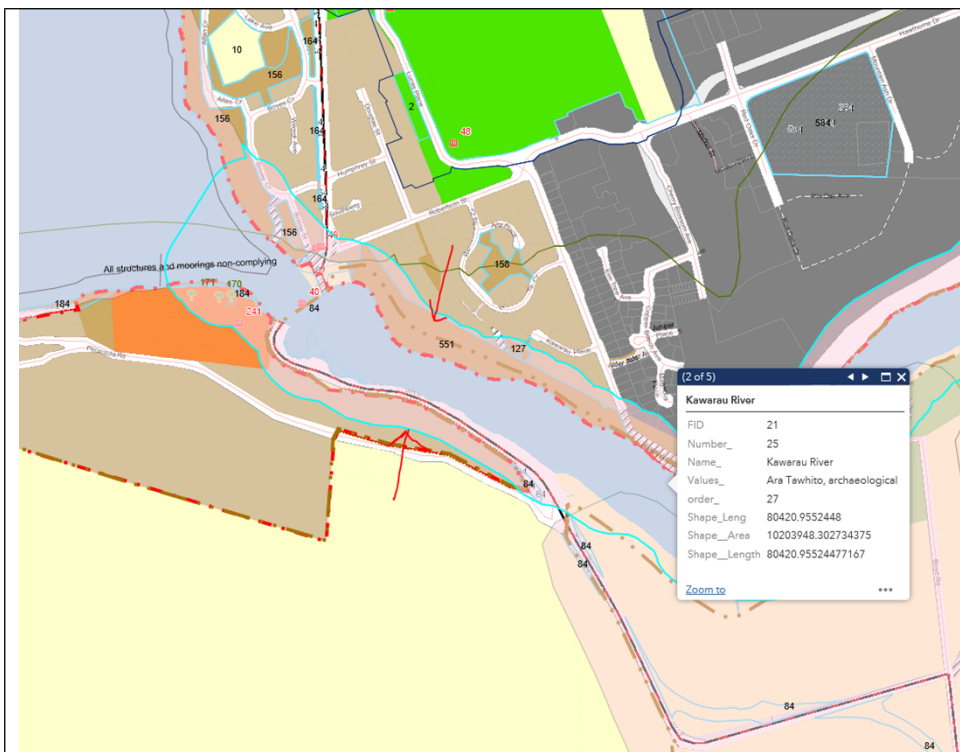
Sarah Picard | Senior Planner (Policy) | Planning & Development
Queenstown Lakes District Council
DD: +64 3 4430419 | P: +64 3 441 0499
E: sarah.picard@qldc.govt.nz



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LOWER DENSITY SUBURBAN RESIDENTIAL

Area, Item name & Values	Recognised Threats	LDSR – rules
<p>Hāwea</p>  <p>Item 2: Paetarariki & Timaru</p> <p>Values: mahika kai, traditional settlement, nohoaka, archaeological, ara tawhito</p>	<p>Activities affecting water quality</p> <p>Subdivision and development</p> <p>Exotic species including wilding pines</p> <p>Earthworks</p> <p>New roads or additions/alterations to existing roads, vehicle tracks and driveways</p> <p>buildings and structures</p> <p>utilities</p> <p>Activities affecting the ridgeline and upper slopes</p>	<p>Chapter 39</p> <p>Chapter 27 RD</p> <p>Rule 7.4.18 Forestry – PR Except where the NES-PF prevails</p> <p>Chapter 25</p> <p>Rule 7.4.3 Res Unit - P</p> <p>Chapter 30</p>
<p>Frankton & Kelvin Heights</p>	<p>New roads or additions/alterations to</p>	



Item 25:
Kawarau River

Values:
Ara tawhito, mahika kai, archaeological

Arrowtown

existing roads, vehicle tracks and driveways	
buildings and structures	Rule 7.4.3 Res Unit - P
Earthworks	Chapter 25
Subdivision and development	Chapter 27
Damming, activities affecting water quality	Chapter 39
Exotic species including wilding pines	Rule 7.4.18 Forestry – PR Except where the NES-PF prevails
Damming, activities affecting water quality	Chapter 39
Buildings and structures,	Rule 7.4.3 Res Unit - P

