

**BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL**

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER OF

Queenstown Lakes Proposed District Plan –  
Strategic Direction (3) and Landscape (6)  
Chapters

**STATEMENT OF EVIDENCE OF TIMOTHY WILLIAMS**

## **Introduction**

1. My name is Timothy Williams. I hold the qualifications of Bachelor of Resource Studies from Lincoln University and Masters of Urban Design and Development with Distinction from The University of New South Wales. I reside in Queenstown.
2. I have practiced in the planning and urban design field since 2003 and I am currently employed by Southern Planning Group as a resource management planning consultant/urban designer.
3. Since 2003 I have been involved in a wide range of resource management issues both as a Council planner and urban designer and as a consultant. This experience includes the design review/planning consideration of master planned developments, review and formulation of District Plan provisions/Zone changes including a wide range of rural subdivision and tourism related activities within the Rural zone of the Queenstown Lakes District.
4. Whilst I acknowledge that this is a Council hearing I confirm that I have read the Code of Conduct for Expert Witnesses outlined in the Environment Court's Consolidated Practice Note 2014 and have complied with it in preparing this evidence.
5. I have read the Section 32 reports and supporting documentation and the Section 42A reports prepared by the Council officers with respect to the Strategic Directions and Landscapes chapters of the Proposed District Plan ("PDP"). I have considered the facts, opinions and analysis in this documentation when forming my opinions which are expressed in this evidence.
6. I confirm that the matters addressed in this brief of evidence are within my area of expertise and that I have not omitted to consider material facts known to me that might alter or detract from my opinions.

## **Scope of Evidence**

7. I have been engaged by the following submitters to provide expert planning evidence on the proposed Strategic Direction (Chapter 3) and Landscape (Chapter 6) Chapters of the Queenstown Lakes District Council's Proposed District Plan (PDP):
  - Skyline Enterprises Limited –Submission # 574;
  - Totally Tourism Limited – Submission # 571;

- Shotover Trust – Submitter # 248 (Al Spary);
  - Speargrass Trust – Submitter # 557 (Al Spary);
  - Boundary Trust Submitter # 541 (Ferg Spary);
  - Spruce Grove Trust (Malaghan Road) – Submission # 558 (Don Spary);
  - Spruce Grove Trust (Butel Road) – Submission # 559 (Don Spary);
  - Morven Ferry Limited – Submission # 629;
  - Barnhill Corporate Trustee Limited & DE, ME Bunn & LA Green Submission # 626;
  - Alexander Kenneth and Robert Barry Robins & Robins Farm Limited – Submission # 594;
  - Banco Trustees Limited – Submitter # 403;
  - Lesley and Jerry Burdon – Submitter # 581;
  - J M Martin – Submitter # 565;
  - Slopehill Joint Venture – Submission No. 537;
8. The matters raised in these submissions whilst varying strike a similar theme in that the proposed plan as notified does not provide an appropriate balance between enabling growth within the District's rural landscapes, and protecting landscape values. A summary of the submissions is attached to my evidence, **Appendix [A]**.
9. My brief of evidence is set out as follows:
- a) Comment on Strategic Direction Chapter 3
  - b) Comment on Landscape Chapter 6
  - c) Summary of my opinions
  - d) **Appendix [A]** summary of submitters' submissions.
  - e) **Appendix [B]** my review of the provisions of Chapter 3 of the PDP and a summary of my recommendations with an accompanying evaluation in accordance with Section 32A
  - f) **Appendix [C]** my review of the provisions of Chapter 6 of the PDP and a summary of my recommendations with an accompanying evaluation in accordance with Section 32A

### **Strategic Direction**

10. The objectives and provisions of the Strategic Direction chapter 'set the scene' and provide a high level policy framework for the balance of the PDP. I support the philosophy of having higher order provisions as set out in this chapter.

