

Note: Since the notification of the UCLS Variation, the Environment Court has issued a determination which has confirmed changes to Preamble 21.23. These changes are now reflected in the online version of the PDP. As a result, the 'base version' of Preamble 21.23 that was proposed to be amended as part of the notified UCLS Variation has been superseded. This updated document now shows the amendments that the UCLS Variation is proposing to Preamble 21.23, by showing the changes to the now operative Preamble 21.23.

Key:

Red ~~strikethrough~~ and underline = notified deletions or insertions.

Green ~~strikethrough~~ and underline = Section 42A Report recommended changes, and notified changes where a change to the phrasing/word used has occurred as a result of the Environment Court directed changes to the underlying text.

21.23 Schedule of Landscape Values: Upper Clutha Rural Character Landscape ~~Priority Areas~~ — Preamble

1. Purpose

1.1 Schedule 21.23 includes 5 Priority Area Landscape Schedules (PA Schedules) that relate to Rural Character Landscapes (RCL)¹. ~~It also identifies and describes 12 other non-PA Schedules that relate to RCLs (non-PA Schedules). These 17 areas are collectively referred to as the 'Schedules' within 21.23.~~

1.2 The ~~PA~~ Schedules are a tool to assist with the identification of the landscape attributes and values that are to be maintained or enhanced within each Rural Zone Priority Area ('~~Priority Area~~' or Rural Zone Schedule Area², as well as the related landscape capacity for specified activities within the Rural Zone. They contain both factual information and evaluative content and are to inform plan implementation processes and assist technical landscape assessment.

1.3 The ~~PA~~ Schedules must be read in full. Each ~~PA~~ Schedule as a whole, expresses the landscape values, and the attributes from which the identified values derive.

2. Relationship between the PA and non-PA RCL Schedules

2.1 The 'Priority Area' status of some of the Schedules indicates their order of inclusion in the District Plan. The non-PA Schedules were included after the PA Schedules, but the PA status does not imply that the relevant Schedule is more or less important than the identified PAs in terms of:

- 2.1.1 landscape character and visual amenity values.
- 2.1.2 is more or less vulnerable to subdivision, use and development.³

Commented [EF1]: OS29.4 - Devon Dairy Farms Limited, OS30.9 - Deborah and Stephen Brent as trustees of the Hawthenden Trust, OS37.3 - Sunnyheights Limited RH and PH Masfen

Commented [EF2]: OS29.4 - Devon Dairy Farms Limited, OS30.9 - Deborah and Stephen Brent as trustees of the Hawthenden Trust, OS37.3 - Sunnyheights Limited RH and PH Masfen

Commented [EF3]: OS29.4 - Devon Dairy Farms Limited, OS30.9 - Deborah and Stephen Brent as trustees of the Hawthenden Trust, OS37.3 - Sunnyheights Limited RH and PH Masfen.

This applies to all instances where 'or Rural Zone Schedule Area' is inserted into the Preamble text.

Commented [EF4]: OS29.4 - Devon Dairy Farms Limited, OS30.9 - Deborah and Stephen Brent as trustees of the Hawthenden Trust, OS37.3 - Sunnyheights Limited RH and PH Masfen.

This applies to all instances where ~~PA~~ is deleted from the operative PDP Preamble text.

Commented [EF5]: OS41.8 - Otago Federated Farmers

1 Refer to Strategic Policies 3.3.39, 3.3.40 and 3.3.41
2 Refer to Strategic Policy 3.3.39 and 3.1B.5.e
3 Refer to Strategic Policy 3.3.44

23. Approach to the mapping that informs the PA Schedules

23.1 The PA Schedule mapping identifies:

23.1.1 A boundary which shows the extent of the area assessed when the PA Schedules were prepared ('Priority Area Assessment Extent'⁴ or 'Schedule Area Assessment Extent'⁵). This boundary includes a mix of zones, including Exception Zones.

23.2.1 The 'Rural Zone Priority Area'⁶ or 'Rural Zone Schedule Area'⁷, which includes all Rural Zone⁸ land (including the Rural Industrial Sub Zone, but not the Ski Area Sub Zone), within the Priority Area Assessment Extent or Schedule Area Assessment Extent. This area is identified by orange hatching, and a label.

23.2 The mapped extent of the Rural Zone Priority Area or Rural Zone Schedule Area does not in all places align with the RCL boundaries in the Plan as many of the Rural Zone Priority Area or Rural Zone Schedule Area are part of a broader landscape.

34. Application of the PA Schedules

34.1 The Schedules identify and describe PA RCLs and non-PA RCLs in the Upper Clutha Basin only.

34.2 The PA Schedules apply to any proposal requiring resource consent for a restricted discretionary, discretionary or non-complying activity⁹ in the Rural Zone, including the Rural Industrial Sub Zone, but not the Ski Area Sub Zone.

