

**Submission on a Publicly Notified
Proposal for Policy Statement or Plan**

To: **Queenstown Lakes District Council** (“Council”)

Name of Submitter: **Gibbston Valley Station Limited** (“Submitter”)

Introduction

1. Stage 3b of the Proposed Queenstown Lakes District Plan (“PDP”) was notified on 31 October 2019 and:¹

... introduces a new Chapter 46 Rural Visitor Zone and a series of zoning proposals, mapping notations, and variations and amendments to parts of zones and chapters that were decided through Stages 1 and 2 (including variations to the following Proposed District Plan Chapters: Chapter 25 Earthworks; Chapter 27 Subdivision and Development; Chapter 31 Signs; and Chapter 36 Noise).
2. The Submitter has an interest in the PDP as a whole, and as such, the submission relates to the PDP in its entirety, including those chapters listed in the public notice.
3. The Submitter could not gain an advantage in trade competition through this submission.
4. The Submitter has particular interest in Chapter 46 – Rural Visitor Zone and Planning Map 13 and 15a.
5. The Submission relates to *part* of a particular “Site”, located in the Gibbston Valley and is legally described as Lot 4 DP 27586 – Gibbston Valley Station. The Site is shown on the plan contained in Figure 1 below and **Annexure A** (and shown on Planning Maps 13 and 15a of the PDP).

Submission

6. The Submitter **supports** the Rural Visitor Zone **subject to**:
 - (a) the amendment to Planning Maps 13 and 15a to include the Site within the Rural Visitor Zone; and
 - (b) any consequential amendments to facilitate the Site being subject to Chapter 46 – Rural Visitor Zone and not its previous underlying zoning; and
 - (c) any refinements to the provisions of Chapter 46 to better achieve the purpose of sustainable management.

¹ <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Proposed-District-Plan/PDP-Stage-3b/FINAL-Stage-3b-Public-Notice.pdf>



Figure 1: Site location plan with District Plan Zones (boundary indicative)

Reasons for the Submission

- 7. The reasons for the Submission include, but are not limited to, the following:
 - (a) Gibbston Valley is a highly desirable and popular tourist destination. This Submission presents an opportunity to provide for the growth and diversification of the visitor industry within Gibbston Valley at a level commensurate to the landscape values it sits within.
 - (b) The Site adjoins (to the east of) the recently adopted Gibbston Valley Resort Zone [Gibbston Valley Station Ltd v QLDC consent order resolving Appeal ENV-2018-CHC-54] which is intended to provide for the development of a resort principally for visitor accommodation with an overall focus on onsite visitor activities based on the rural resources of the Gibbston Valley, winery tourism, and appreciation of the landscape. The Resort Zone also accommodates a small amount of residential activity and a Vintners Village which provides small scale commercial and business activities.
 - (c) Including the Site within the Rural Visitor Zone will be complimentary to the Resort Zone and activities that are developing and will develop within the Resort Zone.
 - (d) Both Gibbston Valley Station and Gibbston Valley Winery (also owned by the Submitter) have had significant investment in infrastructure and there are opportunities to utilise existing base services including water supply, wastewater treatment/disposal, and stormwater, maximising the efficient use of existing resources.
 - (e) Access to the Site would be via an existing legal road (Resta Road) or via one or a number of the four existing accesses approved for Gibbston Valley Station.
 - (f) The Rural Visitor Zone Purpose at 46.1 states that:

... the Rural Visitor Zone provides for visitor industry activities in remote locations within Outstanding Natural Landscapes at a limited scale and intensity, where each particular Zone can accommodate the adverse effects of land use and development.

- (g) The Site is located in part within an Outstanding Natural Landscape (“**ONL**”), being that land zoned Rural, and part within the Gibbston Character Zone (which irrespective of the landscape values is precluded from being classified as an ONL under the PDP).
- (h) The introduction of a Rural Visitor Zone to the Site in Gibbston Valley strongly aligns with Chapter 46, in particular the purpose of the Zone and outcomes directed through its objectives and policies. The rules provide appropriate safeguards and controls on activities within the Zone including the location of buildings outside of landscapes of high visual sensitivity and controls on building development to ensure landscape values are considered and reflected in the building design.
- (i) In consideration of the objectives and policies for the Chapter 46 – Rural Visitor Zone:
 - (i) The introduction of a Rural Visitor Zone to the Site strongly aligns with **Objective 46.2.1** which directs visitor accommodation, commercial recreation commercial activities within appropriate locations that maintain or enhance the values of Outstanding Natural Landscapes. The associated policies give effect to the objective through a range of measures, including controls on activities (**Policy 46.2.1.1 and 46.2.1.5**), providing for tourism-related activities (**Policy 46.2.1.2**), the enhancement of nature conservation values (**Policy 46.2.1.3**), recognising the remote location and the need for self-reliance (**Policy 46.2.1.4**), the need to protect and enhance landscape values (**Policy 46.2.1.6**), and avoiding residential development (**Policy 46.2.1.7**).
 - (ii) **Objective 46.2.2** enables buildings and development that have a visitor industry related use where landscape character and visual amenity values are maintained or enhanced. Buildings can be consolidated in an area that is not identified as a High Landscape Sensitivity Area on the District Plan maps (**Policy 46.2.2.1**) and through the control of building external appearance, landscape character and visual amenity values of the Outstanding Natural Landscape can be maintained or enhanced (**Policy 46.2.2.2**). Lighting can be managed to avoid excessive glare (**Policy 46.2.2.4**) and the necessary services can be provided for (**Policy 46.2.2.6**).
- (j) Turning to the objectives and policies within Chapter 3 - Strategic Directions:
 - (i) The introduction of a Rural Visitor Zone to the Site strongly aligns with the outcomes sought by the development of a prosperous, resilient and equitable