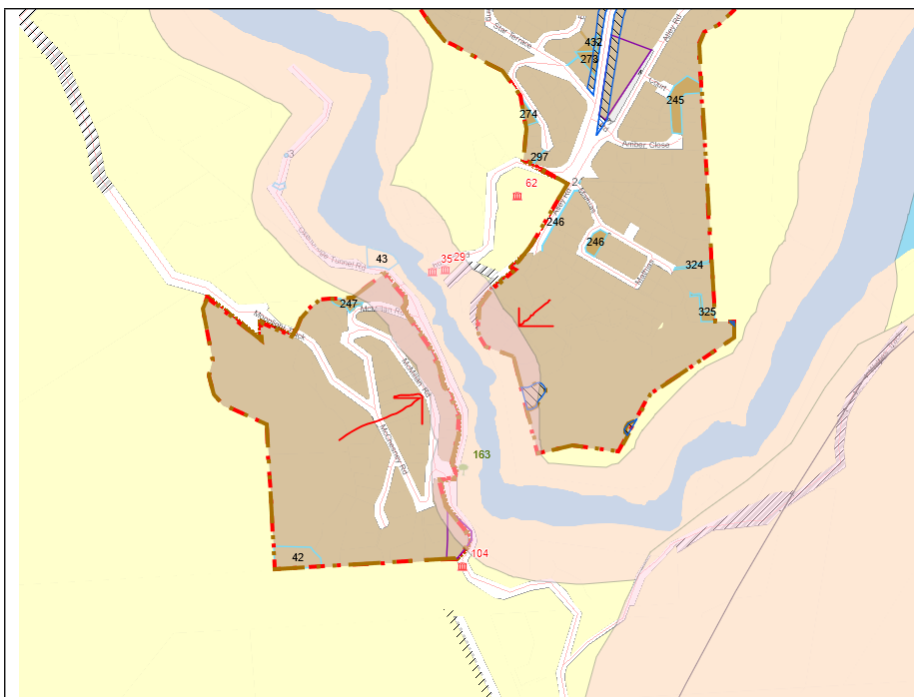


Item 29:
Haehaenui (Arrow River)

Values:
Ara tawhito, mahika kai, nohoaka

Arthurs Point

utilities	Chapter 30
Subdivision and development	Chapter 27
earthworks	Chapter 25
Damming, activities affecting water quality	Chapter 39
Buildings and structures	Rule 7.4.3 Res Unit - P
Utilities	Chapter 30
Subdivision and development	Chapter 27



Item 30:
Kimiākau (Shotover River)