34.3 The PA Schedules do not apply to proposals requiring resource consent in any other zone, including Exception Zones¹⁰.

34.4 As the PA Schedules contain information about the wider Priority Area Assessment Extent or Schedule Area Assessment Extent, they contain contextual information that may be relevant for resource consent applications outside the Rural Zone Priority Area or Rural Zone Schedule Area and landscape assessments informing plan development proposals.

4.5 Landscape Attributes and Values

4.5.1 The identified landscape attributes and values, are based on an assessment of Priority Area Assessment Extent or Schedule Area Assessment Extent as a whole and are not intended to describe the attributes and values of specific sites. The PA Schedules set out attributes and values, summarised from a wide range of information sources and knowledge about the landscape. The PA Schedules represent a point in time and are not intended to provide a complete record.

4.5.2 Given the scale of the landscape assessment underpinning the PA Schedules, a finer

Commented [EF6]: OS29.4 - Devon Dairy Farms Limited, OS30.9 - Deborah and Stephen Brent as trustees of the Hawthenden Trust, OS37.3 - Sunnyheights Limited RH and PH Masfen.

This applies to all instances where 'or 'Schedule Area Assessment Extent' is inserted into the Preamble text.

Commented [EF7]: OS4.4 - JS Blennerhassett Family Trust

⁴ Which applies to the PA Schedules.

⁵ Which applies to the non-PA Schedules.

⁶ Which applies to the PA Schedules.

⁷ Which applies to the non-PA Schedules.

⁸ Chapter 21 Rural Zone.

⁹ Refer to Strategic Policy 3.3.46

¹⁰ Refer to Chapter 3 part 3.1B.5.a

grain proposal-specific assessment of landscape attributes and values will typically be required for plan implementation purposes¹¹. Through any proposal-specific assessment, the identified landscape value/s recorded in the PA Schedules may not be relevant to a site, and/or additional values may be identified.

- 45.3 The PA Schedules include attributes¹² that contribute positively to landscape values, attributes that detract from landscape values, and attributes that are neutral with respect to informing landscape values.
- 45.4 The reference to 'Other distinctive vegetation types' and the 'Land use and patterns and features' in the PA Schedules do not relate to attributes or landscape values that need to be maintained or enhanced. Rather, these are attributes that influence landscape values (and landscape capacity). Reference to these existing attributes is not intended to 'lock in' existing land uses.
- 45.5 The reference to 'Plant and Animal Pests' corresponds to attributes that detract from landscape values. Pest information is included at the end of the landscape capacity section of each PA Schedule. Few, if any of the District's RCLs are pristine and there are varying levels of modification evident (including plant and animal pests). This means that landscape restoration and enhancement (which can include the management of pests) is a highly desirable outcome. The reference to plant and animal pests is intended to guide appropriate future landscape management. (For example, where a resource consent is proposed within the Rural Zone Priority Area [or Rural Zone Schedule Area](#), the proposal or provisions may seek to specifically address the management of pests).
- 45.6 With respect to the link between the Rural Zone Priority Area [or Rural Zone Schedule Area](#) RCL Schedules and Strategic Policies 3.2.5.5, 3.2.5.7, and 3.3.41, landscape character and visual amenity values are expressed through the 'three dimensioned' construct of landscape values set out in the Rural Zone Priority Area [or Rural Zone Schedule Area](#) RCL Schedules (i.e. physical, associative and perceptual / sensory). The concept of 'landscape character' encompasses all three dimensions of landscape values. 'Visual amenity values' typically draw from the perceptual dimension, however there is inevitably an overlap with the physical dimension.
- 45.7 The key public routes and viewpoints are typically identified in the description of the 'Land use patterns and features', with key scenic routes identified under 'Recreation attributes and values' and/or 'Particularly important views to and from the area'.
- 45.8 The relationship between the Rural Zone Priority Area [or Rural Zone Schedule Area](#) RCL and the wider RCL context, the Outstanding Natural Features within the Upper Clutha Basin and the Outstanding Natural Landscapes that frame the Upper Clutha Basin are typically addressed in the description of 'Land use patterns and features', 'Shared and recognised attributes and values', 'Particularly important views to and from the area', and 'Aesthetic qualities and values'.

~~56~~ Landscape Capacity

- 56.1 The landscape capacity ratings in the PA Schedules reflect the capacity of the landscape or feature to accommodate various types or forms of development within the Rural Zone Priority Area [or Rural Zone Schedule Area](#) without compromising the identified landscape values.
- 56.2 The definition of landscape capacity applied in the PA Schedules is set out at Chapter 3 part 3.1B.5.b.ii.

