

# QUEENSTOWN LAKES DISTRICT COUNCIL

Hearing of Submissions on the Proposed District Plan

Report 16.6

Report and Recommendations of Independent Commissioners  
Regarding Upper Clutha Planning Maps  
Lake Hawea Campground

Commissioners

Trevor Robinson (Chair)

Jenny Hudson

Calum MacLeod

## CONTENTS

<b>1. SUMMARY OF RECOMMENDATIONS.....</b>	<b>2</b>
1.1. Overall Recommendation .....	2
1.2. Summary of Reasons for Recommendation .....	2
<b>2. PRELIMINARY MATTERS.....</b>	<b>2</b>
2.1. Subject of Submission .....	2
2.2. Outline of Relief Sought .....	2
2.3. Preliminary Legal Matters.....	3
2.4. Description of the Site and Environs.....	4
2.5. The Submitter's Case for Rezoning .....	5
2.6. The Council's Position .....	6
2.7. Discussion of Planning Framework .....	7
<b>3. ISSUES.....</b>	<b>9</b>
<b>4. DISCUSSION OF ISSUES AND CONCLUSIONS.....</b>	<b>9</b>
<b>5. OVERALL CONCLUSIONS AND RECOMMENDATIONS .....</b>	<b>12</b>

**Attachments:**

**Exhibit 30**

## 1. SUMMARY OF RECOMMENDATIONS

### 1.1. Overall Recommendation

1. We recommend the requests of the submitter to rezone the site be rejected, to the extent they are within our jurisdiction.

### 1.2. Summary of Reasons for Recommendation

2. The PDP Rural Zone is more appropriate than the requested rezoning of a modified Rural Visitor Zone over Lots 1 and 2 DP 418972 and has the most appropriate provisions to manage the wide variety effects that are possible from the requested zoning

## 2. PRELIMINARY MATTERS

### 2.1. Subject of Submission

3. Submissions 282 and 384 relate in part to an area of 22.7 ha on the eastern side of SH 6 at Lake Hawea comprising the Lake Hawea Holiday Park ('the campground') and adjacent land owned by Glen Dene Ltd. The land areas are as follows:
  - a. Lot 1 DP 418972 of 1.4ha;
  - b. Lot 2 DP 418972 of 5.6ha;
  - c. Pt Sec 2 Blk II Lower Hawea SD of 15.7ha (two parcels).
4. A full description of the ownership structure of the campground and surrounding land parcels is outlined in submission 384. Of note is that the existing Lake Hawea campground is owned by the Crown, administered by the Council, and leased to Glen Dene Holdings Ltd. The surrounding land is owned by Glen Dene Ltd.
5. The designation over the campground was not a matter for this hearing panel, but is relevant in terms of the wider section 32 considerations in making a recommendation on the zoning request.

### 2.2. Outline of Relief Sought

6. Submissions by Sarah Burdon (submission 282) and Richard Burdon on behalf of Glen Dene Ltd and Glen Dene Holdings Ltd (submission 384) requested the rezoning of the site from notified Rural zone as shown on Planning Maps 8 and 11a, to Rural Visitor (Campground) zone.
7. While the submitters also sought that the ONL classification of the site be changed to Rural Landscape Classification (now Rural Character Landscape), this was not pursued in their submission (although not formally withdrawn).<sup>1</sup>
8. In pre-circulated evidence, Mr White for the submitter proposed modified relief in the form of a new Rural Visitor zone - Hawea Campground - to be incorporated within Chapter 12.3 of the ODP. This formed the basis for the Council officers' section 42A analysis. The key aspects of those provisions are:
  - a. retention of the activity status of permitted, controlled and discretionary activities in Rules 12.4.3.1 - 12.4.3.3 respectively;
  - b. the classification of residential activity as a non-complying activity;
  - c. introduction of a new 20m building setback from SH 6, to be maintained as a vegetated buffer between the campground and the highway;

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<sup>1</sup> Evidence of Duncan White on behalf of the submitter, dated 4 April 2017 at paragraph 3.3

- d. specific restrictions within 3 areas as shown on the attached plan (Exhibit 30) provided to the panel so that there would be a 20m vegetated buffer and no buildings in Area 1, a maximum height of 8m for buildings in Area 2 and a maximum building height in Area 3 of 5.5m;
  - e. a maximum building coverage of 7% site area, with any infringement being non-complying.
9. No change was proposed to objectives or policies, or to the matters for assessment.