economy in the District (**SO 3.2.1**) that realises the significant socioeconomic benefits of well-designed and appropriately located visitor industry facilities and services (**SO 3.2.1.1**), the diversification of the District's economic base and creation of employment opportunities through the development of innovative and sustainable enterprises (**SO 3.2.1.6**), the diversification of land use in rural areas beyond traditional activities that maintains the character of rural landscapes (**SO 3.2.1.8**), and the landscape and visual amenity values and the natural character of Outstanding Natural Landscapes are protected from adverse effects of subdivision, use and development that are more than minor (**SO 3.2.5.1**).

- (ii) Non-residential development with a functional need to locate in the rural environment is to be provided for through a planning framework that recognises its locational constraints, while ensuring maintenance and enhancement of the rural environment (**SP 3.3.25**). Adverse effects on the landscape and visual amenity values and natural character of the District's Outstanding Natural Landscapes that are more than minor are to be avoided (**SP 3.3.30**).
- (k) The adoption of the Rural Visitor Zone to the Site will give rise to positive effects by enhancing existing popular visitor industry activities, including the expansion and diversification of activities in the area including vineyard tours, wine tasting, cycle touring and other recreation activities, into a location that currently has limited visitor accommodation facilities but is already attractive to a high end visitor market. A carefully managed zone would be an asset to the district and create opportunities for visitors to experience the natural scenic values and heritage values of Gibbston.
- (l) In terms of section 32AA of the Resource Management Act 1991:
 - (i) The "proposal" is the inclusion of the Site within Rural Visitor Zone of Chapter 46 and Planning Map 13 and 15a of the PDP.
 - (ii) The objectives of the proposal align with those within Chapter 46, and as set out above, are the most appropriate way to achieve the purpose of the RMA.
 - (iii) The proposal is the most reasonably practicable option to achieve the objectives, and the provisions are efficient and effective to give effect to the objectives and policies for the Rural Visitor Zone, and higher order strategic objectives and policies.
 - (iv) In terms of the costs and benefits [section 32(2)], not including the Site within the Rural Visitor Zone would be seen as discouraging and disabling of the growth and diversification of visitor attractions and facilities in an already popular area. Without the support of the planning framework afforded by Chapter 46, many activities would

be subject to onerous consenting pathways where the objectives and policies under which applications are assessed, do not appropriately acknowledge the growth of visitor activity in the area and the change in facilities sought by the visitor market. Adopting the Rural Visitor Zone would support, expand and diversify the range of activities offered in a manner that allows for visitors to appreciate the connection that the area has to the wider district. Development and use of the zone would create economic growth and foster further employment opportunities. The risk of not acting would result in lost opportunity to expand in a growing market and stymie development based on a misaligned planning framework, all of which would be at odds with the strategic objectives and policies referred to above.

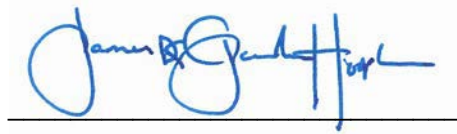
8. Granting the relief as sought will:
- (a) provide for visitor industry activities at a location (the Site) within a landscape that can accommodate change while avoiding, remedying and mitigating adverse effects on an ONL (section 6 of RMA);
 - (b) enhance visitor industry activities within an increasingly popular location;
 - (c) enable the social, economic and cultural well-being of the community;
 - (d) meet the reasonably foreseeable needs of future generations;
 - (e) represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means; and
 - (f) promote the sustainable management of natural and physical resources, will be consistent with Part 2 of the RMA and ultimately achieve its purpose.

Relief sought:

9. The Submitter requests the following decision:
- (a) amend Planning Maps 13 and 15a is to include the Site (as identified in **Annexure A**) within the Rural Visitor Zone, with the removal of the previous zoning and respective overlays on the Planning Map that pertain to these properties; and
 - (b) adopt Chapter 46 – Rural Visitor Zone, with appropriate amendments as sought in or to otherwise address the issues raised in this Submission; and
 - (c) any other additional or consequential relief to the PDP, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in this submission.

