

**QUEENSTOWN-LAKES DISTRICT COUNCIL
PROPOSED DISTRICT PLAN HEARING – STREAM 13**

IN THE MATTER

of a hearing on submissions to the Proposed District Plan (Queenstown Mapping) pursuant to clause 8B of the First Schedule to the Resource Management Act 1991

Cooper and Sampson

Submitter (#495)

**EVIDENCE OF CAREY VIVIAN
(PLANNER)
9 June 2017**

1. Introduction

1.1 My name is Carey Vivian. I hold the qualification of Bachelor of Resource and Environmental Planning (Hons) from Massey University. I have been a full member of the New Zealand Planning Institute since 2000. I am a director of Vivian and Espie Limited, a resource management, urban design and landscape planning consultancy based in Queenstown. I have been practicing as a resource management planner for twenty-two years, having held previous positions with Davie Lovell-Smith in Christchurch; and the Queenstown Lakes District Council (QLDC or the Council), Civic Corporation Limited, Clark Fortune McDonald and Associates and Woodlot Properties Limited in Queenstown.

1.2 I have read the Code of Conduct for Expert Witnesses contained within the Environment Court Practice Note 2014 and agree to comply with it. This evidence is within my area of expertise, except where I state that I am relying on information I have been given by another person. I confirm that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed herein.

1.3 I have read the evidence of Ms. Devlin, Mr. Glasner, Ms. Banks and Mr. Davis for the Council, and Mr. Espie for the submitter. I comment on this material through my evidence.

1.4 I use the following abbreviations in my evidence:

PDP – The Queenstown-Lakes Proposed District Plan.

ODP – The Queenstown-Lakes Operative District Plan.

RVZ – The Rural Visitor Zone under the ODP.

RZ – The Rural Zone under the PDP.

DS&LC – Daryl Sampson and Louise Cooper

UGB – The proposed Urban Growth Boundary under the PDP.

QLDC – Queenstown-Lakes District Council.

ONL – Outstanding Natural Landscape.

ONF – Outstanding Natural Feature.

RMA – Resource Management Act

NPS – National Policy Statement.

OORPS - Operative Otago Regional Policy Statement dated 1 October 1998.

PORPS - Proposed Otago Regional Policy Statement as amended by Council decisions.

1.5 The remainder of my evidence is structured as follows:

2. Submissions
3. Specific Changes to the PDP
4. Issues and Assessment
5. Mandatory Assessment Criteria
6. Section 32 evaluation
7. Part II of the RMA.
8. Conclusion

2. Submissions

2.1 This evidence is prepared on behalf of DS&LC who sought to zone the entirety of their land at 182D Arthurs Point Road to RVZ. Approximately 6500m² of their land is shown as being within the operative RVZ (subject to a further stage of the review) with balance 1.46 hectares of their property within the proposed RZ, with an ONL classification and as being outside the Arthurs Point UGB. The notified proposed zoning reflects the Operative District Plan (ODP) zoning.

2.2 The submission relates to that part of site which is proposed to be zone RZ. The submission seeks that part of the site is zoned RVZ consistent with the operative zoning.

2.3 The purpose of the RVZ is detailed in Page 12-33 of the ODP:

“The purpose of the Rural Visitor Zone is to complement the existing range of visitor accommodation opportunities in the District and provide for increased opportunity for people to experience the rural character, heritage and amenity of the rural area. The Zone provides for a range of accommodation, entertainment, cultural and recreational activities.

The Rural Visitor Zone applies to areas of land which are recognised as having visitor interest, are isolated from town centres and can make a significant contribution to the range of accommodation and activities available within the District.”

2.4 My understanding is the RVZ provisions are to be considered at a later stage of the District Plan review. When the PDP was publicly notified I contacted the then manager of planning Mr. Paetz and asked him when was the most appropriate time to make a submission seeking new or extended RVZs in the PDP. His response was that Stage 1 of the Review was the appropriate time, as there may not be another opportunity to request new areas for RVZs. Despite my unease about this, I proceeded to draft a submission on behalf of DS&LC requesting to extend the operative RVZ over the entirety of their land.

2.5 The submission did not seek changes to operative objective, policies or rules that are not subject to Stage 1 of the review.

2.6 The subject site has been described in detail by Mr. Espie.

3.0 Inclusion of the RVZ at Arthurs Point within Stage 1 of the District Plan Review

3.1 When the PDP was first notified the Arthurs Point RVZ was included as being part of Stage 1 of the District Plan Review. In preparing this evidence, and having had the opportunity to review the QLDC's Section 42A reports, I became aware that the schedule of corrections to the planning maps provided on the QLDC website includes the following change to planning map 9:

“Amend ordering of notations and zones in planning map legend and add (Operative) to the Rural Visitor – Arthurs Point and Kingston Village Special Zone notations. Amend the labelling of the insets to read 39a and 39b. Add the flood line annotation. Remove duplicate Designation annotations from the legend. Remove the Visitor Accommodation Sub-Zone annotation from the map 39 legend and map 39a.”

3.2 The Clause 16 document (attached and marked **Attachment CV1**) is provided as a link from the corrections table on the Council's website and is dated 8 April 2016 and states that the provision to be amended is as follows.

“The following Special Zones located on map 39 are not being addressed until Stage 2 of the DP Review: Rural Visitor – Arthurs Point (Map insert 39a) and Kingston Village (Map insert 39b). As such, they require the legend on in Map 39 to add the word operative' to the Special Zones notation. This error causes confusion as to whether the zones and notations indicated are under Stage 1 of the District Plan review or Operative.”

3.3 The Clause 16 document states that the reason why the amendment is necessary is *to correct text formatting/appearance or similar*. It then states that the Arthurs Point RVZ is not being addressed until Stage 2 of the District Plan Review. It states that the notations in the PDP cause confusion as to whether zones and notations are under Stage 1 of the District Plan Review or are operative.

3.4 As identified above, DS&LC lodged its submission in October 2015, in accordance with the statutory timeframes. The Clause 16 document is dated April 2016 (however I note that the schedule of changes provided on the Council website is dated December 2016). DS&LC was given no notice of the Clause 16 document and the consequent change to planning map 39 and was therefore not given an opportunity to comment on the proposed removal of Arthurs Point RVZ from the PDP. Instead, DS&LC was first notified of the subsequent opinion of QLDC staff that the RVZ was no longer a part of Stage 1 of the PDP on 26 May

2017, over a year after the Clause 16 was adopted (April 2016).

- 3.5** The Clause 16 to the First Schedule of the RMA states that the amendment is minor and is to correct an error in accordance with Clause 16(2) of the Act, which states:

“(2) A local authority may make an amendment, without using the process in this schedule, to its proposed policy statement or plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors.”

- 3.6** In my opinion the removal of a zone from a PDP does not constitute the correction of a minor error or defect. The effect of whether or not that zone is included within Stage 1 of the District Plan Review is significant for the landowner. The DS&LC submissions on the PDP and subsequent preparation of evidence costs money and when based on incorrect information imposes even greater costs and potential uncertainty. Ms. Devlin suggests that this can be resolved by undertaking a further variation as part of Stage 2 of the District Plan Review. This adds further cost and uncertainty to the submitter, who at the time of lodging their submission was correct to identify that the most appropriate zone was an extension of the existing RVZ, which was included within the PDP planning maps as notified. Further there can be no guarantee a variation would be pursued, even on recommendation from the hearings panel, as I understand the same would not be binding. Further there would be no right of appeal if a variation was not pursued.

- 3.7** In my opinion DS&LC should at least have been notified of the Clause 16 document and given the opportunity to debate whether the zoning of its land could be removed from Stage 1 of the District Plan Review via a Clause 16 process. Instead what has happened is that DS&LC has relied on the RVZ being included within Stage 1, and lodged a submission to that effect, and then prepared evidence on that basis.

- 3.8** I also note that when the PDP was publicly notified I contacted the then planning manager Mr. Matthew Paetz and asked him when was the most appropriate time to make a submission seeking new or supporting existing RVZ in the PDP. Mr. Paetz advised us (Mr. Espie and I) that Stage 1 was the appropriate time to make a submission as there may not be another opportunity to request areas for RVZ. It was on this basis, and the fact that the Arthurs Point RVZ was included within the proposed planning maps that I prepared a submission on behalf of DS&LC.

- 3.9** QLDC's approach has clearly changed since the PDP was notified, and the Clause 16 amendments were made in an attempt by QLDC to resolve confusion over this matter. In my opinion, the use of Clause 16 process in this manner is not reasonable or fair, and the 'correction' is not minor. The amendment has an effect that is more than minor as it removes a zone from Stage 1 of the PDP, and that zone was relied upon by the submitter (and other submitters) in requesting that the zone be extended across their land. Had the submitter known that the RVZ was not part of Stage 1 then the submission would have been framed

differently in order to reduce cost and uncertainty. This change therefore has significant implications for the submitter. Furthermore, the submitter now needs to justify the zone “in toto” by reference to the PDPs strategic provisions to be able to justify the extension of the zoning now sought.

4. The specific changes to the PDP

- 4.1 The DS&LC submission seeks RVZ over the entirety of their property (subject to the below), the extension of the UGB around the requested RVZ and the deletion of the ONL classification from their property (consequential).
- 4.2 Mr. Espie has agreed with Dr. Read’s assessment and recommendation to exclude the steep terrace face from the requested RVZ. The requested RVZ is therefore amended to exclude the steep terrace face (coloured purple on Appendix 1 to Mr. Espie’s evidence).
- 4.3 No additions to the operative RVZ provisions are sought by the submission.

5. Assessment

- 5.1 At the time of writing this evidence I have had the benefit of reading Ms. Devlin’s section 42A report and accompanying evidence and Mr. Espie’s evidence. As a result, my evidence has been condensed to the issues of concern raised in those briefs of evidence. Ms. Devlin’s recommendation is to accept DS&LC submission in part for the following reasons:

“The ONL boundary is not based on clear landscape distinction and part of the site would read as logical extension of urban zoning. Development on part of the site would generally be in keeping with the character of the area.”