Values:
Ara tawhito, mahika kai, nohoaka

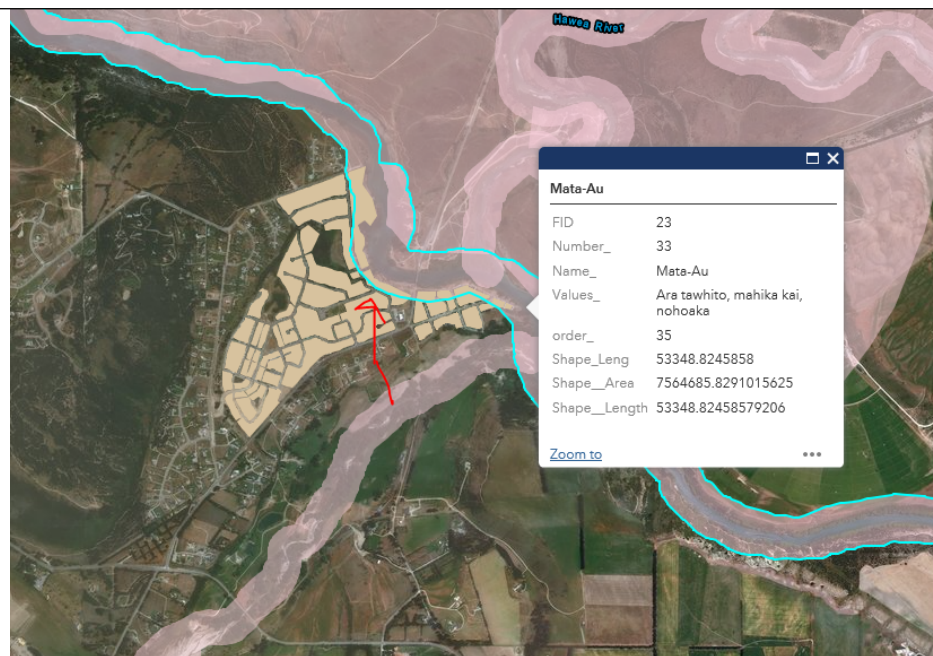
Albert Town

earthworks

Exotic species including
wilding pines

Chapter 25


Rule 7.4.18 Forestry – PR
Except where the NES-PF
prevails



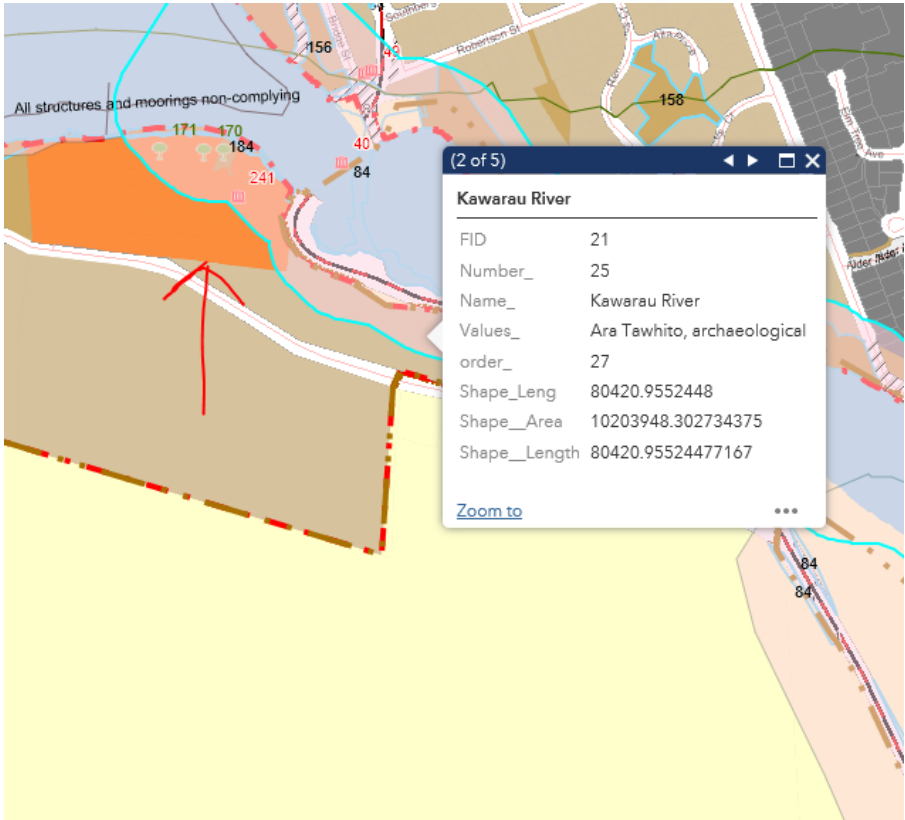
Item 33: Mata-Au

Values:

Area, Item name & Values	Recognised Threats	MDR – rules
Arrowtown	Damming, activities affecting water quality	Chapter 39
	Buildings and structures	Rule 8.4.6 res unit - P