### 2.3. Preliminary Legal Matters

10. In the period following the completion of the Stream 12 hearings and prior to finalisation of our recommendations on submissions, on 23 November 2017, the Council notified the Stage 2 Variations, including a change to the definition of 'visitor accommodation', new provisions for visitor accommodation in a number of zones and a new Open Space and Recreation Zone applied to a large part of the land the subject of submission 282 and 384 ("the Stage 2 Variations"). These matters directly affect the scope of the submission on which we are required to make our recommendation, as well as the submitters' ability to present a cogent case for planning provisions that encompass all of the land either currently used for the campground, or which they wish to be able to use in accordance with an expanded zoning.
11. Specifically, as notified, the Stage 2 Variation Planning Maps showed an 'Open Space and Recreation Purpose Camping sub-zone' over Lot 1 DP 418972 (the northern site owned by Glen Dene Ltd), Part Section 1 SO 24546 (Crown land understood to be a floodway available for Contact Energy Ltd to use as part of its management of lake levels) and Pt 2 Sec Blk II Lower Hawea SD (the 15.7 ha campground leased to Glen Dene Holdings).
12. The notified sub-zone did not include the 5.4 ha strip owned by Glen Dene Ltd between the state highway and the campground.
13. The Stage 2 Variation rezoning altered the Rural zoning as notified in Stage 1, as from notification of Variation 2, by virtue of clause 16B(2) of the First Schedule to the Act. Clause 16B(1) means that submissions 282 and 384 will remain live for determination by the Hearing Panel appointed to consider the Stage 2 Variations submissions in respect of the area shown as Open Space and Recreation Purpose Camping sub-zone.
14. In a memorandum filed by the Council's counsel dated 13th December 2017, we were advised that we should make a recommendation on the zoning of any land not included in the Stage 2 Variations. We agree that this is the effect of Clause 16B(1) of the First Schedule. Initially, that meant just Lot 2 DP 418972 (the 5.6 ha parcel described above).
15. However, the matter has been complicated by an error by Council in the identification of land within the Open Space and Recreation Purpose Camping sub-zone, which we were told was intended to apply only to the existing Campground lot and therefore should not include Lot 1 DP 418972, or for that matter, the Contact Energy floodway being part Section 1 SO 24546. Counsel's memorandum stated that "Council Officers' intention is to seek a decision from the Council in early February 2018 that the Open Space and Recreation Purpose Camping sub-zone be withdrawn under clause 8D of the First Schedule of the RMA from Lot 1 DP 418972 and part of Section 1 SO 24546, and consequently this land will revert back to its Stage 1 zoning of Rural". The memorandum further stated that the intent was to have this withdrawal confirmed prior to the Panel issuing its recommendations and therefore seek that the Panel continue to consider its recommendations on the basis that Lot 1 DP 418972 and part of Section 1 SO 24546 is not affected by the variation.

16. The Council has since (on 8 February 2018) resolved to withdraw the land concerned from the Stage 2 Variations in the manner foreshadowed by its counsel, with the result the it reverts to being within our jurisdiction.
17. Accordingly, we have considered the submissions as if both Lots 1 and 2 DP 418972 have a proposed zoning of Rural in the Stage 1 PDP, while the existing campground (Pt 2 Sec Blk II Lower Hawea SD) has a proposed zoning of Open Space and Recreation Purpose Camping subzone under the Stage 2 Variations (and is outside our jurisdiction). We have referred to the two parcels of land that are within our jurisdiction as 'the Glen Dene Ltd land'.
18. We also note that in an earlier memorandum dated 23 November 2017<sup>2</sup>, counsel for the Council advised us that Council would receive submissions seeking that 'Stage 1' land be rezoned Visitor Accommodation in order that such submissions might be considered as part of the Stage 2 Variation process.

