

## Appendix A – Relief sought

Provision (PDP decision version)	Reason for appeal	Relief sought
<b>Chapter 6 Landscapes</b>		
Insert in Section 6.3 <u>Policy 6.3.3.A</u> <u>Provide a separate regulatory regime for the Wakatipu Basin Rural Amenity Zones, within which the Outstanding Natural Feature, Outstanding Natural Landscape and Rural Character Landscape categories and the policies of this chapter related to those categories do not apply.</u>	<b>Support in part</b> Clarification that the landscape categories and associated policies do not apply to the WBRAZ is supported. However, this rule (and other bespoke rules such as 6.3.3.B regarding the Open Space and Recreation Zone) could be deleted if an Interpretation section was included in Chapter 6 to clarify the relationship between the landscape categories and the various rural zones and other zones.	Retain Policy 6.3.3A, or in the alternative, work the content of the policy into a new Interpretation section for Chapter 6.
<b>Chapter 24 Wakatipu Basin</b>		
<b>Policy 24.2.1.1</b> <i>Require an 80 hectare minimum net site area be maintained within the Wakatipu Basin Rural Amenity Zone outside of the Precinct.</i>	<b>Oppose</b> An 80ha minimum lot size in the WBRAZ is opposed and consequentially this policy should be deleted. Further, the focus of this policy should be on the maintenance of landscape character and visual amenity values.	Delete the PDP (decisions version) of the policy and reinstate the notified version with the amendments sought in original submission: Policy 24.2.1.1: <i>Implement minimum and average lot sizes within the Wakatipu Basin Rural Amenity Zone and the Wakatipu Basin Lifestyle Precinct to <del>protect</del> maintain landscape character and visual amenity values.</i>
<b>Policy 24.2.1.10</b> <i>Enable residential activity within building platforms created prior to 21 March 2019 subject to achieving appropriate standards.</i>	<b>Support in part</b> The inclusion of a policy recognising existing building rights is supported, however the policy should not be date limited, as all approved development within the Wakatipu Basin should be enabled.	Amend Policy 24.2.1.10: <i>Enable residential activity within <u>approved</u> building platforms <del>created prior to 21 March 2019</del> subject to achieving appropriate standards.</i>
<b>Policy 24.2.1.11</b> <i>Provide for activities, whose built form is</i>	<b>Oppose</b>	Delete policy 24.2.1.11.

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<p><i>subservient to natural landscape elements and that, in areas Schedule 24.8 identifies as having a sense of openness and spaciousness, maintain those qualities.</i></p>	<p>The wording of the policy is opposed as it ambiguous and poorly drafted. "Openness and spaciousness" are words capable of wide interpretation and characteristics associated with Outstanding Natural Landscapes or Features.</p> <p>In particular, in the Wakatipu Basin Lifestyle Precinct (<b>WBLP</b>), the policy is inappropriate as it is difficult to see how a sense of "openness and spaciousness can be retained with a density of 1ha average".</p>	
<p><b>Policy 24.2.4.8</b></p> <p><i>Encourage the removal of wilding exotic trees at the time of development.</i></p> <p><b>Policy 24.2.4.9</b></p> <p><i>Encourage the planting, retention and enhancement of indigenous vegetation that is appropriate to the area and planted at a scale, density, pattern and composition that contributes to native habitat restoration, particularly in locations such as gullies and riparian areas, or to provide stability.</i></p>	<p><b>Support in part</b></p> <p>The intention of these policies is supported as read together they provide sufficient policy direction regarding retention or removal of vegetation in the Zone.</p> <p>An amendment is proposed to policy 24.2.4.8 as it is not always appropriate or practical to remove wilding pines at the time of development. The policy should provide flexibility where appropriate and its focus should be on preventing wilding spread.