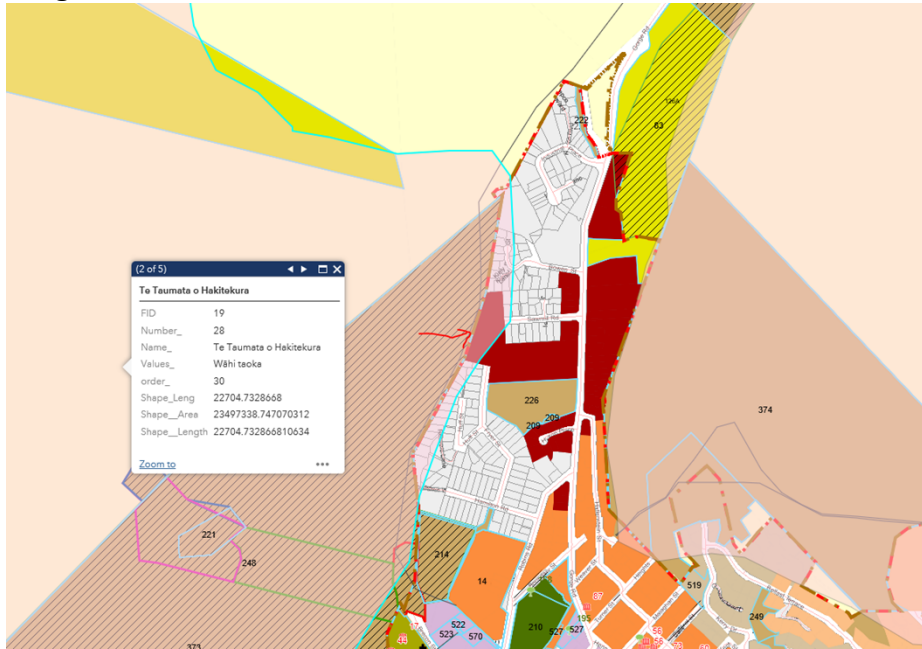
 <p>Item 29: Haehaenui (Arrow River)</p> <p>Values: Ara tawhito, mahika kai, nohoaka</p>	utilities	Chapter 30
	Subdivision and development	Chapter 27
	earthworks	Chapter 25

Area, Item name & Values	Recognised Threats	HDR – rules
Arrowtown Item 29: Haehaenui (Arrow River)	Damming, activities affecting water quality	Chapter 39
	Buildings and structures, utilities	Rule 9.4.3 res unit P

Values: Ara tawhito, mahika kai, nohoaka	Subdivision and development	Chapter 27
	earthworks	Chapter 25
Frankton 		

Area, Item name & Values	Recognised Threats	BMU – rules
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Gorge Road