#### 2.4. Description of the Site and Environs

19. Although (as above) our jurisdiction is limited to the Glen Dene Ltd land, in the following discussion, we refer to 'the site' as including the existing campground, since that was how the submissions were framed and the evidence we heard addressed the combined area.
20. The site is located within a narrow strip of land between the western edge of Lake Hawea and SH 6, adjacent to a boat ramp and the Lake Hawea dam. It is part of a much larger landscape of mountains surrounding the lake described in the landscape evidence of Mr Espie as *"dominated by natural patterns and elements and is majestic, dramatic and highly memorable"*.
21. Unsurprisingly, given that description, the site is identified as an Outstanding Natural Landscape on the district plan maps.
22. The area currently used as a campground occupies a 15.7 ha area of flat and sloping, vegetated land fronting the lake, within which there is a concentration of permanent campground buildings such as cabins, administration office, ablution and kitchen facilities, surrounded by tent, motor home and caravan sites. Lot 2 DP 418972, the larger Glen Dene Ltd title, is an elongated and steep area of 5.6 ha sandwiched between the road and existing campground, which is covered in eucalyptus and sycamore trees, while to the north, there are areas of open, rolling land either side of the Contact Energy floodway, including Lot 1 DP 418972, the smaller 1.4 ha Glen Dene Ltd title.
23. All of the above land parcels are zoned Rural General in the ODP and Rural in the PDP as notified. A 2.8 ha area, which is a portion of Pt Sec 2 Blk II Lower Hawea SD, is designated by the Council for motor park. The approximate extent of the designation is shown on attached Exhibit 30<sup>3</sup>, which shows that it accommodates all but one of the existing permanent buildings.
24. The location of the site is shown in an excerpt from the section 42A report, reproduced below. Exhibit 30 attached is a more detailed aerial overlay showing the cadastral boundaries of the various parcels with the concept plan information on it as well as the designation.

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<sup>2</sup> Counsel for the Council's Memorandum dated 23 November 2017 at paragraph 13

<sup>3</sup> Provided by Mr White under cover of his email to the Hearing Administrator dated 12 June 2017



Figure 1: approximate boundaries of both the Glen Dene Ltd land and Lake Hawea campground (noting that the Contact Energy floodway separates the bulk of the site from the 1.4 ha site described as Lot 1 DP 418972. This is located within the area outlined in blue), but Mr White confirmed the submitters were not seeking rezoning of that land).

#### 2.5. The Submitter's Case for Rezoning

25. At the hearing, Mr Todd addressed legal issues arising from the request for Rural Visitor zoning when the Rural Visitor Zone has been withdrawn from Stage 1 of the PDP. These issues remain live, notwithstanding the notification of the Stage 2 Variations to which we refer above. In Mr Todd's submission, people were invited to make submissions on their zoning, to which the Burdons have responded. He said that the difficulty is that while the Rural Visitor zone provisions are accepted as not forming part of the plan, if people did not seek zoning now, they could be left out in the cold in the next stage of the plan review. Mr Todd referred us to Commissioner Nugent's minute advising that Rural Visitor zoning will need to meet the strategic direction of the PDP, but in his submission, there were real issues around the panel confirming that Rural Visitor will meet the strategic direction when the Stage 2 submissions have not been heard. He advised that it is for this reason that Mr White prepared supplementary planning evidence on this topic.
26. Mr Todd told us that the Burdons bought the campground lease to enable diversification from their current farming and business activities (they own Glen Dene Station, further north on the western side of Lake Hawea). Their land is immediately adjacent to the campground. Not all of the council campground is designated and the Council has not sought to extend the designation. In his submission, this creates practical problems and it is easier to gain consent for improvements within the designated area than outside it. The Burdons are anxious to take the campground from kiwi-style camping to an all year, sustainable facility, which necessitates buildings rather than campsites.
27. At the hearing, Mrs Burdon explained that the immediate plan is to establish up to eight geodesic domes and at present the consent process is complex and expensive. She said she has waited for the plan review to provide an opportunity to deal with some of the zoning issues that have held back their development plans.