10. The suggested revisions contained in this Submission do not limit the generality of the reasons for the submission.
11. The Submitter wishes to be heard in support of its submission.
12. If others make similar submissions, the Submitter will consider presenting a joint case at any hearing.

DATED 2 December 2019

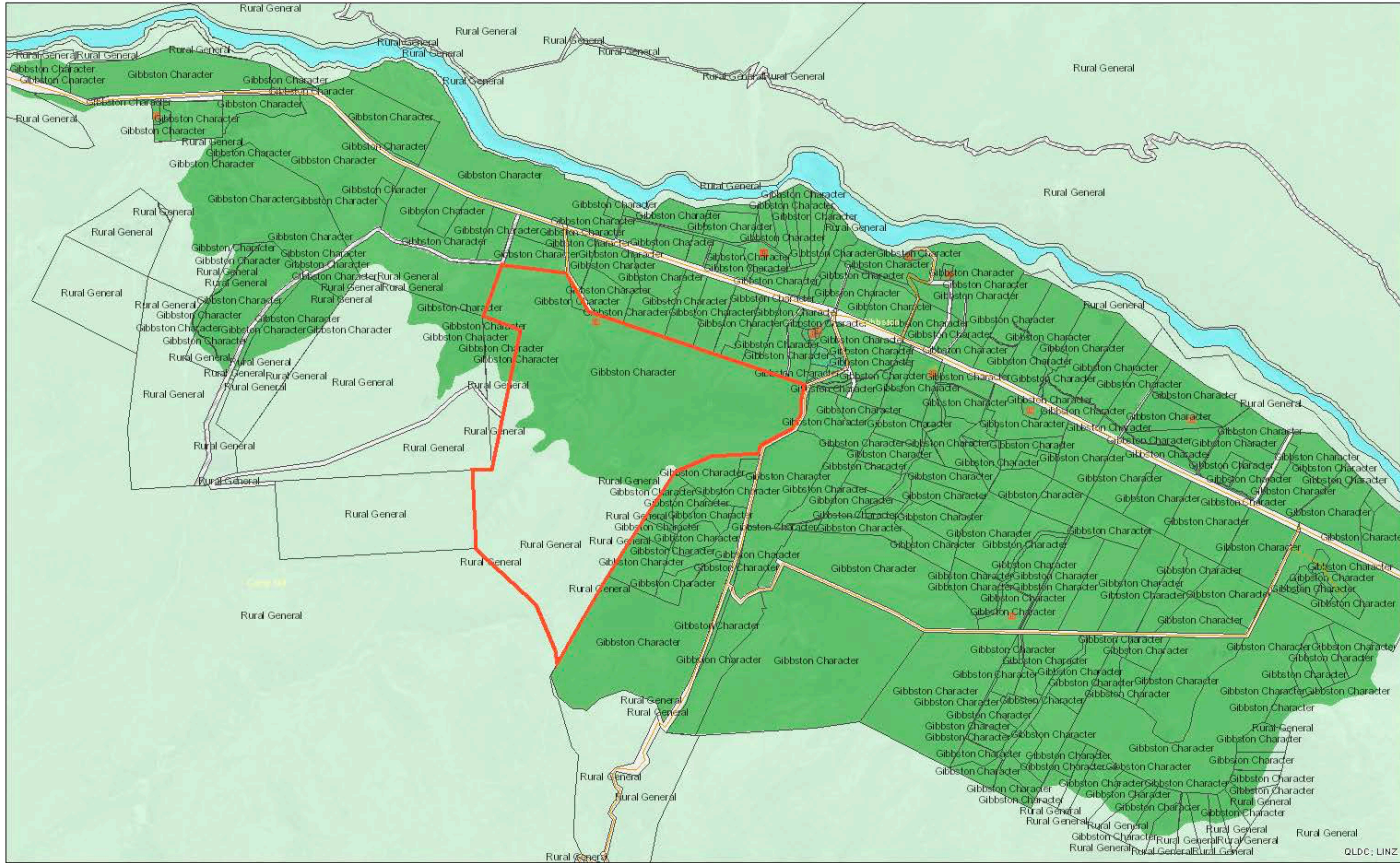


The Submitter's address for service is C/- James Gardner-Hopkins, Barrister, PO Box 25-160, Wellington 6011.

Documents for service on the Submitter may be sent to that address for service or may be emailed to james@jghbarrister.com. Service by email is preferred, with receipt confirmed by return email.

Annexure A (indicative location)

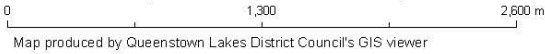
QLDC WebMaps



The information provided on this map is intended to be general information only. While considerable effort has been made to ensure that the information provided on this site is accurate, current and otherwise adequate in all respects, Queenstown Lakes District Council does not accept any responsibility for content and shall not be responsible for, and excludes all liability, with relation to any claims whatsoever arising from the use of this site and data held within.



Scale @A3 paper size - 1:17,811



Map date:
2/12/2019