¹¹ Refer to Strategic Policy 3.3.43 and Strategic Policy 3.3.45

¹² The identification of an attribute in the PA schedule is not confirmation or otherwise as to whether the attribute has been legally established.

- 56.3** The landscape capacity ratings, and associated descriptions are high level and are not intended to describe the relevant capacity of specific sites within Rural Zone Priority Area [or Rural Zone Schedule Area](#). These descriptions are not a replacement for any relevant policies, rules or standards in the District Plan, and are intended to provide guidance only.
- 56.4** Landscape capacity is not a fixed concept and it may change over time as development occurs or landscape characteristics change. In addition, within each Rural Zone Priority Area [or Rural Zone Schedule Area](#) there is likely to be variation in landscape capacity, that will require detailed consideration and assessment through future resource consent applications. As development, landscape or policy change occurs, there may be a need to review the spatial extent of the Rural Zone Priority Area [or Rural Zone Schedule Area](#), or the content of the [PA Schedules](#) (including landscape capacity ratings).
- 56.5** For the purposes of the Rural Zone Priority Area [or Rural Zone Schedule Area](#), landscape capacity is described using the following five terms:
- Some landscape capacity: typically this corresponds to a situation in which a careful or measured amount of some sensitively located and designed development of this type is unlikely to materially compromise the identified landscape values.
- Limited landscape capacity:** typically this corresponds to a situation in which the landscape is near its capacity to accommodate development of this type without material compromise of its identified landscape values and where only a limited amount of sensitively located and designed development is unlikely to materially compromise the identified landscape values.
- Very limited landscape capacity:** typically this corresponds to a situation in which the landscape is very close to its capacity to accommodate development of this type without material compromise of its identified landscape values, and where only a very limited amount of sensitively located and designed development is likely to be appropriate.
- Extremely limited landscape capacity:** typically this corresponds to a situation in which the landscape is extremely close to its capacity to accommodate development of this type without material compromise of its identified landscape values, and where only an extremely limited amount of very sensitively located and designed development is likely to be appropriate.
- Extremely limited or no capacity:** typically this corresponds to a situation in which the landscape is extremely close to, or already at, capacity to accommodate development of this type without material compromise of its identified landscape values, and where either no, or an extremely limited amount of very sensitively located and designed development is likely to be appropriate.
- 56.6** It is intended that the use of this five-tier landscape capacity terminology, along with a description of the characteristics that are likely to frame development that is appropriate (from a landscape perspective), and the description of the landscape attributes and values will assist in providing high level guidance with respect to the scale, location and characteristics of each land use type that will maintain and/or enhance landscape values of the RCL.
- 67.** **Meaning of activities for the purpose of the [PA Schedules](#)**
- 67.1** For the purpose of the [PA Schedules](#), activities listed have the following meanings:

- **Commercial recreational activities:** has the same meaning as Chapter 2
- **Visitor accommodation:** has the same meaning as Chapter 2
- **Tourism related activities:** has the same meaning as Resort in Chapter 2.
- **Urban expansions means:** a change from a rural activity to urban development;
- **Intensive agriculture:** has the same meaning as Factory Farming in Chapter 2.
- **Earthworks:** has the same meaning as Chapter 2
- **Farm buildings:** has the same meaning as Chapter 2
- **Mineral extraction:** has the same meaning as Mining Activity in Chapter 2.
- **Transport infrastructure:** has the same meaning as Chapter 2
- **Utilities:** has the same meaning as Chapter 2
- **Regionally significant infrastructure:** has the same meaning as Chapter 2
- **Farm scale quarries:** means mining of aggregate for farming activities on the same site.
- **Renewable energy generation:** has the same meaning as Renewable Electricity Generation and Renewable Electricity Generation Activities in Chapter 2.
- **Forestry:** has the same meaning as Forestry Activity in Chapter 2.
- **Rural living:** has the same meaning as rural living in Chapter 3 section 3.1B.5.
- **Rural industrial activities:** has the same meaning as Chapter 2.
- **Passenger lift systems:** has the same meaning as Chapter 2 except that for the purposes of the **PA** schedules it includes base and terminal buildings and stations, and applies outside of the Ski Area Sub Zone.
- **Jetties, lake structures, moorings, boat sheds:** have their plain meaning (and may be used interchangeably).

67.2

The range of land use activities addressed in the capacity section of the **PA** Schedules includes the activities prescribed by SP 3.3.41. It is acknowledged that this does not span the full array of land use activities that may be contemplated in the Rural Zone Priority Areas or Rural Zone Schedule Area over time. In the case of a future application for a land use activity that is not addressed in a **PA** Schedule, an assessment applying the principles set out in 3.3.43, 3.3.45 and 3.3.46 is required.