28. Mr Espie's landscape evidence for the submitter considered that the views into the site from SH 6 would overlook the proposed zone area to the lake and mountains beyond, as the land is below road level. He confirmed that the proposed zone would be visible from the southernmost part of the lake waters roughly in a line between the northern end of the site and Bushy Creek, and is also visible from parts of Hawea township. Mr Espie gave examples of Rural Visitor zones at Walter Peak, Cecil Peak, Cardrona, Blanket Bay, Windermere (Wanaka Airport) and other areas. He acknowledged that development in the proposed zone will be visible from Gladstone, Hawea township and the lake edges, with visitor activity being very obvious at times.
29. Mr Espie was of the opinion that high or prominent built form close to the highway could affect visual amenity for northbound travellers passing the site, but that the proposed 20 metre building setback from the highway that he has recommended and the Council's control over landscaping would ensure appropriate mitigation by:
- a. ensuring that the visual pattern across the zone will be dominated by green space and vegetation; and
  - b. treatment of the 20m setback to "enhance natural character while framing views, perhaps by creating a native revegetation strip adjacent to the highway, for example".<sup>4</sup> This 20m strip is entirely within the Glen Dene Ltd land (Lot 2 DP 418972) apart from a small pinch point towards the southern end of the site.
30. In addition, restrictions were proposed on building coverage, building height and residential activity as outlined in Mr White's planning evidence. Mr Espie did not consider that more buildings, activity and general 'busyness' that would be apparent from the lake and township would be adverse given that future development would appear logical, tied to existing development and not visually unattractive. He responded to Ms Mellsop's concerns regarding the inadequacies of the Rural Visitor zone in the ODP in ensuring that development is appropriate, by referring to the additional restrictions proposed.
31. In his planning evidence, Mr White undertook an analysis of relevant objectives and policies of the Rural Visitor provisions in the ODP as modified by the additional controls referred to above, when compared with those of the Rural Zone as recommended in the section 42A Rural Zone report. In supplementary evidence<sup>5</sup> presented at the hearing responding to a minute issued by Commissioner Nugent to which we have referred in our Report 16, he undertook a further section 32 analysis of the proposed modified Rural Visitor Zone, focussing on the section 42A report version of the proposed Strategic Directions in Chapter 3 of the PDP. That analysis concluded that the Rural Visitor Zone was consistent with the identified objectives and policies by enabling diversification of the economic base of Hawea, and making facilities in Hawea more sustainable by enabling the campground to provide facilities suitable for longer periods of usage rather than more intensive use during the summer peak.

## 2.6. The Council's Position

32. Both Ms Mellsop and Mr Espie considered that the site has the ability to absorb additional campground buildings and development without degrading the natural character, coherence, legibility or visual quality of the surrounding landscape. In Ms Mellsop's opinion, the site was already perceived as a node of development and domestication within the landscape and there are numerous mature exotic trees, leading to her conclusion that there is a relatively high capacity to absorb buildings without adverse visual effects. She also opined that because

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<sup>4</sup> Evidence of B Espie at paragraph 5.17

<sup>5</sup> Supplementary evidence of D White dated 6 June 2017

the site is close to Lake Hawea township, further development on the site is unlikely to be perceived as sporadic or sprawling.