</p> <p>An amendment is proposed to policy 24.2.4.9 as the policy should be general to all areas suitable for replanting.</p>	<p>Amend Policy 24.2.4.8:</p> <p><i>Encourage the removal of wilding exotic trees at the time of development, <u>in particular where there is a risk of wilding spread.</u></i></p> <p>Amend Policy 24.2.4.9</p> <p><i>Encourage the planting, retention and enhancement of indigenous vegetation that is <u>ecologically</u> appropriate to the area and planted at a scale, density, pattern and composition that <u>enhances indigenous biodiversity values</u>, <del>contributes to native habitat restoration, particularly in locations such as gullies and riparian areas, or to provide stability.</del></i></p>
<p><b>Policy 24.2.5.1</b></p> <p><i>Provide for rural living, subdivision, development and use of land where it maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 – Landscape Character Units.</i></p>	<p><b>Oppose</b></p> <p>The uncertainty created through the wording of this policy is opposed, as it subjects subdivision, use and development to maintaining or enhancing the values described within the landscape character units defined in Schedule 24.8. Within the WBLP development should be enabled in the first instance. The landscape character units are of greater importance for establishing the limits of appropriate development in the parts of the Wakatipu Basin</p>	<p>Amend policy 24.2.5.1:</p> <p><i>Provide for rural living, subdivision, development and use of land <u>within the Wakatipu Basin Lifestyle Precinct</u> <del>where it maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 – Landscape Character Units.</del></i></p>

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<p><b>Policy 24.2.5.6</b></p> <p><i>Retain vegetation that contributes to landscape character and visual amenity values of the Precinct, provided it does not present a high risk of wilding spread.</i></p>	<p>with lower capacity to absorb development.</p> <p><b>Oppose</b></p> <p>Policy 24.2.5.6 is opposed as it reads as a blanket requirement to retain all vegetation within the Zone, which is not appropriate or likely to produce the best landscape outcomes in all cases.</p> <p>The retention of the two additional policies 24.2.4.8 and 24.2.4.9 (with the amendments discussed above) is supported as these policies are more specific and are considered appropriate guidance on vegetation management in the Zone.</p>	<p>Delete Policy 24.2.5.6</p>																								
<p><b>Table 24.1 – Activities in the Wakatipu Basin Rural Amenity Zone</b></p> <p><b>Rules 24.4.4, 24.4.6, 24.4.7, 24.4.8 and 24.4.18</b></p> <table border="1" data-bbox="219 804 792 1394"> <thead> <tr> <th data-bbox="219 804 344 884">Rule</th> <th data-bbox="344 804 658 884">Table 24.1 – Activities in the WBRAZ</th> <th data-bbox="658 804 792 884">Activity status</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="219 884 792 932"><b>Residential activities and buildings</b></td> </tr> <tr> <td data-bbox="219 932 344 1075">24.4.4</td> <td data-bbox="344 932 658 1075"><i>The alteration of any lawfully established building used for residential activity.</i></td> <td data-bbox="658 932 792 1075">P</td> </tr> <tr> <td data-bbox="219 1075 344 1394">24.4.6</td> <td data-bbox="344 1075 658 1394"><i>The construction of buildings for residential activity that are located within a building platform approved by a resource consent and registered on the applicable Computer Freehold register before 21 March 2019.</i></td> <td data-bbox="658 1075 792 1394">C</td> </tr> </tbody> </table>	Rule	Table 24.1 – Activities in the WBRAZ	Activity status	<b>Residential activities and buildings</b>			24.4.4	<i>The alteration of any lawfully established building used for residential activity.</i>	P	24.4.6	<i>The construction of buildings for residential activity that are located within a building platform approved by a resource consent and registered on the applicable Computer Freehold register before 21 March 2019.