- 5.2 In arriving at this conclusion Ms. Devlin relies on the evidence of Dr. Read, Mr. Davis, Mr. Glasner and Ms. Banks. There assessments are summarised in the table below:

Summary of Council Assessments and recommendations	
Landscape	Not Opposed
Ecology	Not Opposed
Infrastructure	Not Opposed
Traffic	Not Opposed

- 5.3** At paragraphs 51.4 to 51.6 Ms. Devlin notes that Mr. Glasner, Ms. Banks and Mr. Davis do not raise any concerns with respect to the requested RVZ. I agree with Ms. Devlin and rely on those briefs of evidence.
- 5.4** At paragraph 51.7 Ms. Devlin notes that Dr. Read does not oppose most of the zoning request from a landscape perspective because development on the level part of the site would not result in adverse landscape effects. Helpfully Dr. Read illustrates the area she considers acceptable for rezoning on Figure 12 attached to her evidence. Ms. Devlin further notes that Dr. Read considers that extending development into the south-western escarpment would result in significant adverse effects on the adjacent Shotover River ONL.
- 5.5** In paragraph 7.1 of his evidence Mr. Espie agrees with Dr. Read's assessment that development upon the escarpment face would lead to adverse effects on the ONF of the Shotover River corridor.
- 5.6** I rely on Mr. Espie's expert opinion in this regard. Accordingly, I confirm the requested RVZ is amended to exclude that face, consistent with Dr. Read's Figure 12 and Mr. Espie's Appendix 1.
- 5.7** At paragraph 51.11 of her section 42A report Ms. Devlin states that the requested RVZ (as amended) would generally meet the objectives and policies of Chapter 6 (Landscapes) in regard to protecting ONLs from inappropriate subdivision, use and development. I agree with that assessment.
- 5.8** At paragraph 51.12 of her section 42A report Ms. Devlin states that she considers the development of the scale enabled by the operative RVZ provisions could be out of character with the adjoining RZ land to the east and north. However, she notes that the adjoining property to the north is also partly zoned proposed RZ and operative RVZ, and there are several existing dwellings and approved building platforms within the proposed RZ to the east. I agree with Ms. Devlin that the consented environment will also have a significant effect on the character of this area.
- 5.9** At paragraph 51.13 of her section 42A report Ms. Devlin states that the operative RVZ provisions includes a boundary setback of 6m which would apply to this site as it forms a zone edge. I concur with that assessment, however note further that the 6m setback only relates to non-residential and non-visitor accommodation activities. Residential accommodation is required to be set back 10 meters from zone boundaries and visitor accommodation 20 meters from zone boundaries (See Rule 12.4.5.1(i) Page 12-35 ODP) which is more consistent with the RZ setback. I agree with Ms. Devlin that the setbacks mitigate some of the adverse effects with respect to dominance and privacy.
- 5.10** At paragraph 51.14 of her section 42A report Ms. Devlin considers that overall, she considers part of the site

may be able to accommodate some development, she does not recommend the scale of development enabled by the operative RVZ. This conclusion appears at odds with her next three paragraphs where she states:

“51.15 I consider that the evidence demonstrates that a Rural Visitor Zone (or an urban zoning generally) is more appropriate over part of the site than the notified Rural zoning. Therefore, I recommend that the rezoning request be accepted in part, noting that the part of the site would need to be notified through a variation in Stage 2 (or any subsequent stage when the Rural Visitor Zone provisions are notified).

51.16 I recommend that part of the subject site is re-notified as Rural Visitor Zone as a variation to the PDP, alongside the Rural Visitor chapter. In this situation, the submitter will need to resubmit if they want changes to the provisions.

51.17 For the reasons given above, I recommend the rezoning request should be accepted in part. I have undertaken a s32AA assessment, attached as Appendix 1.”

5.11 I agree with Ms. Devlin’s assessment that the evidence demonstrates that a RVZ (or an urban zoning generally) is more appropriate over part of the subject site than the RZ. However, I disagree with her recommendation that part of the site would have to be re-notified through a variation when the RVZ is notified. This, in my opinion, would be most unfair on the DC&LC as they would have to go to the expense (and risk) of re-submitting in support of a RVZ (or the like) when they have already made the relevant submission on the PDP (refer to Section3 of this evidence). Furthermore, as discussed above, the panel can only make a recommendation for a future variation. It is not binding and provides no comfort for the submitter. The Council is the only party who can initiate a variation.

5.12 Underpinning every hearing is the concept of natural justice. This is based on the theory that deep down we all know right from wrong – the natural law. The theory of natural justice has evolved into the concept of legal rights to which everyone is entitled. As a theory, it is as relevant to the planning profession and processes as much as the legal profession.

5.13 In my opinion Ms. Devlin’s recommendation, for the reasons expressed above, is contrary to natural justice. The submitters should not have to go to the expense (and risk) of re-submitting in support of a RVZ (or the like) when they have already made the relevant submission on the PDP. The Clause 16 amendment is, in my opinion, ultra vires as the effect of the change is significantly more than of “*minor effect, or corrects any minor errors.*”

5.14 In my opinion the DC&LC submission should be accepted as follows:

(1) Confirming that urban zoning generally is appropriate for their entire site (excluding the steep

terrace face) as detailed in Mr. Espie's Appendix 1 however the detail of the urban zoning is yet to be decided; and

- (2) Confirming the position of the ONL/ONF classification excludes the confirmed (but yet to be decided) urban zoning identified in (1) above; and
- (3) Confirming the position of the UGB includes the confirmed (but yet to be decided) urban zoning identified in (1) above.

5.15 This process ensures that DS&LC will need to be involved in the eventual zone provisions for the RVZ (or the like) as they understood they would always needed to be, but they would not need to submit on the spatial extent of their zoning as it has already been decided that urban zoning generally is appropriate for their land. It also ensures DS&LC secure rights to participate in a future planning process. In my opinion, this would represent a fairer and more equitable process under these circumstances.

6. Mandatory Assessment Criteria

6.1 In preparing this evidence I am mindful of the amended mandatory legal criteria the Hearings Panel must consider as set out in *Colonial Vineyard v Marlborough District Council* [2014] NZEnvC 55. This includes:

- (a) Accords with section 75(1) and assists the Council to carry out its functions (s 31) so as to achieve the purpose of the Act (s 72).
- (b) Gives effect to National Policy Statements that are relevant (section 73(3)(a));
- (c) Gives effect to the Otago Regional Policy Statement (section 75(3)(c));
- (d) Has had regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register (section 74(2)(b));
- (e) Takes into account any relevant planning document recognised by an iwi authority;
- (f) Does not have regard to trade competition (section 74(3)).

6.2 I discuss each of these criteria below.

(a) Whether the proposal accords with section 75(1) and assists the Council to carry out its functions to achieve the purpose of the RMA.

6.3 Section 75(1) of the RMA requires a District Plan to state the objectives for the district; state the policies to implement the objectives; and state the rules (if any) to implement the policies. The submission seeks to extend the proposed RVZ over their property. The RVZ will contain objectives, policies and rules which assist the Council to carry out its functions (Section 31) in achieving the purpose of the RMA in a later stage of the review. This criterion, in my opinion, is therefore satisfied in the consideration of the submissions.

(b) Whether the proposal gives effect to any relevant National Policy Statements (NPSs).

6.4 At the time of writing this evidence the following NPSs were in place:

- Urban Development Capacity
- Freshwater Management
- Renewable Electricity Generation
- Electricity Transmission
- New Zealand Coastal Policy Statement

6.5 I understand that work has been undertaken on a proposed NPS for Indigenous Biodiversity but this is not yet complete.

6.6 The NPS on Urban Development Capacity is relevant to the extent that the submission seeks an extension to the RVZ (and consequentially extension of the UGB). The purpose of the NPS is recognising the national significance of (a) urban environments and the need to enable such environments to develop and change; and (b) providing sufficient development capacity to meet the needs of people and communities and future generations in urban environments. In high-growth urban areas, such as QLDC, all the NPS Objectives and policies apply. Of particular relevance to DS&LCs submission is the Group A objectives which state:

- OA1: *Effective and efficient urban environments that enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing.*
- OA2: *Urban environments that have sufficient opportunities for the development of housing and business land to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.*
- OA3: *Urban environments that, over time, develop and change in response to the changing needs of people and communities and future generations.*

6.7 While it is acknowledged that development capacity needs to be calculated over the entire district, the proposed zoning does, in my opinion, contribute to the District's development capacity in a positive way. In particular, it is located within the urban area of Arthurs Point and can be fully serviced, providing an opportunity for housing and/or related activities that meet the needs of people and future generations. The operative RVZ provisions provide for a range of dwelling and other building types. In my opinion, the requested RVZ (or an urban zone generally) in this location positively contributes to the District's development capacity consistent with the NPS.

(c) Whether the proposal gives effect to any relevant Regional Policy Statements and Plans.

6.8 The relevant Regional Policy Statements are the OORPS and the PORPS. I note the PORPS is subject to appeals and is due to be heard by the Environment Court this year.

(i) Operative Otago Regional Policy Statement (OORPS)

6.9 The OORPS provides an overview of the resource management issues of the Otago Region and the ways of achieving integrated management of its natural and physical resources. The relevant chapters of the OORPS to the consideration of the submissions are:

- Chapter 4 Mana whenua Perspective
- Chapter 5 Land
- Chapter 6 Water
- Chapter 7 Air
- Chapter 11 Natural hazards

6.10 I discuss each of the relevant objectives and policies from these chapters in relation to the specific changes detail above. I have attached a list of the relevant objectives and policies to my evidence as **Attachment CV2** to assist the panel.

6.11 The relevant Chapter 4 Mana whenua objectives and policies are Objective 4, and policies 4.4.3 Wai and 4.5.5 Kaitiakitanga. The specific changes are unlikely to adversely affect any waterbodies. The requested RVZ does not affect the concept of guardianship of the land.

6.12 The relevant Chapter 5 Land objectives include Objective 5.4.3. In relation to this objective, if the site is rezoned as recommended by Dr. Read and Mr. Espie then the ONF values of the Shotover River will be unaffected by future development. In my opinion, the proposal is consistent with this objective.

6.13 The relevant Chapter 5 Land policies include policies 5.5.4, 5.5.5 and 5.5.6.

6.14 With respect to Policy 5.5.4 the requested RVZ, in my opinion, promotes diversification by enabling rural living and visitor development opportunities within a rural setting consistent with the purpose of the zone. The requested RVZ is therefore consistent with this policy.