33. The key differences in opinion between Ms Mellsop and Mr Espie related to the effectiveness of the proposed rules. Ms Mellsop considered that development of the northernmost area of land north of Contact Energy's "open area of pasture"<sup>6</sup> (Lot 1 DP 418972, the smaller of the two Glen Dene Ltd land parcels) would result in inappropriate sprawl and would adversely affect the natural character and aesthetic values of the wider ONL.
34. She also considered that the 5.6 ha lot described as Lot 2 DP 418972, which is located between the campground and the highway south of the Contact Energy floodway, would be highly visible from the highway. She disagreed with Mr Espie's assessment that the proposed density standard, 20m setback and controls over landscaping exercised by the council would ensure that visual amenity would be maintained for users of the highway. Her reasons were that built development of 8m in height at a distance of 20m from the road would be visually prominent from the highway and any planting undertaken to mitigate those effects "would obscure valued views from the road to Lake Hawea and the more distant mountains".<sup>7</sup> In her opinion, similar effects would arise in the southern two-thirds of the lot and she considered that the only part of the lot that has potential to absorb built development without compromising visual amenity is the lower sycamore-covered area immediately adjacent to the existing campground activities.
35. Ms Mellsop thought that the proposed controls would go some way towards addressing visual and landscape effects within the 15.7 ha campground site; however, she pointed out that a building coverage restriction of 7% would translate to 10,990m<sup>2</sup> of building floor area or the equivalent of 21 dwellings, each 500m<sup>2</sup> in area. In her opinion, the site could not absorb that extent of built development and the matters of control in the ODP Rural Visitor zone would not be sufficient to ensure a high-amenity landscape outcome. While we note that this 15.7 ha area must be now excluded from our consideration, the site coverage modifications the submitters propose to the ODP provisions, as well as the proposed building height limits of 8m and 5.5m, also apply to the Glen Dene Ltd land.
36. Ms Banks had considered the traffic implications of rezoning the whole site and raised concerns at the considerable development potential that would be provided by the rezoning, and the absence of information on which to determine the possible effects on State Highway 6. For those reasons, she did not support the relief requested in the submissions.
37. Mr Barr was concerned that even with the site-specific provisions that are proposed within the Rural Visitor zone, the amended relief sought would not provide adequate certainty that the wide range of activities and resultant increase in the scale of these activities could be appropriately managed. We further refer to Mr Barr's evidence on these matters in our discussion of the issues and conclusions below.

## 2.7. Discussion of Planning Framework

38. Mr Barr and Mr White provided us with input on the planning background to the relevant Plan provisions. While there are key issues relating to the sensitivity of the landscape and appropriate methods for managing visual and landscape character effects, there are also important issues relating to the appropriateness of planning provisions for the campground as a whole and the difficulties of considering the merits of the Glen Dene Ltd land for rezoning in

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<sup>6</sup> Mellsop rebuttal at paragraph 4.5

<sup>7</sup> Mellsop rebuttal at paragraph 4.7



isolation from plan provisions (yet to be heard) for the existing campground. These are further complicated by the designation over a small part of the area actually used for campground activity.

39. We see little purpose in reiterating all of the key background provisions in the PDP summarised in our Report 16, as recommended by the Hearing Panel. While these are a further iteration from those considered in the planning evidence, for the purposes of our discussion here, we have referred principally to the overarching objectives and policies of Chapters 3 and 6.

40. Given that the site is within the notified ONL (and we heard no evidence supporting an alternative landscape classification), the question of whether landscape character and visual amenity values are protected in terms of recommended Objective 3.2.5.1 is of particular importance along with the corresponding provisions of recommended Policy 3.3.30. In relation to activities across all rural zones, the following recommended policies are worthy of note:

*6.3.8 Avoid indigenous vegetation clearance where it would significantly degrade the visual character and qualities of the District's distinctive landscapes.*

*6.3.9 Encourage subdivision and development proposals to promote indigenous biodiversity protection and regeneration where the landscape and nature conservation values would be maintained or enhanced, particularly where the subdivision or development constitutes a change in the intensity of the land use or the retirement of productive farmland.*

41. In relation to activities in ONLs and on ONFs, the following policy in Chapter 6 is applicable:

*"6.3.12 Recognise that subdivision and development is inappropriate in almost all locations in Outstanding Natural Landscapes and on Outstanding Natural Features, meaning successful applications will be exceptional cases where the landscape or feature can absorb the change and where the buildings and structures and associated roading and boundary changes will be reasonably difficult to see from beyond the boundary of the site the subject of application."*

42. Chapter 21 - Rural Zones - echoes these overarching objectives and policies by referring to enabling a wide range of land uses including farming, permitted and established activities *"while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values"* in recommended Objective 21.2.1.

43. A number of objectives and policies within the ODP were identified by Mr Barr which are helpful in providing a context in which to consider the merits of the Rural Visitor zoning as sought.