</i>	C	<p><b>Oppose</b></p> <p>The blanket approach to construction of buildings across the Zone is opposed. The WBLP has been identified as having the capacity to absorb greater development than the remainder of the Zone. Buildings within the WBLP should be enabled without the requirement for resource consent, as the standards regarding building density, coverage, height, and setbacks are sufficient to ensure positive development outcomes.</p> <p>In the remainder of the Zone, buildings within approved building platforms should be permitted. There is no justification for requiring additional resource consent once a building platform has been approved and development is contemplated. Again, the standards regarding building density, coverage, height and setbacks will ensure development within approved building platforms maintains landscape character and amenity values.</p> <p>In respect of alterations to lawfully established</p>	<p>Amend Table 24.1 to include the following changes:</p> <table border="1" data-bbox="1442 775 2114 1394"> <thead> <tr> <th data-bbox="1442 775 1576 855">Rule</th> <th data-bbox="1576 775 1980 855">Table 24.1 – Activities in the WBRAZ</th> <th data-bbox="1980 775 2114 855">Activity status</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="1442 855 2114 903"><b>Residential activities and buildings</b></td> </tr> <tr> <td data-bbox="1442 903 1576 1011">24.4.4</td> <td data-bbox="1576 903 1980 1011"><i>The alteration of any lawfully established building used for residential activity.</i></td> <td data-bbox="1980 903 2114 1011">P</td> </tr> <tr> <td data-bbox="1442 1011 1576 1394">24.4.6</td> <td data-bbox="1576 1011 1980 1394"><i>The construction of buildings for residential activity within the <u>Wakatipu Basin Rural Amenity Zone</u> that are located within a building platform approved by a resource consent <del>and</del> registered on the applicable Computer Freehold register before 21 March 2019.</i>  <i>Control is reserved over:</i> <i>a. <del>Landscape character;</del></i></td> <td data-bbox="1980 1011 2114 1394"><del>C</del>P</td> </tr> </tbody> </table>	Rule	Table 24.1 – Activities in the WBRAZ	Activity status	<b>Residential activities and buildings</b>			24.4.4	<i>The alteration of any lawfully established building used for residential activity.</i>	P	24.4.6	<i>The construction of buildings for residential activity within the <u>Wakatipu Basin Rural Amenity Zone</u> that are located within a building platform approved by a resource consent <del>and</del> registered on the applicable Computer Freehold register before 21 March 2019.</i>  <i>Control is reserved over:</i> <i>a. <del>Landscape character;</del></i>	<del>C</del> P
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24.4.7	<p><i>The construction of buildings for residential activity that are not provided for in Rule 24.4.5 or 24.4.6 and are not contrary to Rule 24.4.8.</i></p> <p><i>Discretion is restricted to:</i></p> <p><i>a. Landscape character;</i></p> <p><i>b. Visual amenity values;</i></p> <p><i>c. Access;</i></p> <p><i>d. Infrastructure;</i></p> <p><i>e. Landform modification, landscaping and planting (existing and proposed);</i></p> <p><i>f. Natural hazards.</i></p>	RD		24.4.7	<p><i>The construction of buildings for residential activity that are not provided for in <u>Rule 24.4.x</u>, Rule 24.4.5 or 24.4.6 and are not contrary to Rule 24.4.8.</i></p> <p><i>Discretion is restricted to:</i></p> <p><i>a. Landscape character;</i></p> <p><i>b. Visual amenity values;</i></p> <p><i>c. Access;</i></p> <p><i>d. Infrastructure;</i></p> <p><i>e. Landform modification, landscaping and planting (existing and proposed);</i></p> <p><i>f. Natural hazards.</i></p>	RD
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<b>Non-residential activities and buildings</b>						

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	<i>proposed); f. Natural hazards.</i>			<u>24.4.xx</u>	<u><i>The alteration of any lawfully established building used for non-residential activity</i></u>	<u><i>P</i></u>