6.15 With respect to policy 5.5.5 the requested RVZ minimises the adverse effects on the quality and quantity of Otago's water resource by ensuring control is retained in terms of servicing the development in the future (through subdivision and/or land use consents).

6.16 With respect to 5.5.6, rezoning the land will exclude the site from the ONF of the Shotover River.

- 6.17** The relevant Chapter 6 Water objectives and policies include Objective 6.4.2 and Policy 6.5.1. As noted in Mr. Glasner's report there is no issue with servicing development on the subject site. This ensures little, if any, impact on Otago's water resources consistent with this objective and policy.
- 6.18** The relevant Chapter 10 Biota objectives and policies include Objective 10.4.3 and Policy 10.5.2. The requested RVZ contains no areas of vegetation identified as being a significant habitat of indigenous vegetation.
- 6.19** The relevant Chapter 11 Natural Hazards objectives and policies are Objectives 11.4.1 and 11.4.2 and Policies 11.5.2 and 11.5.3. As noted in Ms. Devlin's Section 42A report the property is recorded on the QLDCs Hazard Register as having Liquification LIC1 to low risk.
- 6.20** In summary, the proposed rezoning request is consistent with, and gives effect to, the relevant provisions of the OORPS.

(ii) Proposed Otago Regional Policy Statement (PORPS)

- 6.21** The PORPS has advanced to the stage of the issue of a decision (which is now subject to appeals to the Environment Court). I have attached a list of the most relevant objectives and policies from PORPS (decisions version) to my evidence as **Attachment CV3**. The relevant section of the PORPS to the consideration of DS&LCs submission are:
- Chapter 2 Kai Tahu Values and Interests
 - Chapter 3 Otago has high quality natural resources and ecosystems
 - Chapter 4 Communities in Otago are resilient, safe and healthy
 - Chapter 5 People are able to use and enjoy Otago's natural and built environment
- 6.22** The relevant Chapter 2 objectives and policies are 2.1 to 2.2 (Kai Tahu values and interests). The RPS requires that Kai Tahu values and interests are recognised and kaitiakitaka is expressed. The requested RVZ, in my opinion, does not affect this from occurring.
- 6.23** The relevant Chapter 3 objectives and policies are Objective 3.1 and Policy 3.1.1 Fresh Water, 3.1.3 Water and 3.1.10 Natural Features, Landscapes and Seascapes and Objective 3.2 Identifying highly values natural features, landscape and seascapes, Policies 3.2.5 and 3.2.6.
- 6.24** The requested RVZ is, in my opinion, consistent with Objective 3.1 to the extent the requested RVZ has been amended to exclude the most visually sensitive part of the site (i.e. the steep slope).

- 6.25** With respect to Policies 3.1.1 and 3.1.3 Mr. Glasner's report confirms that the requested RVZ can feasibly be serviced. In my opinion, the requested RVZ is consistent with these policies.
- 6.26** With respect to Policy 3.1.10, Objective 2 and Policies 3.2.5 and 3.2.6 the values of natural features and landscapes are recognised and provided for in the PDP. Both Dr. Read and Mr. Espie agree that the requested RVZ is appropriate and will not adversely affect the ONF of the Shotover River.
- 6.27** Overall, I consider the specific changes sought, and therefore the request to zone the subject site RVZ, is consistent with Objective 3.1 and 3.2 and associated relevant policies.
- 6.28** The relevant Chapter 4 objectives and policies include Objective 4.1 and Policies 4.1.1 to 4.1.6 in respect of natural hazards; Objective 4.3 and Policy 4.3.1 in respect of infrastructure; and Objective 4.4 in respect of energy supply. These issues have been addressed in Ms. Devlin's and Mr. Glasner's reports.
- 6.29** The requested RVZ is, in my opinion, consistent with, and gives effect to, the relevant objectives and policies of the PORPS.

(iii) Regional Plan: Air and Water

- 6.30** The Regional Plans: Air and Water will be of relevance if the RVZ is approved. No resource consents are likely required under these plans if services are reticulated into Council's existing infrastructure.

(iv) Proposed District Plan- Strategic Directions

- 6.31** I have undertaken a thorough assessment of the proposed provisions in accordance with Section 32AA of the Act, and attach this assessment at **Appendix CV4** to my evidence. The following provides an analysis of the proposed rezoning against the relevant Strategic Directions Goals, Objectives and Policies, as notified.
- 6.32** Goal 3.2.1 is to develop a prosperous, resilient and equitable economy. Enabling development within the site supports this goal. Policy 3.2.1.4 is relevant to the extent that as notified the site is within the RZ. The rezoning achieves Policy 3.2.1.4 by enabling the development of a site that is not currently farmed and within which development can be absorbed. The rezoning therefore enables diversification and represents a sensitive approach.
- 6.33** Goal 3.2.4 is "*The protection of our natural environment and ecosystems*". Objective 3.2.4.1 is to Promote development and activities that sustain or enhance the life-supporting capacity of air, water, soil and

ecosystems. As addressed above when considering the zoning request in light of the RPS and PORPS, and having regard to the evidence provided by Mr Glasner, the rezoning of the subject site sustains and enhances the life-supporting capacity of air, water, soil and ecosystems. The site subject to the requested RVZ does not contain any significant vegetation communities.

- 6.34** Objective 3.2.4.5 is to preserve or enhance the natural character of the beds and margins of the District's lakes, rivers and wetlands. The requested RVZ has been amended to ensure that generous setbacks are provided from the Shotover River. Mr Glasner confirms that the additional development enabled by this rezoning can connect to the reticulated services.
- 6.35** Goal 3.2.5 is that *"Our distinctive landscapes are protected from inappropriate development"*. Objective 3.2.5.1 and associated policies 3.2.5.1.1, 3.2.5.3 are to protect the natural character of ONL and to direct new subdivision, use or development to those areas which have potential to absorb without detracting from landscape or visual amenity values. The rezone request has been amended by removing the proposed zoning from the ONF. Dr Read and Mr Espie support the rezoning request.
- 6.36** Objective 3.2.5.3 is to direct new subdivision, use or development to occur in those areas which have potential to absorb change. Policy 3.2.5.3.1 is to direct urban development to be within urban growth boundaries. The requested RVZ is a logical extension to the RVZ and it is appropriate that it is included within the UGB. This is supported from a landscape perspective by both Dr Read and Mr Espie, and by Mr Glasner in terms of infrastructure capacity.
- 6.37** Objective 3.2.5.4 is to recognise there is a finite capacity for residential activity in rural areas if the qualities of our landscape are to be maintained and Policy 3.2.5.4.1 is to give careful consideration to cumulative effects. The requested RVZ is a logical extension to the existing urban zone, and it currently exhibits an urban character as opposed to a rural character.
- 6.38** The proposed RVZ achieves Policy 3.2.5.4.2 by providing for rural living opportunities in an appropriate location. Both Dr Read and Mr Espie identify that the areas to which the RVZ is to apply is appropriate for future development for residential or visitor accommodation development
- 6.39** Chapter 4 relates to urban development. Objective 4.2.1 is that urban development is coordinated with infrastructure and services and is undertaken in a manner that protects the environment, rural amenity and outstanding natural landscapes. The requested RVZ achieves this objective and its associated policies. It is a logical extension to the existing urban zoning and this is supported from both a landscape and servicing perspective.

- 6.40 Objective 4.2.2 states that Urban Growth Boundaries are established as a tool to manage growth. The requested RVZ achieves this objective and associated policies by providing a logical extension to the urban environment and the urban growth boundary. The landscape and infrastructure experts have confirmed that urban development within the subject site is appropriate. Site specific constraints have been recognised and provided for by amending the zone boundaries so that those areas of greater sensitivity are excluded from the requested RVZ.
- 6.41 Chapter 6 relates to Landscapes. Objective 6.3.1 and associated policies are achieved. Both Dr. Read and Mr. Espie confirm that the subject site has the ability to absorb development. The more sensitive part of the site is excluded from the rezoning.
- 6.42 I address each of the relevant objectives and policies of the Strategic Directions Section of the PDP in the **Attachment CV4** to my evidence. In my opinion, the rezoning better achieves the strategic objectives and policies than the RZ provisions. The Strategic Directions Section recognizes the importance of enabling diversification and development within areas where it can be absorbed. The subject site is a logical extension to the existing urban area and this has been agreed by Dr. Read, Mr. Espie and Ms. Devlin. Enabling development within this location is, in my opinion, consistent with the Strategic Directions objectives and policies. In my opinion, the requested RVZ of the site better achieves the objectives and policies of the Strategic Directions section than the RZ.

(d) Whether the proposal has had regard to any relevant management plans or strategies under other acts.

- 6.43 In my opinion there are no other management plans or strategies prepared under other acts relevant to the consideration of the submission.

(e) Takes into account any relevant planning document recognised by an iwi authority.

(i) Kai Tahu ki Otago Iwi Management Plan

- 6.44 The Kai Tahu ki Otago Resource Management Plan (the Plan) was prepared in 2005 and is the principal planning document for Kāi Tahu ki Otago. It was developed over a 2-year period through extensive consultation with the four Papatipu Rūnaka of Otago as well as consultation with, and input from, the Otago whānau and rōpū groups and Southland and South Canterbury Rūnaka.
- 6.45 At Section 2.5.6 the Plan states that '*Kāi Tahu ki Otago values have been incorporated, to varying extents, in the following Regional and District Plans and Policy Statements*'. Key issues identified in the Plan relate to wai

maori, wahi tapu, mahika kai and biodiversity, cultural landscapes, air and atmosphere, and the coastal environment.

6.46 Arthurs Point is located within the Clutha-Mata-au Catchment, and this is described at Section 10.1 as:

“The Clutha/Mata-au Catchment centres on the Clutha/Mata-au River and includes all sub-catchments within this main Catchment.

10.2.2 Wai Maori Issues in the Clutha/Mata-au Catchment:

...

Land Use:

- Lack of reticulated community sewerage schemes.
- Existing sewage schemes are not effectively treating the waste and do not have the capacity to cope with the expanding population.
- Land use intensification, for example dairying in the Poumahaka Catchment.
- Increase in the lifestyle farm units is increasing the demand for water.
- Sedimentation of waterways from urban development.

...