44. Objective 12.3.4 states:

*12.3.4 Objective*

*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.*

45. We note in addition to avoiding, remedying or mitigating adverse effects on landscape in Objective 12.3.4 that supporting policy 12.3.4.2 states:

#### 12.3.4.2 Policy

*To ensure development, existing and new, has regard to the landscape values which surround all the rural visitor areas.*

### 3. ISSUES

46. We have identified the following issues that we need to address in order to provide a recommendation on the submission:
- a. the sensitivity of the site given its location within an ONL, and adequacy of proposed provisions to mitigate adverse landscape character and visual amenity effects
  - b. the potential intensity of the activity
  - c. the extent of rezoning
  - d. spatial extent of any new zone and separation of northern end by the Contact Energy floodway.

### 4. DISCUSSION OF ISSUES AND CONCLUSIONS

47. Given the absence of any evidence supporting the submitters' request to reclassify the landscape, we proceed on the basis that it should remain an ONL.
48. Consistent with that position, both Mr Espie and Ms Mellsop acknowledged the sensitivity of the landscape and the potential for further development of the campground to adversely affect rural character and the ONL. We also note the concerns of Ms Banks regarding traffic generation and the lack of evidence addressing this aspect.
49. We are of the view that the Glen Dene Ltd land site is as sensitive to change as any other part of the land subject to the original submissions, and any further development must be assessed with reference to the range of landscape character and visual amenity effects that would be possible in the Rural Visitor zone as promoted by the submitter.
50. We found Mr Barr's reply statement helpful in establishing the context within which Rural Visitor zoning has been applied in the ODP and its potential relevance to the submitter's land.
51. Having considered the ODP Objective 12.3.4 and supporting policies, which recognise existing visitor accommodation locations beyond the main centres and contemplate their expansion, we are of the view that in principle, there is merit in some form of Rural Visitor zoning to recognise and provide for appropriate campground activities. However, we have considerable difficulty in determining whether the Glen Dene Ltd land could, or should be a part of that zone when the major portion of the existing activity is now the subject of a separate process under the Stage 2 Variations. While the status quo is now that the leased land is zoned Open Space and Recreation Community Sub-Zone, we do not know whether that will survive the hearing process or, more particularly, what the final zone provisions for that land will provide for.
52. In order to achieve the purpose of the Act, particularly in relation to section 6(a) and 6(b) matters and to implement applicable objectives and policies of the PDP, it is essential that the methods employed are sufficiently robust to ensure the appropriate location and intensity of development and design excellence within the entire area considered appropriate for development as a campground (not, as now being considered by this panel, the Glen Dene Ltd land alone). Mr Barr has provided a detailed analysis of the ODP rules and assessment

criteria that would have become, in conjunction with Mr White's suggested amendments, the Rural Visitor zone provisions if the submission is accepted<sup>8</sup>. However, his comments were based on an assessment of the whole site, not merely the undeveloped Glen Dene Ltd areas.