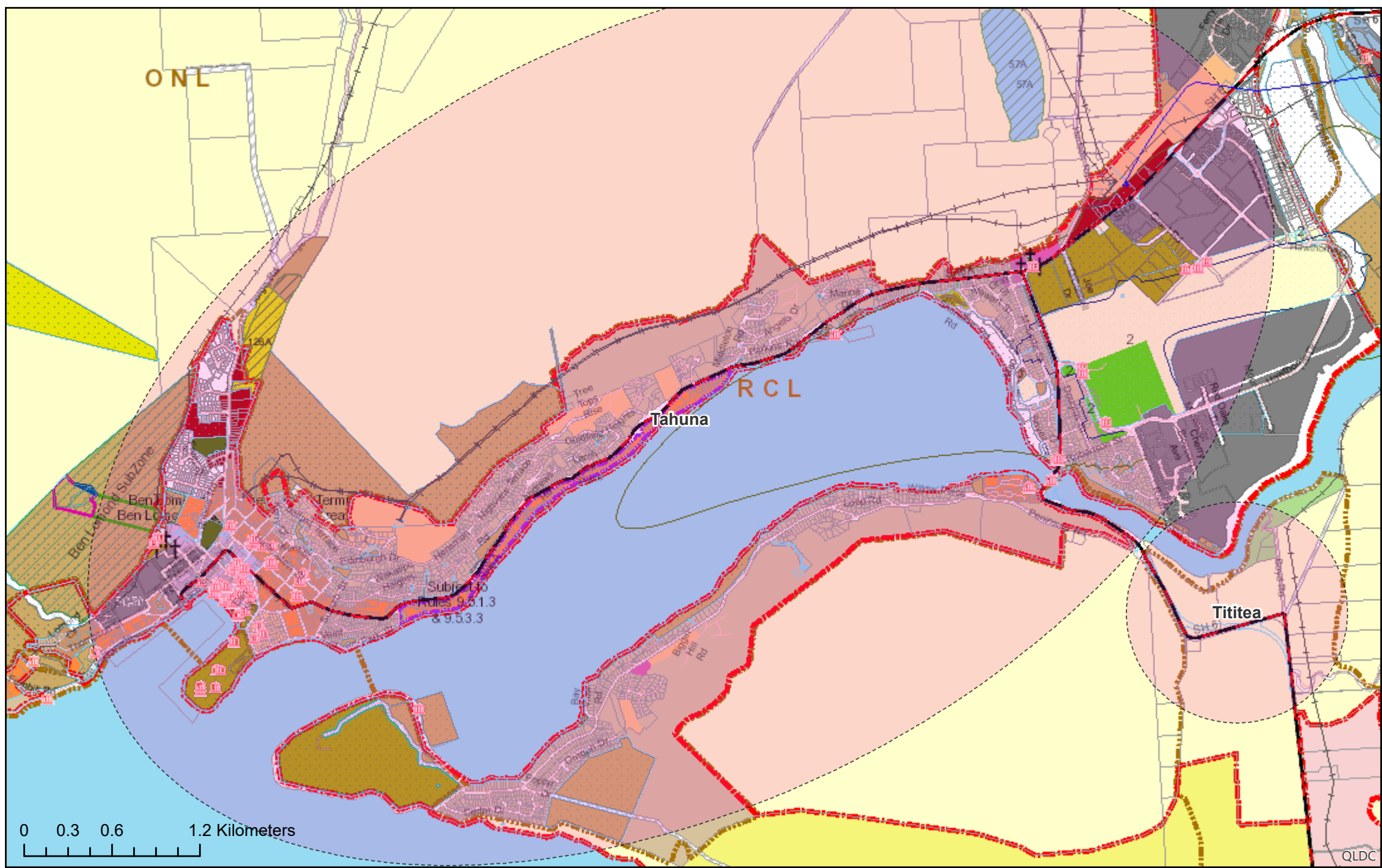
Item 28:

Te Taumata o Hakitekura

Values:

Ara tawhito, mahika kai, nohoaka

Exotic species including wilding pines	Rule 16.4.15 Forestry – PR Except where the NES-PF prevails
Building and structures	RD
utilities	Chapter 30
New roads or additions and alterations to existing roads, vehicle tracks and driveways	
Activities affecting the ridgeline and upper slopes	



Waahi Tupuna Sites with Queenstown Stage 1 & 2 PDP Zones

From: [Sarah Picard](#)
To: [REDACTED]
Subject: RE: QLDC phonecall notes
Date: Friday, 25 January 2019 4:48:00 PM
Attachments: [image001.jpg](#)
[image002.png](#)

Kia ora [REDACTED]
That's a great summary. Appreciate you putting that together.
Look forward to meeting when we are all in Queenstown.

Nga mihi

From: [REDACTED]
Sent: Friday, 25 January 2019 10:57 AM
To: Sarah Picard <Sarah.Picard@qldc.govt.nz>
Cc: [REDACTED]
Subject: FW: QLDC phonecall notes

Kia ora Sarah,

-
Please find attached notes from yesterday's phone-call. Hopefully everything is covered off, if not please let me know.