10.2.3 Wai Maori Policies in the Clutha/Mata-au Catchment:

...

Land use:

9. To encourage the adoption of sound environmental practices, adopted where land use intensification occurs.

10. To promote sustainable land use in the Clutha/Mata-au Catchment.

11. To encourage all consents related to subdivision and lifestyle blocks are applied for at the same time including, land use consents, water consents, and discharge consents.

12. To require reticulated community sewerage schemes that have the capacity to accommodate future population growth

...

10.3 WÄHI TAPU

10.3.1 Wähi Tapu in the Clutha/Mata-au Catchments

There are a range of wähi tapu of particular significance within the Clutha/Mata-au Catchments. Urupä are the best modern day example of wähi tapu, but physical resources such as mountaintops, springs and vegetation remnants are other examples. Urupä and some significant sites of conflict are located all along the Clutha/Mata-au River.

...

10.3.3 Wähi Tapu Policies in the Clutha/Mata-au Catchment

1. To require that wähi tapu sites are protected from further loss or destruction.
2. To require accidental discovery protocols for any earth disturbance activities.”

6.47 With respect to 10.2 development under the RVZ provisions is likely to be in accordance with sound environmental management and promote sustainable land use practices. It is proposed to connect to reticulated service schemes.

6.48 With respect to 10.3.3 there is no known wahi tapu associated with the site. The Accidental Discovery Protocol can be imposed by consent conditions on any future resource consents if deemed necessary.

(f) Does not have regard to trade competition.

6.49 There are no trade competition issues relevant to the consideration of this submission.

7. Section 32AA evaluation.

7.1 Section 32AA aims to ensure that any changes to plan provisions during the hearing process are subject to a similarly high level of analytical rigour and transparency as the original evaluation. A further evaluation under section 32AA must include all the matters in section 32, but only in relation to the changes that have been made to the proposal since the evaluation report for which it was completed.

7.2 The Council's Section 32 evaluation applicable to the DS&LCs land is applicable to the entire RZ. Of relevance, the Council's Section 32 analysis identified the following resource management issue:

Issue 2: The management of Farming Activities

Existing and anticipated farming activities (Reverse Sensitivity)

A range of activities are expected to occur in the rural areas that create odour, noise and dust, traffic generation and heavy vehicle traffic. Provided these effects do not constitute a genuine nuisance or health risk, they shall be accepted as anticipated components of rural activities.

It is acknowledged the Rural Zone is considered by many a desirable place to live and to also undertake commercial activities. It is important to recognise the importance of farming and established activities to the District and protect the viability of farming.

7.3 A further evaluation is for the changes sought are attached to my evidence as **Attachment CV4**. This further evaluation examines the extent to which the proposed objectives and policies of the plan are, or are not, the most appropriate way to achieve the purpose of the Act.

7.4 I conclude from this evaluation that requested RVZ is the most appropriate zoning for DS&LCs land (excluding the steep terrace riser).

8. Part II of the RMA.

Section 7

8.1 The following other matters to which particular regard must be given are relevant to the consideration of DS&LCs submission:

- (b) the efficient use and development of natural and physical resources;
- (c) The maintenance and enhancement of amenity values;
- (f) the maintenance and enhancement of the quality of the environment.

- 8.2 The approval of requested RVZ would lead to efficient use and development of natural and physical resources given their location in relation to the adjoining operative RVZ. The operative RVZ provisions would also ensure the amenity values of the site is maintained and enhanced. The approval of the requested RVZ would also assist in maintaining and enhancing the quality of this environment by excluding development from the escarpment face and setting development back from the terrace riser crest.

Section 6

- 8.3 The following matters of national importance shall be recognised and provide for are relevant to the consideration of DS&LC submission:

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

- 8.4 The requested RVZ is located adjacent to the ONF of the Shotover River. All experts agree that the requested RVZ has capacity to absorb change without adversely affecting the ONF of the Shotover River. The requested RVZ is therefore not an inappropriate use or development in relation to 6(b).

Section 5

- 8.5 I consider the requested RVZ enables a logical extension to the operative RVZ. Any potential adverse effects that have been identified in the section 42A report have been taken into account in the formulation of the maps and zone provisions.

- 8.6 I therefore consider the requested RVZ achieves the purpose and principles of the RMA.

9. Conclusion.

- 9.1 Ms. Devlin's recommendation to re-notify part of the subject site as RVZ as a variation to the PDP is, in my opinion, contrary to natural justice. The submitters should not have to go to the expense (and risk) of re-submitting in support of a RVZ (or the like) when they have already made the relevant submission on the PDP. The Clause 16 amendment is, in my opinion, ultra vires as the effect of the change is significantly more than of "*minor effect, or corrects any minor errors.*" Likewise, there is no guarantee that the Council will undertake a variation.

- 9.2 The requested RVZ has been assessed under the Strategic Directions Section (et al) of the PDP. The Strategic Directions Section recognises the importance of enabling diversification and development within

areas where it can be absorbed. The subject site is a logical extension to the existing urban area and this has been agreed by Dr. Read, Mr. Espie and Ms. Devlin. Enabling development within this location is, in my opinion, consistent with the Strategic Directions objectives and policies. In my opinion, the requested RVZ (or the like) of the site better achieves the objectives and policies of the Strategic Directions section than the RZ.

9.3 In my opinion the requested RVZ can absorb additional development without adversely affecting the ONF values of the Shotover River. The requested RVZ is a logical extension to the operative RVZ and can be fully reticulated with Council services.

9.4 In my opinion the DC&LC submission should be accepted as follows:

- (1) Confirming that urban zoning generally is appropriate for their entire site (excluding the steep terrace face) as detailed in Mr. Espie's Appendix 1 however the detail of the urban zoning is yet to be decided; and
- (2) Confirming the position of the ONL/ONF classification excludes the confirmed (but yet to be decided) urban zoning identified in (1) above; and
- (3) Confirming the position of the UGB includes the confirmed (but yet to be decided) urban zoning identified in (1) above.

Attachment CV1 – Clause 16 documents



MEMO TO THE DISTRICT PLAN MANAGER
AMENDMENTS TO PROPOSED DISTRICT PLAN
PURSUANT TO CLAUSE 16(2) OF THE FIRST SCHEDULE OF THE RMA

MEMO FROM: Rachael Law
MEMO DATED: 8 April 2016

SUBJECT: Proposed District Plan Map 39: map legend corrections.

NAME OF PLAN TO BE AMENDED: Proposed District Plan Map 39 – Arthurs Point, Kingston

STATUS OF PLAN TO BE AMENDED: PROPOSED OPERATIVE

DELEGATED AUTHORITY

By Council resolution the District Plan Manager has been delegated authority to alter a proposed or operative policy statement or plan:

- a. To give effect to any direction in a national environmental standard or a policy statement or to any direction of the Environment Court without following RMA Schedule 1 process (Clause 16(1) RMA)
- b. To alter any information and correct minor errors to a proposed policy statement or plan; or to give effect to a direction under s55 on a national policy statement without following RMA Schedule 1 process (Clause 16(2) RMA)
- c. To give effect to a direction to include a specific provision under s55 RMA without following RMA Schedule 1 process (Clause 16(3) RMA)
- d. To correct minor errors in an operative policy statement or plan (Clause 20A RMA)

PROVISION TO BE AMENDED:

Amend ordering of notations and zones in planning map legend and add (Operative) to the Rural Visitor – Arthurs Point and Kingston Village Special Zone notations. This is to clarify which of the zones are in Stage 1 of the District Plan Review process and which are operative. The Clause 16 will organise the Planning map 39 legend first by the proposed notations and zones and second by operative notations and zones. Also will amend the labelling of the insets to read 39a and 39b. Amend Planning Map 39b adding in the flood line annotation. Remove duplicate Designation annotations from the legend. This clause 16 will also remove the Visitor Accommodation Sub-Zone annotation from the map 39 legend and map 39a.

REASONS WHY AMENDMENT IS NECESSARY:

- | | |
|----------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| <input type="checkbox"/> To correct a typographical error | <input checked="" type="checkbox"/> To correct text formatting/ appearance or similar |
| <input checked="" type="checkbox"/> To correct a minor mapping error | <input type="checkbox"/> To correct a cross reference mismatch |
| <input type="checkbox"/> To update numbering of provision / page | |

To give effect to a Direction:

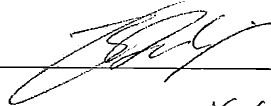
- In a national environmental standard
- In a national policy statement
- Of the Environment Court
- Made under s55 RMA
- Other

AUTHORISATION FOR AMENDMENTS TO BE MADE TO THE PROPOSED DISTRICT PLAN PURSUANT TO CLAUSE 16

AUTHORISED BY:

Blair Devlin. Acting District Plan Manager.

SIGNATURE OF AUTHORISER:



DATE OF AUTHORISATION:

15.4.2016



**QUEENSTOWN LAKES DISTRICT COUNCIL
DOCUMENTATION FOR SIGNING AND SEALING**

TO: Blair Devlin, Acting District Plan Manager
FROM: Rachael Law, Planner
DATE: 8 April 2016
SUBJECT: Proposed District Plan Map 39: map legend corrections.
FILE REF: Clause 16

Urgent Request?

Please indicate date required by: 29 April

In submitting this document for execution I confirm that to the best of my knowledge, and on making proper enquiry, that this document is fit for execution by Council.

In particular:

- That the key details (terms, legal descriptions etc) have been checked and are correct
- Council's delegations have been followed (who authorised this transaction)
- Any and all consenting issues observed (financial contributions, consent conditions, etc)
- Document meets legal requirements and has received legal scrutiny if necessary
- Arrangements have been made for custody of document and records (including electronic) have been updated.

COMMENTS

The Proposed Planning Map 39 legend currently lists the zones and other notations in an order that is confusing with no clear separation of the operative and proposed zones and other notations. The change as shown in the examples below will organise the Planning map 39 legend first by the proposed notations and zones and second by operative notations and zones. This is to clarify which of the zones are in Stage 1 of the District Plan Review process and which are operative.

The Proposed Planning Map 39 contains an error in the labelling of the two insets that it shows. In the Index and other overlapping maps (13, 29 and 31) these maps are labelled 39a showing Arthurs Point and 39b showing Kingston Village. Map 39 shows the two insets yet labels Arthurs Point as Map 39 instead of 39a, and Kingston Village as Map 39a instead of 39b.