24.4.8	<i>The construction of buildings for residential activity outside a building platform approved by a resource consent and registered on the applicable Computer Freehold Register on a site where there is such a building platform.</i>	NC		24.4.18	<i>The construction and alteration of non-residential buildings not otherwise provided for in Table 24.1.  Discretion is restricted to: a. Landscape character; b. Visual amenity values; c. Access; d. Natural hazards e. Infrastructure; f. Landform modification, landscaping and planting (existing and proposed);</i>	RD
<b>Non-residential activities and buildings</b>						
24.4.18	<i>The construction and alteration of non-residential buildings not otherwise provided for in Table 24.1.  Discretion is restricted to: a. Landscape character; b. Visual amenity values; c. Access; d. Natural hazards e. Infrastructure; f. Landform modification, landscaping and</i>	RD				

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	<i>planting (existing and proposed);</i>								
<p><b>Table 24.2 – Activities in the Wakatipu Basin Lifestyle Precinct</b></p> <p><b>New Rule 24.4.x</b></p>	Residential buildings should be enabled in the Precinct, where all standards in Table 24.3 can be complied with.	Amend Table 24.2 as follows:	<table border="1"> <thead> <tr> <th colspan="2"><i>Table 24.2: Activities in the Wakatipu Basin Lifestyle Precinct</i></th> <th><i>Activity status</i></th> </tr> </thead> <tbody> <tr> <td><i>24.4.x</i></td> <td><i>The construction of buildings for residential activity within the Wakatipu Basin Lifestyle Precinct.</i></td> <td><i>P</i></td> </tr> </tbody> </table>	<i>Table 24.2: Activities in the Wakatipu Basin Lifestyle Precinct</i>		<i>Activity status</i>	<i>24.4.x</i>	<i>The construction of buildings for residential activity within the Wakatipu Basin Lifestyle Precinct.</i>	<i>P</i>
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<i>24.4.x</i>	<i>The construction of buildings for residential activity within the Wakatipu Basin Lifestyle Precinct.</i>	<i>P</i>							
<p><b>Clearance of exotic vegetation</b></p> <p><b>Rule 24.4.29</b></p> <p><i>Clearance, works within the root protection zone or significant trimming of exotic vegetation that is of a height greater than 4 metres.</i></p> <p><i>Discretion is restricted to:</i></p> <ul style="list-style-type: none"> <li><i>The extent of clearance;</i></li> <li><i>Trimming and works within the root protection zone;</i></li> <li><i>Replacement planting.</i></li> </ul> <p>Activity status: RD</p>	<p><b>Oppose</b></p> <p>The introduction of this new rule for the Zone requiring resource consent as a restricted discretionary activity for clearance, works within the root protection zone or significant trimming of exotic vegetation greater than 4m in height is opposed. The rule is considered inefficient, difficult to administer and would act against the higher order objectives of the plan to avoid the spread of wilding trees and to also enhance natural ecosystems. The rule is sought to be deleted.</p>	Delete Rule 24.4.9							
<p><b>Building Size and Building Coverage</b></p> <p><b>Rule 24.5.4 - Building Size</b></p> <p><i>Where a residential building is constructed within a building platform under Rule 24.4.6, the ground floor area of all buildings must not exceed 500m<sup>2</sup>.</i></p> <p><b>Rule 24.5.5 Building coverage</b></p> <p><i>The ground floor area of all buildings not subject to Rule 24.5.4 must not exceed 15% of net site area, or 500m<sup>2</sup> ground floor area, whichever is</i></p>	<p><b>Support in part</b></p> <p>Amendments are sought to both rules so that the building size and coverage standards are assessed per individual building, to ensure the standards are not overly restrictive and provide for planning flexibility</p>	Amend Rules 24.5.4 and 24.5.5 as follows:	<p>Rule 24.5.4 - Building Size</p> <p><i>Where a residential building is constructed within a building platform under Rule 24.4.6, the ground floor area of <del>all buildings</del> any individual building must not exceed 500m<sup>2</sup>.</i></p> <p>Rule 24.5.5 Building coverage</p> <p><i>The ground floor area of <del>all buildings</del> any individual building not subject to Rule 24.5.4 must not exceed 15% of net site</i></p>						