Phone-call - summary of main points

-
Re: Maps

- Aukaha represent Otago Runaka. Sticky Forest ownership goes wider than Otago. The Otago Runaka do not wish to pursue any papakainga provisions or anything to do with sticky forest.
- The maps Aukaha have provided still need to be agreed by Te Ao Marama, and therefore are not finalised.
- Runaka still need to agree on a position regarding whether to map the margins of significant lakes and rivers, some being statutory acknowledgement areas and others not.
- Agreed on inclusion of a separate schedule of wahi tupuna areas (descriptions, values and threats) in support of the maps

Re: Progress and PDP provisions

- Earthworks recommendations going to council to accept, and notify a decision of stage 2 EW.
- Sarah to review the recommendations and send us a table so when decisions come out

we have a heads up.

- Discussed how ridgelines are addressed in PDP. Much of landscape stuff is still under appeal. Mostly ridgelines will be ONL and therefore subject to fairly strong policy.
- Need to understand Network utilities – understanding where telecommunications for example fit in
- Sarah to assist in provision of QLDC definitions- so as to understand how they line up with threats (may need to reword the threats to ensure the runanga’s intent captures all the plan activities)
- Indigenous Vegetation is covered off in stage 1. There are still areas of indigenous vegetation in QLDC area. Mediation on indigenous vegetation provisions – maybe not resolved yet. Still has to go before judges to sign off. We need to touch base with runanga about what they are seeking with regard to indigenous vegetation clearance.
- Sarah to supplement table to give summary of zoning and also where it’s at (operative and stage 1 and 2)
- Discussed notification rules: currently contained within each chapter that specifies instances where notification is and isn’t required. Sarah to consider options for integrating notification provision throughout the plan. Maree requested the DCC approach which provides for notification to Runaka of all non-complying and discretionary activities
- Discussed progress on Stage 2 decisions: bulk coming out subsequent to next full council meeting in early Feb. Hasn’t included Wakatipu Basin variation. EW, signs, visitor accommodation transport, etc.

Re: Next steps

- Sarah to assist in provision of QLDC definitions- so as to understand how they line up with threats (As above)
- Sarah to assist with identifying permitted/controlled activity thresholds for each threat
- Sarah to review the earthworks recommendations and send us a table so when decisions come out we have a heads up. (As above)
- Sarah to supplement table to give summary of zoning and also where it’s at (operative and stage 1 and 2)- (As above)
- Aukaha to establish Runaka position on waterways and margins mapping, and indigenous vegetation clearance
- Aukaha to engage with Te Ao Marama to finalise the maps
- Propose to organise a meeting on the 7th in Queenstown

Ka mihi,



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]



[REDACTED]

From: [Sarah Picard](#)
To: [REDACTED]
Subject: RE: Setbacks from waterbodies
Date: Wednesday, 20 February 2019 11:15:00 AM
Attachments: [image001.jpg](#)

Hi [REDACTED],

Thanks for the email. Been a busy week here and was intending to come to Queenstown only if we had a scheduled meeting. I think a phone call should suffice at some point.

Unfortunately getting all the zoning information for the wahi tupuna areas has proven a little more involved than initially thought. It is still in process but will keep you up to date on progress.

Hope your time goes well in Queenstown.

Nga Mihi

Sarah

From: [REDACTED]
Sent: Thursday, 14 February 2019 3:27 PM
To: [REDACTED] Sarah Picard <Sarah.Picard@qldc.govt.nz>
Subject: Re: Setbacks from waterbodies

Thanks Sarah, that's useful. I'll have a look at the definitions tomorrow. Cassino and I will be in Queenstown Wed-Fri next week but with very limited availability. Unless you are over in QT anyway perhaps we could keep things moving with a phone call?

Thanks

[REDACTED]

On Fri, Feb 8, 2019 at 3:10 PM +1300, "Sarah Picard" <Sarah.Picard@qldc.govt.nz> wrote:

Kia ora,

In follow up to the quick discussion on the meaning of 'margin' in relation to waterbody.