This minor text error will be amended as shown below by adding an 'a' behind map 39 depicting Arthurs Point, and adding a 'b' behind map 39 depicting Kingston Village.

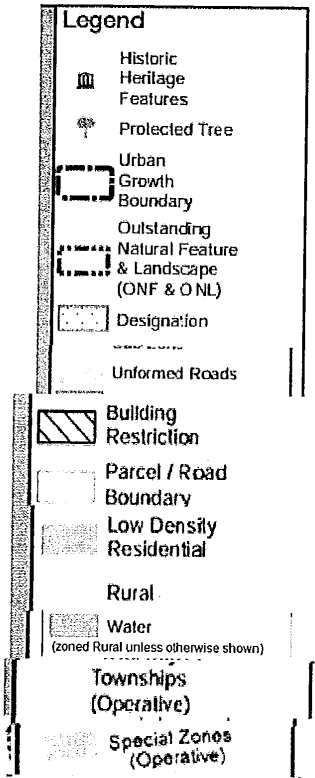


Figure 3: Proposed format for map legend 39 separating Operative zones and notations from those addressed in Stage 1 DP Review. Also with (Operative) added to the Special Zone notation, with the annotation for Visitor Accommodation Sub-Zone and the duplicate designations removed

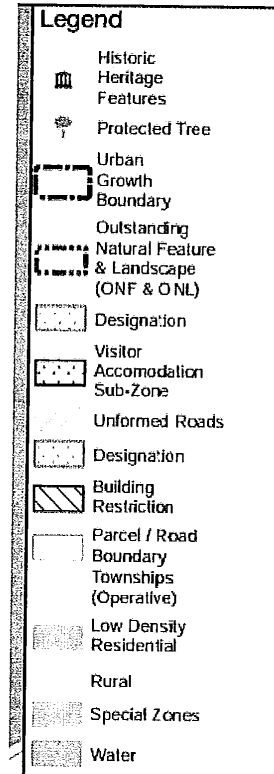


Figure 4: Current format for map legend Map 39

The Proposed Planning Map 39 legend currently shows the annotation for Designations twice. This is a meaningless duplication. This is a minor formatting error which will be fixed as shown by removing one of these annotations.

The Proposed Planning Map 39 legend currently lists the Visitor Accommodation Sub-Zone annotation. There is a small area of Visitor Accommodation Sub-Zone in Low Density Zone on the planning map 39a, located on Gorge Road at the southern end of the Urban Growth Boundary west of the Shotover River. This is a minor mapping error as there are no provisions in the text of the District Plan relating to the Visitor Accommodation subzones except for in the Rural, Rural Lifestyle and Rural Residential zones. The Visitor accommodation sub zone annotations were provided for information purposes only and are causing confusion. They need to be removed from all other zones as they will be addressed as part of Stage 2 of the Proposed District Plan. This error will be fixed as shown below by removing these annotations from both map and legend.

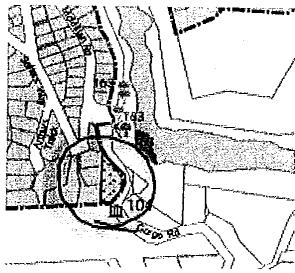


Figure 5: highlighted areas showing the Visitor Accommodation Sub-Zone to be removed from Proposed Planning Map 39

The annotation for water is currently ambiguous in regards to which zone in which it is located. This minor text error will be fixed by adding the following after the annotation: (zoned Rural unless otherwise shown).

The Proposed Planning Map 39b contains an incorrect mapping error where the annotation for the flood line has not been transferred across from the Operative District Plan map for Kingston. This is a minor mapping error as the rules for the related provisions are not in Stage 1, and this will be fixed by adding the zone in as shown below.

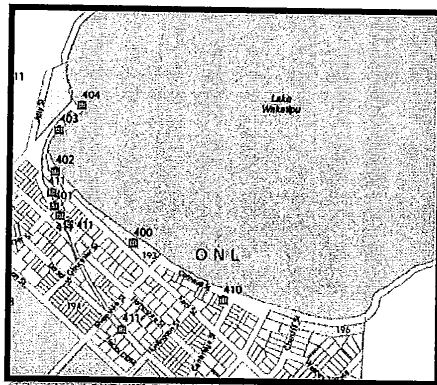


Figure 6: Proposed District Plan Map 39b without flood zone.

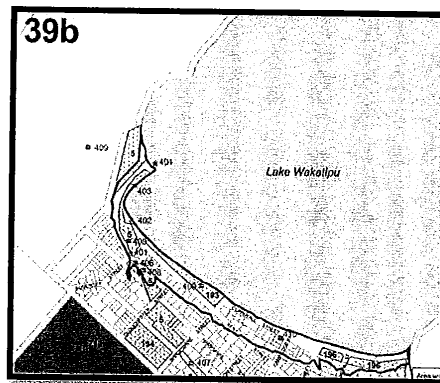


Figure 7: Operative District Plan Map 39b showing the flood zone correctly

These actions are to correct text, formatting and minor mapping errors. The inclusion of the word operative is for information purposes only to clarify what is clearly intended by the chapters notified in Stage 1. There are no intentional changes in the merits or the substance of the proposed district plan.

Rachael Law

Policy Planner

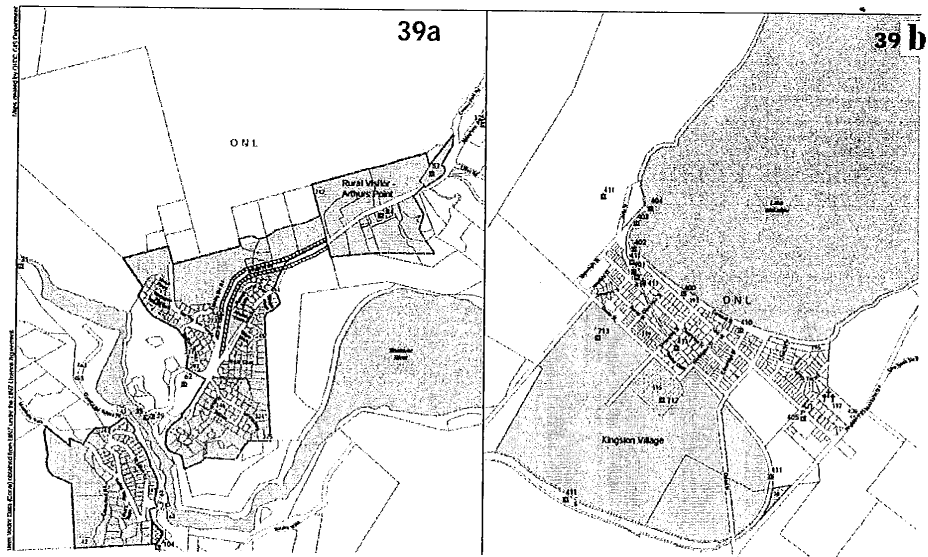


Figure 1: Proposed amendments to Map 39

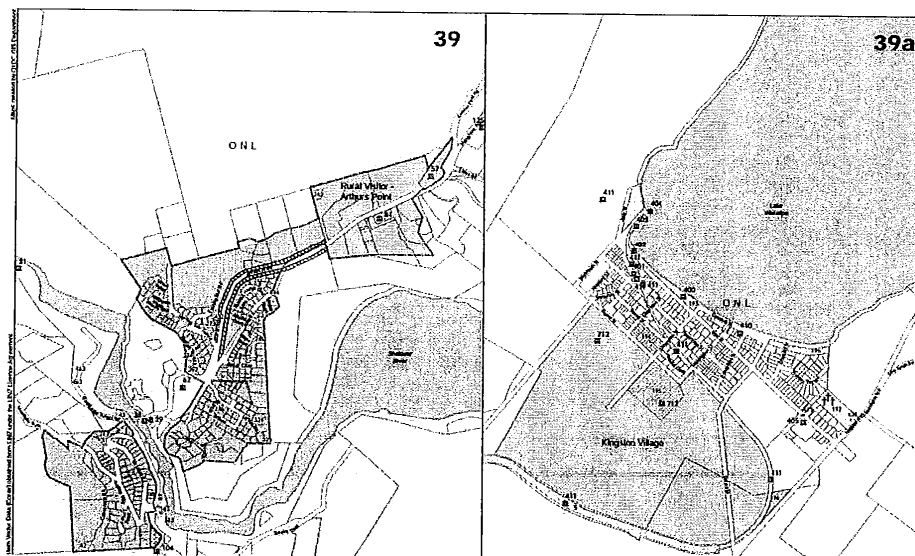


Figure 2: Current Proposed Map 39, showing inset 39a as Kingston Village and map 39 as Arthurs Point

The following Special Zones located on Map 39 are not being addressed until Stage 2 of the DP Review: Rural Visitor – Arthurs Point (Map inset 39a) and Kingston Village (Map inset 39b). As such, they require the legend in Map 39 to add the word 'operative' to the Special Zones notation. This error causes confusion as to whether the zones and notations indicated are under Stage 1 of the District Plan Review or Operative.

This error will be fixed as shown below by adding the following after the zone and notation title: (Operative).

Attachment CV2 – Relevant RPS Objectives and Policies

4. Mana Whenua

4.4.3 *Wai (Water)* To recognise the principle of wairua and mauri in the management of Otago's water bodies.

4.4.5 *Kaitiakitanga (Guardianship)* To incorporate the concept and spirit of kaitiakitanga in the management of Otago's natural and physical resources in a way consistent with the values of Kai Tahu.

5.4 Land – Objectives

5.4.1 To promote the sustainable management of Otago's land resources in order: (a) To maintain and enhance the primary productive capacity and life-supporting capacity of land resources; and (b) To meet the present and reasonably foreseeable needs of Otago's people and communities.

5.4.2 To avoid, remedy or mitigate degradation of Otago's natural and physical resources resulting from activities utilising the land resource.

5.4.3 To protect Otago's outstanding natural features and landscapes from inappropriate subdivision, use and development.

5.5 Land - Policies

5.5.4 To promote the diversification and use of Otago's land resource to achieve sustainable landuse and management systems for future generations.