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<i>lesser.</i>		<i>area, or 500m<sup>2</sup> ground floor area, whichever is lesser.</i>
<p><b>Rule 24.5.7 – Height of buildings</b></p> <p><b>Rule 24.5.7.1</b> <i>The maximum height of buildings shall be 6m.</i></p> <p>[non-compliance: RD]</p> <p><b>Rule 24.5.7.2</b> <i>The maximum height of buildings shall be 8m.</i></p> <p>[non-compliance: NC]</p>	<p><b>Oppose</b></p> <p>The effect of the two rules is that it is a restricted discretionary activity to have a building between 6 and 8m in height. The proposed height limitation of 6m as a permitted activity is considered overly restrictive. An 8m height limitation is more consistent with the ODP and PDP zones.</p>	<p>Amend Rule 24.5.7 as follows:</p> <p><del>Rule 24.5.7.1</del> <i>The maximum height of buildings shall be 6m.</i></p> <p>[non-compliance: RD]</p> <p><del>Rule 24.5.7.2</del> <i>The maximum height of buildings shall be 8m.</i></p> <p>[non-compliance: NC]</p>
<p><b>Rule 24.5.8 – Setback from roads</b></p> <p><i>The minimum setback of any building from road boundaries shall be 75m in the Precinct and 20m elsewhere in the Rural Amenity Zone.</i></p> <p>[non-compliance: RD]</p>	<p><b>Oppose</b></p> <p>A 75m setback from road boundaries within the Lifestyle Precinct is opposed. The Lifestyle Precinct has been identified as having greater capacity for change, deriving in part from the nature of existing development undertaken in accordance with the Operative District Plan zoning. Imposing a setback 65m greater than under the existing regime will establish a meaningless standard that cannot be defended against the established environment in many instances.</p> <p>Moreover, having a standard of 20m for the Zone, outside of the Lifestyle Precinct, will exacerbate problems in the context of areas with supposedly high landscape qualities. Accordingly, it is considered more appropriate and practicably workable to rely on a 10m setback across the entire Zone.</p>	<p>Amend Rule 24.5.8 Setback from Roads, as follows:</p> <p><i>The minimum setback of any building from road boundaries shall be <del>75m in the Precinct and 20m elsewhere</del> <u>anywhere</u> in the <del>Rural Amenity Zone.</del></i></p> <p>[non-compliance: RD]</p>
<p><b>24.7 Assessment Matters – Restricted Discretionary Activities</b></p> <p><b>24.7.2</b> <i>All proposals for controlled activities or restricted discretionary activities will also be assessed as to whether they are consistent with the objectives and policies relevant to the identified matters of control or discretion (as</i></p>	<p><b>Oppose</b></p> <p>The cross-references to the higher order strategic direction, urban development and landscape chapters are opposed. Without the specific amendments to the provisions of these higher order chapters, the existing chapters would create fundamental conflicts that would</p>	<p>Delete provision 24.7.2</p>

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<i>applicable) in this chapter 24 as well as those in chapter 3 – Strategic direction; Chapter 4 – Urban Development; Chapter 6 – Landscapes and Character and Chapter 28 – Natural Hazards.</i>	undermine the specific direction offered for the Wakatipu Basin Rural Amenity Zone through Chapter 24.	
<b>Schedule 24.8 – Landscape Character Units</b> <b>Landscape Character Unit 2 Fitzpatrick Basin</b> <b>Landscape Character Unit 3 Shotover River Terrace</b>	<b>Oppose</b> The amendment to the Landscape Character Unit boundaries between LCU 2 and 3 is opposed. It is considered that the Land more appropriately sits within LCU 2 Fitzpatrick Basin and further, that there was no scope to amend the Landscape Character Unit boundaries.	Amend Schedule 24.8 – Landscape Character Units so that the Land is removed from LCU 3 Shotover River Terrace and re-included in LCU 2 Fitzpatrick Basin, as per the notified Chapter 24.