I note that the earthworks for the IHP recommendations for earthworks use 'bed' (defined by RMA) for the purposes of considering the distance of earthworks from a waterbody. Chapter 21 Rural also refers to bed of a waterbody.

But FYI, there is discussion on the term margin at Para 153-170 about the term margin in 'Save Wanaka Lakefront Reserve Inc v Queenstown Lakes District Council' [2017] NZEnvC 88 (Interim Decision). The conclusion of the Court on this matter in this instance is generally set out as follows;

[164]

We find that determining a lake's margin is primarily an exercise of practical contextual judgment. Namely, it requires identification of the physical edge of the lake through physical markers of that edge. Usually that can be done by simple observation. Ultimately, a lake's margin will be located where most people would observe it to be.

...

[166]

The ordinary meaning of "margin" allows us to go slightly beyond the lake water's typical influence (i.e. slightly beyond the maximum normal "operating" level of 278 masl).^[88] The intended meaning is of land that lies immediately adjacent the water's edge, being here slightly beyond the 278 masl line. Such a meaning recognises the relationship that land has to the lake waters, both in terms of environmental factors and what people would observe that relationship to be. It is also readily able to be applied practically, with the aid of a surveyor, in the process of vesting esplanade reserves on subdivision. Therefore, we interpret "margin" in that way, as it best fits the statutory and plan intentions.

I also note that we had rules that mentioned 'bank' in the ODP and this was discussed in the decision also.

Does appear that ODP utilised a number of different terms (hence needing discussion in an EnvC decision) but so far the PDP has consistently adopted 'bed' which is defined under the RMA (no definition included in PDP).

Nga mihi,

Sarah

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E: sarah.picard@qldc.govt.nz



 Please consider the environment before printing this e-mail

From: [REDACTED]
To: [Sarah Picard](#)
Cc: [REDACTED]
Subject: remaining matters: WT chapter
Date: Friday, 14 June 2019 4:31:22 PM
Attachments: [image001.jpg](#)
[image002.png](#)

Kia ora Sarah

Final matters to discuss/confirm for rules framework for wahi tupuna chapter. Some will be just a matter of checking we are on the same page!

Utilities and infrastructure:

Assessment of m/w values when utilities that already require consent fall within WT and are identified as a threat. Are utilities and infrastructure captured by 'buildings and structures' (which is the term we have used in the table) or do they need to be explicitly mentioned?

Buildings and structures:

Assessment of m/w values when in WT and already requires consent. I have noted that if a landscape overlay overlaps with WT this will trigger more consents; most WT will have landscape overlay/overlap although not all; runanga happy to roll with whatever comes out of appeals re landscape. Note difference between buildings and structures in general and those on ridgelines / upper slopes. The plan does not map ridgelines/upper slopes so council would have to use its discretion to determine what this meant.

As above – does buildings or structures include utilities and infrastructure or should this be listed separately?

Setbacks:

The runanga have requested all major rivers in the district be mapped as WT to include a 100m landward buffer; major lakes mapped as WT include a 30m landward buffer although I have to go back to the runanga and talk this through with them and confirm it's what they want. This means m/w would get any consent that didn't comply with the setback standards, is this correct? All buildings and structures within the setback area would trigger consent if there is non-compliance with standards, therefore triggering an assessment of effects on m/w.

Earthworks: all earthworks in WT are D activity, which covers off the setback area.

Subdivision and development:

We discussed (but didn't resolve) whether linkages could be made between 'subdivision and development'. Does this extend to some of the access and road formation threats? We use terms on the threats table that are not used in the plan e.g. residential development, urban devt, do these terms need to line up with plan definitions?

Mining:

We discussed linkages between mining/mineral exploration – are you happy with what I've sent re district wide interest in this?