5.5.6 To recognise and provide for the protection of Otago's outstanding natural features and landscapes which:

(a) Are unique to or characteristic of the region; or

(b) Are representative of a particular landform or land cover occurring in the Otago region or of the collective characteristics which give Otago its particular character; or

(c) Represent areas of cultural or historic significance in Otago; or

(d) Contain visually or scientifically significant geological features; or

(e) Have characteristics of cultural, historical and spiritual value that are regionally significant for Tangata Whenua and have been identified in accordance with Tikanga Maori.

6.4 Water - Objectives

6.4.2 To maintain and enhance the quality of Otago's water resources in order to meet the present and reasonably foreseeable needs of Otago's communities.

6.5 Water - Policies

6.5.1 To recognise and provide for the relationship Kai Tahu have with the water resource in Otago through:

(a) Working toward eliminating human waste and other pollutants from entering all water bodies; and

(b) Consulting with Kai Tahu over any application that would result in the mixing of waters from different water bodies and the setting of water flows and levels.

9. 4 Built Environment – Objectives

9.4.1 To promote the sustainable management of Otago's built environment in order to:

(a) Meet the present and reasonably foreseeable needs of Otago's people and communities; and

(b) Provide for amenity values, and

(c) Conserve and enhance environmental and landscape quality; and

(d) Recognise and protect heritage values.

9.4.2 To promote the sustainable management of Otago's infrastructure to meet the present and reasonably foreseeable needs of Otago's communities.

9.4.3 To avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources.

9.5 Built Environment - Policies

9.5.2 To promote and encourage efficiency in the development and use of Otago's infrastructure through:

(a) Encouraging development that maximises the use of existing infrastructure while recognising the need for more appropriate technology; and

(b) Promoting co-ordination amongst network utility operators in the provision and maintenance of infrastructure; and

(c) Encouraging a reduction in the use of nonrenewable resources while promoting the use of renewable resources in the construction, development and use of infrastructure; and

(d) Avoiding or mitigating the adverse effects of subdivision, use and development of land on the safety and efficiency of regional infrastructure.

9.5.4 To minimise the adverse effects of urban development and settlement, including structures, on Otago's environment through avoiding, remedying or mitigating:

- (a) Discharges of contaminants to Otago's air, water or land; and
- (b) The creation of noise, vibration and dust; and
- (c) Visual intrusion and a reduction in landscape qualities; and
- (d) Significant irreversible effects on:
 - (i) Otago community values; or
 - (ii) Kai Tahu cultural and spiritual values; or
 - (iii) The natural character of water bodies and the coastal environment; or
 - (iv) Habitats of indigenous fauna; or
 - (v) Heritage values; or
 - (vi) Amenity values; or
 - (vii) Intrinsic values of ecosystems;

9.5.5 To maintain and, where practicable, enhance the quality of life for people and communities within Otago's built environment through:

- (a) Promoting the identification and provision of a level of amenity which is acceptable to the community; and
- (b) Avoiding, remedying or mitigating the adverse effects on community health and safety resulting from the use, development and protection of Otago's natural and physical resources; and
- (c) Avoiding, remedying or mitigating the adverse effects of subdivision, landuse and development on landscape values.

10.4 Biota – Objectives

10.4.1 To maintain and enhance the life-supporting capacity and diversity of Otago's biota.

10.4.2 To protect Otago's natural ecosystems and primary production from significant biological and natural threats.

10.4.3 To maintain and enhance the natural character of areas with significant indigenous vegetation and significant habitats of indigenous fauna.

10.5 Biota - Policies

10.5.3 To reduce and where practicable eliminate the adverse effects of plant and animal pests on Otago's communities and natural and physical resources through:

- (a) Developing strategies to effectively manage Otago's plant and animal pests; and
- (b) Educating about the responsibilities of all parties in the management of Otago's plant and animal pests; and
- (c) Adopting the most practicable method of pest control while safeguarding the environment.

11.4 Natural Hazards – Objectives

11.4.1 To recognise and understand the significant natural hazards that threaten Otago's communities and features.

11.4.2 To avoid or mitigate the adverse effects of natural hazards within Otago to acceptable levels.

11.5 – Natural Hazards – Policies

11.5.2 To take action necessary to avoid or mitigate the unacceptable adverse effect of natural hazards and the responses to natural hazards on:

- (a) Human life; and
- (b) Infrastructure and property; and
- (c) Otago's natural environment; and (d) Otago's heritage sites.

11.5.3 To restrict development on sites or areas recognised as being prone to significant hazards, unless adequate mitigation can be provided.

13.4 Wastes & Hazardous Substances – Objectives

13.4.1 To protect Otago's communities, environment and natural resources from the adverse effects of the waste stream.

13.4.2 To encourage a reduction in the amount, range and type of waste generated in Otago.

13.4.4 To minimise the risks to people and the wider environment arising from existing contaminated sites, and the storage, use, transportation and disposal of hazardous substances.

13.5.1 To recognise and provide for the relationship Kai Tahu have with natural and physical resources when managing Otago's waste stream through: (a) Providing for the management and disposal of Otago's waste stream in a manner that takes into account Kai Tahu cultural values; and (b) Working towards eliminating human wastes and other pollutants from entering Otago's waterways

13.5.7 To address the adverse effects of past waste disposal practices through:

- (a) Identifying sites of old landfills, hazardous substance dumps or contamination within Otago; and
- (b) Determining any adverse effects arising from those sites and requiring the remedying or mitigation of any adverse effects.

Attachment CV3 – Relevant RPSDV Objectives and Policies

Objective 2.1 *The principles of Te Tiriti o Waitangi are taken into account in resource management processes and*

Policy 2.1.2 *Treaty principles Ensure that local authorities exercise their functions and powers, by:*

- a) *Recognising Kāi Tahu's status as a Treaty partner; and*
- b) *Involving Kāi Tahu in resource management processes implementation;*
- c) *Taking into account Kāi Tahu values in resource management decision-making processes and implementation;*
- d) *Recognising and providing for the relationship of Kāi Tahu's culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka;*
- e) *Ensuring Kāi Tahu have the ability to: i. Identify their relationship with their ancestral lands, water, sites, wāhi tapu, and other taoka; ii. Determine how best to express that relationship;*
- f) *Having particular regard to the exercise of kaitiakitaka; g) Ensuring that district and regional plans:*
 - i. *Give effect to the Ngāi Tahu Claims Settlement Act 1998;*
 - ii. *Recognise and provide for statutory acknowledgement areas in Schedule 2;*
 - iii. *Provide for other areas in Otago that are recognised as significant to Kāi Tahu;*
- h) *Taking into account iwi management plans.*

Objective 2.2 *Kāi Tahu values, interests and customary resources are recognised and provided for*

Policy 2.2.1 *Kāi Tahu wellbeing Manage the natural environment to support Kāi Tahu wellbeing by all of the following:*

- a) *Ensuring the sustainable management of resources supports their customary uses and cultural values in Schedules 1A and B;*
- b) *Safeguarding the life-supporting capacity of natural resources.*

Objective 3.1 *The values of Otago's natural resources are recognised, maintained and enhanced decisions*

Policy 3.1.1 *Fresh water Manage fresh water to achieve all of the following:*

- a) *Maintain or enhance ecosystem health in all Otago aquifers, and rivers, lakes, wetlands, and their margins;*
- b) *Maintain or enhance the range and extent of habitats provided by fresh water, including the habitat of trout and salmon;*
- c) *Recognise and provide for the migratory patterns of freshwater species, unless detrimental to indigenous biological diversity;*
- d) *Avoid aquifer compaction and seawater intrusion in aquifers;*
- e) *Maintain good water quality, including in the coastal marine area, or enhance it where it has been degraded;*
- f) *Maintain or enhance coastal values;*
- g) *Maintain or enhance the natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers;*
- h) *Maintain or enhance the quality and reliability of existing drinking and stock water supplies;*
- i) *Recognise and provide for important recreation values;*
- j) *Maintain or enhance the amenity and landscape values of rivers, lakes, and wetlands;*
- k) *Control the adverse effects of pest species, prevent their introduction and reduce their spread;*
- l) *Avoid, remedy or mitigate the adverse effects of natural hazards, including flooding and erosion;*
- m) *Avoid, remedy, or mitigate adverse effects on existing infrastructure that is reliant on fresh water.*

Policy 3.1.3 *Water allocation and use Ensure the efficient allocation and use of water by undertaking all of the following:*

- a) *Requiring that the volume of water allocated does not exceed what is necessary for its efficient use;*
- b) *Encouraging the development or upgrade of infrastructure that increases use efficiency.*

Policy 3.1.10 *Natural features, landscapes, and seascapes Recognise the values of natural features, landscapes and seascapes are derived from the biophysical, sensory and associative attributes in Schedule 3.*

Objective 3.2 *Otago's significant and highly-valued natural resources are identified, and protected or enhanced*

Policy 3.2.5 *Identifying highly valued natural features, landscapes and seascapes Identify natural features, landscapes and seascapes, which are highly valued for their contribution to the amenity or quality of the environment but which are not outstanding, using the attributes in Schedule 3.*

Policy 3.2.6 *Managing highly valued natural features, landscapes and seascapes Protect or enhance highly valued natural features, landscapes and seascapes by all of the following:*

- a) *Avoiding significant adverse effects on those values which contribute to the high value of the natural feature, landscape or seascape;*
- b) *Avoiding, remedying or mitigating other adverse effects;*
- c) *Recognising and providing for positive contributions of existing introduced species to those values;*

- d) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread;
- e) Encouraging enhancement of those values which contribute to the high value of the natural feature, landscape or seascape.

Objective 4.1 Risk that natural hazards pose to Otago's communities are minimized

Policy 4.1.1 Identifying natural hazards Identify natural hazards that may adversely affect Otago's communities, including hazards of low likelihood and high consequence by considering all of the following:

- a) Hazard type and characteristics;
- b) Multiple and cascading hazards;
- c) Cumulative effects, including from multiple hazards with different risks;
- d) Effects of climate change;
- e) Using the best available information for calculating likelihood;
- f) Exacerbating factors.