53. In his opinion, and notwithstanding the additional restrictions incorporated into the submitter's provisions, there are significant shortcomings in relation to:
  - a. the activity status of activities not proposed to be altered by Mr White's amendments (for example, commercial recreation and visitor accommodation activities as controlled, commercial and retail activities as discretionary)
  - b. buildings as a controlled activity
  - c. farming as a non-complying activity
  - d. the absence of density standards.
54. In addition, Mr Barr has commented that "it appears that the zone provisions were intended *to be focussed around a structure plan but there is no connection between the preparation of the structure plan (a controlled activity (Rule 12.4.3.2)) and rules relating to other activities (i.e. Controlled Activity Rule 12.4.3.2.iii Buildings).*" This results in administrative difficulties in ensuring that sufficient rigour can be applied to the spatial layout and intensity of development within a site.
55. He was of the opinion that building restriction and height restriction areas are not sufficiently detailed and there are unresolved infrastructure and traffic issues. His conclusion is that the Rural Zone remains the most appropriate, which would allow for intensification of development within the campground to occur, but potential adverse landscape and visual effects would be considered, and avoided or mitigated, under the design-led provisions in Section 21.7 of the Rural chapter.
56. After his appearance at the hearing on 6 June 2017 for the submitters, Mr White filed supplementary information on 12 June 2017 on the existing building coverage as follows: "*I was also asked to provide information on the building coverage on the site. The campground has buildings with a total site coverage of 1,094m<sup>2</sup>, all but one of these buildings are on or partially on the designation. The designation has an area of 2.8 ha. Buildings therefore cover 3.9% of the designated area. The designation provides for up to 40% site coverage or 11,200m<sup>2</sup>.*"
57. Mr Barr was concerned that this should not be used as a baseline to establish coverage across the entire site. While we agree, the information provided by Mr White was helpful in providing the panel with a quantifiable measure of the existing level of built form in the campground. It demonstrated that a site coverage restriction of 7% would have no useful purpose and would be far in excess of the existing development within the designated area. It also highlighted the lack of appropriate control over the potential intensity of development that could occur under the zoning provisions sought by the submitter, and which could apply to the Glen Dene Ltd land, irrespective of the final form of any zoning adopted for the existing campground site.
58. While we appreciate that the Burdons have managed the site responsibly, and have no current intention of pepperpotting the campground site with multiple buildings, zoning provides an enabling framework that runs with the land and has a degree of permanence. It is inevitable that the aspirations of people and their circumstances will change over time, and the special qualities of the land of necessity impose a high hurdle for any development within it.

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<sup>8</sup> Barr right of reply dated 10 July 2017 in section 25

59. We agree with Mr Barr's concerns regarding the shortcomings of the Rural Visitor zoning as requested, and in our view these deficiencies are exacerbated if applied to the Glen Dene Ltd land alone. As can be seen from the attached plan (Exhibit 30), the proposed height limits do not follow the title boundaries, and some of the restrictions are on land now subject to the Stage 2 Variations.
60. Having regard to the foregoing, and the open character of the northernmost portion of the Glen Dene Ltd land (Lot 1 DP 418972 of 1.4ha), we conclude that the proposed Rural Visitor zoning would be inappropriate owing to its visibility and separation from the remaining land by the Contact Energy floodway.
61. We did not consider that the planning evidence of Mr White demonstrated that the proposed Rural Visitor provisions would be efficient and effective in achieving the relevant strategic objectives of Chapters 3 and 6, and this is particularly so when the proposed zoning, if we had recommended that the submission be accepted, would apply to land on the periphery of the existing campground activity with no means of ensuring integration of activities or management of adverse effects over the whole site. We consider that applying the requested zoning to the Glen Dene Ltd land is tantamount to potentially enabling a separate campground to establish, with inadequate controls over landscape character, visual amenity, and scale and intensity of use.
62. While there may be a case for expanding the range of facilities and improving the campground, we find that the submitter has not demonstrated that the modified provisions sought in its amended relief as applied to the Glen Dene Ltd land is the most appropriate way of achieving the Act's purpose, particularly in regard to section 6(a) and (b) matters.
63. We agree that there are planning issues that need to be resolved, but that in terms of the Glen Dene Ltd land alone, the requested rezoning would not provide an appropriate outcome. It is in our view essential that the Council retains full discretion over the granting or refusal of consent to any development within the Glen Dene Ltd land.
64. We find it would be more efficient and effective (as a means to achieve the objectives of the PDP) for the submitters to take up the Council's offer to consider expansion of the area zoned Open Space and Recreation Purpose Camping Sub-Zone as part of the Stage 2 Variation hearing process.

5. **OVERALL CONCLUSIONS AND RECOMMENDATIONS**

65. Accordingly, for the reasons set out above, it is our recommendation that the submission requesting rezoning of Lots 1 and 2 DP 418972 be rejected. The related submission regarding the ONL classification is formally addressed in Report 16.1.

For the Hearing Panel

A handwritten signature in blue ink, appearing to read 'T. Robinson', with a large, stylized flourish extending upwards and to the left.

Trevor Robinson, Chair  
Dated: 27 March 2018

Attachment  
Exhibit 30

Exhibit 30