Forestry:

Is consent required for felling? I have to ask if runanga are interested in felling or just planting of exotic forests. What does the NPS forestry allow re planting of exotic forests for carbon credits etc – this is of district wide interest to runanga.

Possible guidance notes:

- When effects on cultural values of mana whenua is a matter of discretion, note that only Manawhenua can determine whether/the extent to which their values are affected. So what is the effect in the consents process? Does it trigger notification?
- Sometimes CIAs will be required.
- Role of Aukaha/Te Ao Marama?

Map 40 sites of significance:

My thinking is to include these sites alongside the wahi tupuna, and include a list of threats to them within the wahi tupuna table. Are you happy with this approach?

Objectives and policies:

Would it be possible to include in the objectives and policies in the WT chapter a note on Sticky Forest? SF is ancillary claims lands exchanged for the native reserve at Manuhaea – the intention is for the land to be developed but planning overlays and rules and zoning constrain development. Any chance of building in a policy/objective countering this?

Notification rules and assessment guidance

Notification rules/assessment criteria: is this going to be built in?

-

Threats list- discuss whether the way we have them written in the table captures everything

Activities affecting water quality

Drainage, damming, activities affecting water quality

Earthworks

Quarrying

Mining

Gravel extraction

Subdivision and associated residential development

Subdivision

Subdivision and associated development

Residential Development

Urban development

Could perhaps capture the five above with a standardised description “subdivision and development”

Exotic species including wilding pines

New roads or additions/alterations to existing roads, vehicle tracks and driveways (*how does your plan deal with these?*)

Activities affecting the ridgeline including buildings and structures, network utilities and activities

on the upper slopes

Loss of Access

Access to lake, creek and road

Activities affecting natural character (*would this be better as earthworks and associated development? Or does it include wilding pines etc*)

Wilding pines

Chapter intro:

Note on the significance of the entire district as ancestral land – the mapping of wahi tupuna doesn't limit Kai Tahu's district-wide interest.

Note that the urban areas of Wanaka, Queenstown, Frankton, Hawea have been removed from the wahi tupuna maps. These are highly significant former occupation sites for Kai Tahu.

However they are so modified that there is no point mapping them for notification purposes.

Dialect: K vs ng: I think the tangata whenua chapter 5 used the ng?

Septic tanks:

Runanga question: How close can septic tank disposal fields be to waterways?

Damming and drainage:

Damming and drainage comes up in our threats list. Is this ever a district council issue?

Ka mihi

[Redacted]

[Redacted]



[Redacted]



From: [Sarah Picard](#)
To: [REDACTED]
Subject: Zone and wahi tupuna intersects
Date: Thursday, 25 July 2019 8:37:00 PM
Attachments: [image002.jpg](#)

Kia ora [REDACTED]

So I have had a chance to have a quick look through the maps and here are some of the cross-overs that include either urban or Rural Res or Rural Lifestyle.

Pretty confident this covers all these types of cross overs but will go through and re-check tomorrow.

Item 6 Makaroa SETZ
Item 2 Part of Hawea
Item 12: Part of Cardrona SETZ
Item 29: Part of Arrowtown LDSR & MDR
Item 30: Part of Arthurs Point LDSR
Item 17: Forest Hill & Bobs Cover Rural Residential and Rural Lifestyle
Item 15: Glenorchy SETZ and Rural Lifestyle
Item 14: Arcadia - Rural Visitor
Item 25: Part Frankton and Part Kelvin Peninsula LDSR & HDR

There are a couple of other zones that may need to consider in addition to those covered to date. Will check the threats from the list and then out together quick summaries of how activities associated with threats are dealt with. I should get the chance to complete this tomorrow, all going to plan.

- Open Space and Recreation
- Ski Area Subzone – there is a cross over with Remarkables Ski Field
- Wakatipu Amenity Zone (Arrow River includes small area of this)

Nga mihi,

Sarah

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Queenstown Lakes District Council
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E: sarah.picard@qldc.govt.nz



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