Policy 4.1.2 Natural hazard likelihood Using the best available information, assess the likelihood of natural hazard events occurring, over no less than 100 years. :

Policy 4.1.3 Natural hazard consequence Assess the consequences of natural hazard events, by considering all of the following:

- a) The nature of activities in the area;
- b) Individual and community vulnerability;
- c) Impacts on individual and community health and safety;
- d) Impacts on social, cultural and economic wellbeing;
- e) Impacts on infrastructure and property, including access and services;
- f) Risk reduction and hazard mitigation measures;
- g) Lifeline utilities, essential and emergency services, and their co-dependence;
- h) Implications for civil defence agencies and emergency services;
- i) Cumulative effects;
- j) Factors that may exacerbate a hazard event.

Policy 4.1.4 Assessing activities for natural hazard risk Assess activities for natural hazard risk to people and communities, by considering all of the following:

- a) The natural hazard risk identified, including residual risk;
- b) Any measures to avoid, remedy or mitigate those risks, including relocation and recovery methods;
- c) The long term viability and affordability of those measures;
- d) Flow on effects of the risk to other activities, individuals and communities;
- e) The availability of, and ability to provide, lifeline utilities, and essential and emergency services, during and after a natural hazard event.

Policy 4.1.5 Natural hazard risk Manage natural hazard risk to people and communities, with particular regard to all of the following:

- a) The risk posed, considering the likelihood and consequences of natural hazard events;
- b) The implications of residual risk, including the risk remaining after implementing or undertaking risk reduction and hazard mitigation measures;
- c) The community's tolerance of that risk, now and in the future, including the community's ability and willingness to prepare for and adapt to that risk, and respond to an event;
- d) The changing nature of tolerance to risk;
- e) Sensitivity of activities to risk.

Policy 4.1.6 Avoiding increased natural hazard risk Manage natural hazard risk to people and communities by both:

- a) Avoiding activities that significantly increase risk including displacement of risk off-site; and
- b) Avoiding activities that increase risk in areas potentially affected by coastal hazards over at least the next 100 years.

Objective 4.3 Infrastructure is managed and developed in a sustainable way

Policy 4.3.1 Managing infrastructure activities Manage infrastructure activities, to achieve all of the following:

- a) Maintaining or enhancing the health and safety of the community;
- b) Avoiding, remedying or mitigating adverse effects of those activities on existing land uses, including cumulative adverse effects on natural and physical resources;
- c) Supporting economic, social and community activities;
- d) Improving efficiency of use of natural resources;
- e) Protecting infrastructure corridors for infrastructure needs, now and for the future;
- f) Increasing the ability of communities to respond and adapt to emergencies, and disruptive or natural hazard events;
- g) Protecting the functional and operational requirements of lifeline utilities and essential or emergency services.

Objective 4.4 Energy supplies to Otago's communities are secure and sustainable

Objective 5.3 Sufficient land is managed and protected for economic production

Policy 5.3.1 Rural activities *Manage activities in rural areas, to support the region's economy and communities, by all of the following:*

- a) Enabling primary production and other rural activities that support the rural economy;*
- b) Minimising the loss of significant soils;*
- c) Restricting the establishment of activities in rural areas that may lead to reverse sensitivity effects;*
- d) Minimising the subdivision of productive rural land into smaller lots that may result in rural residential activities;*
- e) Providing for other activities that have a functional need to locate in rural areas, including tourism and recreational activities that are of a nature and scale compatible with rural activities.*

Attachment CV4 – S32AA Evaluation

Chapter 3 – Strategic Direction

The purpose of the strategic directions chapter of the PDP is to set out the over-arching strategic direction for the management of growth, land-use and development in a manner that ensures sustainable management of the District's special qualities:

- Dramatic alpine landscapes free of inappropriate development
- Clean air and pristine water
- Vibrant and compact town centres
- Compact and connected settlements that encourage public transport, biking and walking
- Diverse, resilient, inclusive and connected communities
- A district providing a variety of lifestyle choices
- An innovative and diversifying economy based around a strong visitor industry
- A unique and distinctive heritage
- Distinctive Ngai Tahu values, rights and interests

This direction is provided through a set of Strategic Goals, Objectives and Policies which provide the direction for the more detailed provisions related to zones and specific topics contained elsewhere in the **PDP**. The following Objectives and Policies are relevant to the submissions and are addressed in the following table:

These tables provide an analysis of the requested **RVZ** against the relevant provisions of the **PDP**.

3.2.1 Goal - Develop a prosperous, resilient and equitable economy.			
Policy 3.2.1.4 Recognise the potential for rural areas to diversify their land use beyond the strong productive value of farming, provided a sensitive approach is taken to rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests.			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
The requested RVZ recognises the potential of this land to absorb development. The requested RVZ is an extension to an operative zone and can be fully serviced with Council reticulated services.	The requested RVZ is a logical extension to the operative RVZ. The requested RVZ will not adversely affect the ONF values of the Shotover River.	The requested RVZ will result in greater built form than the proposed RZ. Some of this development will be visible from surrounding areas.	There is no uncertainty or insufficient information regarding this objective and policy.
3.2.4 Goal - The protection of our natural environment and ecosystems			
Objective			
3.2.4.1 Promote development and activities that sustain or enhance the life-supporting capacity of air, water, soil and ecosystems.			
3.2.4.2 Protect areas with significant Nature Conservation Values.			

Policies 3.2.4.2.1 Identify areas of significant indigenous vegetation and significant habitats of indigenous fauna, referred to as Significant Natural Areas on the District Plan maps and ensure their protection. 3.2.4.2.2 Where adverse effects on nature conservation values cannot be avoided, remedied or mitigated, consider environmental compensation as an alternative			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
The site subject to the requested RVZ does not contain any significant vegetation communities (relying on Mr. Davis's report).	Future development in the requested RVZ does present itself with the opportunity to enhance indigenous biodiversity in the Arthur's Point area.	Nil.	There is no uncertainty or insufficient information regarding this objective and policy.

3.2.4.5 Preserve or enhance the natural character of the beds and margins of the District's lakes, rivers and wetlands.			
3.2.4.5.1 That subdivision and / or development which may have adverse effects on the natural character and nature conservation values of the District's lakes, rivers, wetlands and their beds and margins be carefully managed so that life-supporting capacity and natural character is maintained or enhanced.			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
The requested RVZ efficiently manages the effects on adjoining Shotover River ONF by ensuring the zone boundaries are well set back from the river margin and from internal/zone boundaries.	All experts agree the requested RVZ is not likely to adversely affect the ONF values of the Shotover River.	Nil.	There is no uncertainty or insufficient information regarding this objective and policy.

3.2.5.1 Protect the natural character of Outstanding Natural Landscapes and Outstanding Natural Features from subdivision, use and development.			
Policies 3.2.5.1.1 Identify the district's Outstanding Natural Landscapes and Outstanding Natural Features on the District Plan maps, and protect them from the adverse effects of subdivision and development.			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
The requested RVZ efficiently manages the effects on adjoining Shotover River ONF by ensuring the zone boundaries are well set back from the river margin and from internal/zone boundaries.	All experts agree the requested RVZ is not likely to adversely affect the ONF values of the Shotover River.	Nil.	There is no uncertainty or insufficient information regarding this objective and policy.

3.2.5.3 Direct new subdivision, use or development to occur in those areas which have potential to absorb change without detracting from landscape and visual amenity values.			
Policies 3.2.5.3.1 Direct urban development to be within Urban Growth Boundaries (UGB's) where these apply, or within the existing rural townships.			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
The requested RVZ is a logical extension to the operative RVZ.	The requested RVZ will contribute to the district's development capacity in a positive way.	Nil.	There is no uncertainty or insufficient information regarding this objective and policy.

3.2.5.4 Recognise there is a finite capacity for residential activity in rural areas if the qualities of our landscape are to be maintained.			
Policies 3.2.5.4.1 Give careful consideration to cumulative effects in terms of character and environmental impact when considering residential activity in rural areas.			
3.2.5.4.2 Provide for rural living opportunities in appropriate locations.			
<i>Efficiency & Effectiveness (a)</i>	<i>Benefits (b)</i>	<i>Costs (b)</i>	<i>Risk Acting/Not Acting (c)</i>
<p>The requested RVZ is a logical extension to the operative RVZ.</p> <p>The subject site has a more urban character than rural are present.</p> <p>The requested RVZ efficiently manages the effects on adjoining Shotover River ONF by ensuring the zone boundaries are well set back from the river margin and from internal/zone boundaries.</p>	<p>All experts agree the requested RVZ is not likely to adversely affect the ONF values of the Shotover River.</p>	<p>Nil.</p>	<p>There is no uncertainty or insufficient information regarding this objective and policy.</p>

Chapter 4 – Urban Development

4.2.1 Objective - Urban development is coordinated with infrastructure and services and is undertaken in a manner that protects the environment, rural amenity and outstanding natural landscapes and features.			
Policies			
4.2.1.1 Land within and adjacent to the major urban settlements will provide the focus for urban development, with a lesser extent accommodated within smaller rural townships.			
4.2.1.2 Urban development is integrated with existing public infrastructure, and is designed and located in a manner consistent with the capacity of existing networks.			
4.2.1.3 Encourage a higher density of residential development in locations that have convenient access to public transport routes, cycleways or are in close proximity to community and education facilities.			
4.2.1.4 Development enhances connections to public recreation facilities, reserves, open space and active transport networks.			
4.2.1.5 Urban development is contained within or immediately adjacent to existing settlements			
4.2.1.6 Avoid sporadic urban development that would adversely affect the natural environment, rural amenity or landscape values; or compromise the viability of a nearby township.			
4.2.1.7 Urban development maintains the productive potential and soil resource of rural land.			
<i>Efficiency & Effectiveness (a)</i>	<i>Benefits (b)</i>	<i>Costs (b)</i>	<i>Risk Acting/Not Acting (c)</i>
<p>The requested RVZ is a logical extension to the operative RVZ and proposed UGB.</p> <p>The requested RVZ can efficiently be connected to existing Council infrastructure.</p>	<p>All experts agree the requested RVZ is not likely to adversely affect the ONF values of the Shotover River.</p>	<p>Nil.</p>	<p>There is no uncertainty or insufficient information regarding this objective and policy.</p>

4.2.2 Objective - Urban Growth Boundaries are established as a tool to manage the growth of major centres within distinct and defensible urban edges.			
Policies 4.2.2.1 Urban Growth Boundaries define the limits of urban growth, ensuring that urban development is contained within those identified boundaries, and urban development is avoided outside of those identified boundaries.			
4.2.2.2 Urban Growth Boundaries are of a scale and form which is consistent with the anticipated demand for urban development over the planning period, and the appropriateness of the land to accommodate growth.			