<b>Chapter 27 Subdivision</b>		
<b>Rule 27.5.9</b> <i>All subdivision activities, unless otherwise provided for, in the Wakatipu Basin Rural Amenity Zone or the Wakatipu Basin Lifestyle Precinct.</i> ... [Activity status: Restricted Discretionary]	<b>Oppose</b> Controlled default activity status for subdivision in the Wakatipu Basin is sought.  It is considered unnecessary and unreasonable to require restricted discretionary consent for subdivision, where such subdivision is subject to and compliant with minimum average lot densities, and when development is subject to various standards to ensure landscape character and visual amenity is maintained or enhanced. Where subdivision and development comply with these standards and minimum average densities, enforcing a restricted discretionary subdivision regime unreasonably restricts the development rights of landowners and creates unnecessary uncertainty.	Amend Rule 27.5.9 by amending the activity status of subdivision to controlled.  <i>All subdivision activities, unless otherwise provided for, in the Wakatipu Basin Rural Amenity Zone or the Wakatipu Basin Lifestyle Precinct.</i> ... [Activity status: <del>Restricted Discretionary</del> <u>Controlled</u> ]
<b>27.6 rules – Standards for Minimum Lot Areas</b> <i>27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, an average net site area less</i>	<b>Oppose</b> The 80ha minimum lot size in the WBRAZ is opposed. This is an illogical and arbitrary value	Amend 27.6 rules – Standards for Minimum Lot Areas <i>27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, an average net site area less than the minimum specified.</i>

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<i>than the minimum specified.</i>			<p>that is not representative of existing landholdings in the Wakatipu Basin, which will not be able to be reasonably enforced, and which will unreasonably limit appropriate development.</p> <p>No minimum lot size in the WBRAZ is supported, in accordance with the approach taken for the Rural Zone and Gibbston Character Zone.</p>	<table border="1"> <thead> <tr> <th colspan="2">Zone</th> <th>Minimum Lot Area</th> </tr> </thead> <tbody> <tr> <td><del>Rural</del></td> <td>Wakatipu Basin Rural Amenity Zone</td> <td><del>80ha</del></td> </tr> <tr> <td></td> <td>Wakatipu Basin Lifestyle Precinct</td> <td>6000m<sup>2</sup> 1.0ha minimum average</td> </tr> </tbody> </table>			Zone		Minimum Lot Area	<del>Rural</del>	Wakatipu Basin Rural Amenity Zone	<del>80ha</del>		Wakatipu Basin Lifestyle Precinct	6000m <sup>2</sup> 1.0ha minimum average
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<del>Rural</del>	Wakatipu Basin Rural Amenity Zone	<del>No minimum 80ha</del>													
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<b>Planning Maps</b>															
<b>Planning Maps 13d and 31</b>			<p><b>Oppose</b></p> <p>Zoning of the Land as Wakatipu Basin Rural Amenity Zone is opposed as this zoning does not reflect the actual established character of the Land and surrounding area as mixed rural lifestyle/rural residential in nature, and fails to recognise the capacity of the Land to absorb further appropriate development. It inappropriately limits the building rights of the landholder and does not recognise the social, cultural and economic benefits of rural living development.</p>	<p>Delete the Variation and Map 13d and rezone the Land at Lot 1 DP476877 to Rural Lifestyle Zone, as sought in the ORFEL Stage 1 submission.</p> <p>In the alternative, rezone the Land to Wakatipu Basin Lifestyle Precinct, in accordance with the notified version of the Variation.</p> <p>Amend Schedu</p>											
<b>Visitor Accommodation Variation to Chapter 24 Wakatipu Basin rural Amenity Zone</b>															
<p><b>Policy 24.2.5.3</b></p> <p><i>Provide for non-residential activities, including restaurants, visitor accommodation, and commercial recreation activities while ensuring</i></p>			<p><b>Support in part</b></p> <p>The addition of a policy enabling non-residential activities within the Precinct is supported,</p>	<p>Amend Policy 24.2.5.3:</p> <p><i>Provide for non-residential activities, including restaurants, visitor accommodation, <u>residential visitor accommodation and homestays</u>, and commercial recreation activities while</i></p>											

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<p><i>these are appropriately located and of a scale and intensity that ensures that the amenity, quality and character of the Precinct is retained.</i></p>	<p>however the policy should be extended to include residential visitor accommodation and homestays, which are also part of the existing land use and established character of the Precinct, and can be appropriately accommodated while retaining amenity, quality and character.</p>	<p><i>ensuring these are appropriately located and of a scale and intensity that ensures that the amenity, quality and character of the Precinct is retained.</i></p>												
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