4.2.2.3 Within Urban Growth Boundaries, land is allocated into various zones which are reflective of the appropriate land use.			
4.2.2.4 Not all land within Urban Growth Boundaries will be suitable for urban development, such as (but not limited to) land with ecological, heritage or landscape significance; or land subject to natural hazards. The form and location of urban development shall take account of site specific features or constraints to protect public health and safety.			
4.2.2.5 Urban Growth Boundaries may need to be reviewed and amended over time to address changing community needs.			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
The requested RVZ is a logical extension to the operative RVZ and proposed UGB.	The requested UGB represents the appropriateness of the requested RVZ to accommodate development. All experts agree the requested RVZ is not likely to adversely affect the ONF values of the Shotover River.	Nil.	There is no uncertainty or insufficient information regarding this objective and policy.

Chapter 5 – Tangata Whenua

The purpose of Chapter 6 Tangata Whenua is to recognise and provide for Ngāi Tahu as a partner in the management of the District's natural and physical resources through the implementation of this District Plan. The Council will actively foster this partnership through meaningful collaboration, seeking formal and informal advice, providing for Ngāi Tahu's role as kaitiaki, and protecting its values, rights and interests.

The following Objectives and Policies are relevant to the Loch Linnhe submission:

5.4.1 Objective - Promote consultation with tangata whenua through the implementation of the Queenstown Lakes District Plan.			
5.4.1.1 Ensure that Ngāi Tahu Papatipu Rūnanga are engaged in resource management decision-making and implementation on matters that affect Ngāi Tahu values, rights and interests, in accordance with the principles of the Treaty of Waitangi.			
5.4.1.2 Actively foster effective partnerships and relationships between the Queenstown Lakes District Council and Ngāi Tahu Papatipu Rūnanga.			
5.4.1.3 When making resource management decisions, ensure that functions and powers are exercised in a manner that takes into account iwi management plans.			
5.4.1.4 Recognise that only tangata whenua can identify their relationship and that of their culture and traditions with their ancestral lands, water sites, wāhi tapu, tōpuni and other taonga.			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
No specific consultation has been undertaken as part of this submission.	Consultation can occur as part of the subdivision process if that is considered necessary.	Nil.	There is no uncertainty or insufficient information regarding this objective and policy.
5.4.3 Objective - Protect Ngāi Tahu taonga species and related habitats.			
5.4.3.1 Where adverse effects on taonga species and habitats of significance to Ngāi Tahu cannot be avoided, remedied or mitigated, consider environmental compensation as an alternative.			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
As far as I am aware, and based on my review of the KTKP and Te Ao Marama Natural Resource Management Plans, there is no	If such values exist then they can be considered in accordance with the RVZ provisions, if necessary an accidental	Nil.	There is no uncertainty or insufficient information regarding this objective and policy.

taonga species and habitats of significance to Ngāi Tahu within the area sought for RVZ.	discovery protocol can be adopted at the time of resource consent.		
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5.4.5 Objective - Wāhi tūpuna and all their components are appropriately managed and protected.			
5.4.5.1 Identify wāhi tūpuna and all their components on the District Plan maps and protect them from the adverse effects of subdivision, use and development.			
5.4.5.2 Identify threats to wāhi tūpuna and their components in this District Plan.			
5.4.5.3 Enable Ngai Tahu to provide for its contemporary uses and associations with wāhi tūpuna.			
5.4.5.4 Avoid where practicable, adverse effects on the relationship between Ngāi Tahu and the wāhi tūpuna.			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
As far as I am aware, and based on my review of the KTKP and Te Ao Marama Natural Resource Management Plans, there is no wahi tūpuna within the requested RVZ area.	Development under RVZ is designed to identify such areas if they exist.	Nil.	There is no uncertainty or insufficient information regarding this objective and policy.

Chapter 6 – Landscapes

The purpose of Chapter 6 – Landscapes is to recognise the landscape as a significant resource to the district and region which requires protection from inappropriate activities that could degrade its qualities, character and values. The relevant Objectives and Policies are as follows:

6.3.1 Objective - The District contains and values Outstanding Natural Features, Outstanding Natural Landscapes, and Rural Landscapes that require protection from inappropriate subdivision and development.			
6.3.1.1 Identify the District's Outstanding Natural Landscapes and Outstanding Natural Features on the Planning Maps.			
6.1.1.3 That subdivision and development proposals located within the Outstanding Natural Landscape, or an Outstanding Natural Feature, be assessed against the assessment matters in provisions 21.7.1 and 21.7.3 because subdivision and development is inappropriate in almost all locations, meaning successful applications will be exceptional cases.			
6.3.1.5 Avoid urban subdivision and development in the Rural Zones.			
6.3.1.7 When locating urban growth boundaries or extending urban settlements through plan changes, avoid impinging on Outstanding Natural Landscapes or Outstanding Natural Features and minimise disruption to the values derived from open rural landscapes.			
6.3.1.8 Ensure that the location and direction of lights does not cause glare to other properties, roads, and public places or the night sky.			
6.3.1.9 Ensure the District's distinctive landscapes are not degraded by forestry and timber harvesting activities.			
6.3.1.11 Recognise the importance of protecting the landscape character and visual amenity values, particularly as viewed from public places.			
6.3.1.12 Recognise and provide for the protection of Outstanding Natural Features and Landscapes with particular regard to values relating to cultural and historic elements, geological features and matters of cultural and spiritual value to Tangata Whenua, including Tōpuni.			
<i>Efficiency & Effectiveness</i> ^(a)	<i>Benefits</i> ^(b)	<i>Costs</i> ^(b)	<i>Risk Acting/Not Acting</i> ^(c)
The requested RVZ efficiently manages the effects on adjoining Shotover River ONF by ensuring the zone boundaries are well set back from the river margin and from internal/zone boundaries.	All experts agree the requested RVZ is not likely to adversely affect the ONF values of the Shotover River.	Nil.	There is no uncertainty or insufficient information regarding this objective and policy.

6.3.2 Objective - Avoid adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development.			
6.3.2.1 Acknowledge that subdivision and development in the rural zones, specifically residential development, has a finite capacity if the District's landscape quality, character and amenity values are to be sustained.			
6.3.2.2 Allow residential subdivision and development only in locations where the District's landscape character and visual amenity would not be degraded.			
6.3.2.3 Recognise that proposals for residential subdivision or development in the Rural Zone that seek support from existing and consented subdivision or development have potential for adverse cumulative effects. Particularly where the subdivision and development would constitute sprawl along roads.			
6.3.2.4 Have particular regard to the potential adverse effects on landscape character and visual amenity values from infill within areas with existing rural lifestyle development or where further subdivision and development would constitute sprawl along roads.			
6.3.2.5 Ensure incremental changes from subdivision and development do not degrade landscape quality, character or openness as a result of activities associated with mitigation of the visual effects of proposed development such as screening planting, mounding and earthworks.			
Efficiency & Effectiveness ^(a)	Benefits ^(b)	Costs ^(b)	Risk Acting/Not Acting ^(c)
The requested RVZ efficiently manages the effects on adjoining Shotover River ONF by ensuring the zone boundaries are well set back from the river margin and from internal/zone boundaries.	All experts agree the requested RVZ is not likely to adversely affect the ONF values of the Shotover River.	Nil.	There is no uncertainty or insufficient information regarding this objective and policy.

6.3.4 Objective - Protect, maintain or enhance the District's Outstanding Natural Landscapes (ONL).			
6.3.4.1 Avoid subdivision and development that would degrade the important qualities of the landscape character and amenity, particularly where there is no or little capacity to absorb change.			
6.3.4.2 Recognise that large parts of the District's Outstanding Natural Landscapes include working farms and accept that viable farming involves activities which may modify the landscape, providing the quality and character of the Outstanding Natural Landscape is not adversely affected.			
6.3.4.3 Have regard to adverse effects on landscape character, and visual amenity values as viewed from public places, with emphasis on views from formed roads.			
6.3.4.4 The landscape character and amenity values of the Outstanding Natural Landscape are a significant intrinsic, economic and recreational resource, such that large scale renewable electricity generation or new large scale mineral extraction development proposals including windfarm or hydro energy generation are not likely to be compatible with the Outstanding Natural Landscapes of the District.			
Efficiency & Effectiveness ^(a)	Benefits ^(b)	Costs ^(b)	Risk Acting/Not Acting ^(c)
The requested RVZ efficiently manages the effects on adjoining Shotover River ONF by ensuring the zone boundaries are well set back from the river margin and from internal/zone boundaries.	All experts agree the requested RVZ is not likely to adversely affect the ONF values of the Shotover River.	Nil.	There is no uncertainty or insufficient information regarding this objective and policy.

Part 2.13 Rural Visitor Zones of the ODP (Relevant to requested RVZ only)

Objectives
Provision for the ongoing operation of the existing visitor areas recognising their operational needs and avoiding, remedying or mitigating adverse effects on landscape, water quality and natural values. Scope for extension of activities in the Rural Visitor Zones.
1 To recognise the existing and proposed visitor and recreation facilities in the rural visitor areas and to provide for their continued operation and expansion.
2 To ensure development, existing and new, has regard to the landscape values which surround all the rural visitor areas.
3 To ensure expansion of activities occur at a scale, or at a rate, consistent with maintaining the surrounding rural resources and amenities.

4 To recognise the heritage values of the Rural Visitor Zones and in particular the buildings at Walter Peak, Cardrona and Arcadia Station.
 5 To ensure sewage disposal, water supply and refuse disposal services are provided which avoid, remedy or mitigate adverse effects on the water or other environmental qualities, on and off the site.

<i>Efficiency & Effectiveness (a)</i>	<i>Benefits (b)</i>	<i>Costs (b)</i>	<i>Risk Acting/Not Acting (c)</i>
The requested addition to the ODP RVZ provisions are efficient in avoiding remedying or mitigating adverse effects on landscape, water quality and natural values.	The requested RVZs enable diversification without having significant adverse effects on the environment.	Nil.	There is no uncertainty or insufficient information regarding this objective and policy.