11. However, in my opinion the approach of Strategic Directions Chapter and the issues identified in the Council's Section 32 Report are too narrowly focused on the pressures of urban growth and development and the protection of the rural environment from these pressures.
12. The Strategic Direction Chapter fails to: a) recognise the significant contribution of commercial recreation and tourism development to the economic prosperity and well-being of the District<sup>1</sup>; and b) provide for rural living opportunities which enable people and communities to provide for their wellbeing.
13. In respect to the protection of the rural environment, the Section 32 Report promotes, in my opinion, incorrectly, the idea that farming on large landholdings is a key factor supporting the retention of large open landscapes with low housing density; and the overall management of rural landscape values<sup>2</sup>. There are different landscape characteristics and land uses within the rural environments of this District and therefore it is inappropriate, in my opinion, to premise the entire rural environment on one paradigm. For example, the Wakatipu Basin does not have the same landscape character and land use arrangements as Hawea Flat.
14. It is appropriate that the Strategic Directions Chapter should provide a high level direction for protection and maintenance of the District's landscapes, as I agree that these environments are revered nationally and internationally. They contribute significantly to the District's amenity and attraction as a tourist destination and place to live.
15. However in my opinion Objective 3.2.5.1 as currently drafted provides no recognition of the potential of 'development' to be appropriate, or recognition that development can enhance and have positive effects on these landscapes. In some rural areas non-rural use and development (in the traditional sense) is already an integral part of that landscape character.
16. Given the the enabling purpose of the Act and the significant economic and social benefits that can derive from development it is my opinion that it is appropriate to recognise that certain 'development' in the Rural Zone can be acceptable (achieving the purpose of the Act). It is 'inappropriate' development that the Rural Zone should be protected against. The Objective 3.2.5.1 is proposed (in the Section 42A Report) to be drafted as follows :

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<sup>1</sup> Strategic Directions Chapter Proposed District Plan

<sup>2</sup> QLDC Section 32 Evaluation Report – Strategic Direction, Page 10

*“Protect the quality of the Outstanding Natural Landscapes and Outstanding Natural Features from subdivision, use and development.”*

17. I have read the reporting officers comments on this matter<sup>3</sup> and disagree that it is appropriate to rely on Section 6(b) of the RMA to provide the context of this Objective in regards to any specific resource consent application.
18. In my opinion the objective should be clear and its interpretation should not rely on an independent assessment of the proposal against Part 2 matters under the Act.
19. There are Outstanding Natural Features and Outstanding Natural Landscapes that are unsuitable for subdivision, use and development. There are also areas where development in those environments can be appropriate and the Objective should acknowledge this explicitly.
20. An example is the Skyline Gondola and Restaurant and its associated commercial recreation facilities on Bob’s Peak. These existing facilities sit within the PDP Rural Zone – Outstanding Natural Landscape and contribute significantly to the economic growth and sustainability of tourism and employment in the District.
21. The development of the Skyline site has enabled the general public to experience and enjoy the landscape values that make this District unique. In my opinion, the abovementioned Objective and its supporting Policies do not provide for this interrelationship between development and positive effects. For example, any further modification of the Skyline site would be difficult to align with the Objective as it is currently drafted.
22. Accordingly, it is my opinion that Objective 3.2.5.1 as drafted in the Section 42A report should be amended to enable consideration and ultimately approval of suitably sensitive subdivision, development and use within the PDP’s Rural Zone (Outstanding Natural Landscape and Outstanding Natural Features). Specifically, I consider that this Objective should be amended as follows:

~~*“Protect the quality of the Outstanding Natural Landscapes and Outstanding Natural Features from subdivision, use and development.”*~~

*“Protect the quality of the Outstanding Natural Landscapes and Outstanding Natural Features from inappropriate subdivision, use and development.”*

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<sup>3</sup> QLDC Section 42A Report, paragraph 12.103 pages 32-33

23. These amendments would also mean that the Objective sits more comfortably with proposed Objectives 3.2.1.4 and 3.2.6.1.
24. With regard to the strategic policy direction for the Rural Zones *Rural Landscape Classification* outlined by Objective 3.2.5.2 and Policy 3.2.5.2.1 it is my interpretation that the wording as notified seeks to enable subdivision, use and development where the potential adverse effects are minimised. This is also accepted by the reporting officer in the Section 42A Report.<sup>4</sup>
25. I support this approach however, the wording as notified is unclear as it does not utilise the correct zoning/landscape classification and does not reflect the Act's purpose and terminology. I do not consider the amended wording proposed within the Section 42A Report<sup>5</sup> sufficiently addresses the issues either. The wording of the objective will lead to considerable debate in my opinion because of the uncertainty of meaning.
26. Accordingly, I consider that the wording of Objective 3.2.5.2 as proposed in the Section 42A Report should be amended as follows to better establish a framework for distinguishing the different landscape character and ability for this landscape to absorb development:
- ~~“Maintain and enhance the landscape character of the Rural Landscape Classification, whilst acknowledging the potential for managed and low impact change.”~~
- “Recognise the landscape character and visual amenity values of the Rural Landscape Classification.”
27. Policy 3.2.5.2.1 which supports the abovementioned Objective also needs to be amended to better implement the Objective and align with the purpose of the RMA. I note the Section 42A Report deleted this policy but in my opinion it is appropriate to have a policy that supports this objective. Specifically, I consider that this Policy should be amended as follows:
- ~~“Identify the District’s Rural Landscape Classification on the District Plan Maps, and minimise Avoid remedy or mitigate the adverse effects of subdivision, use and development on these landscapes the Rural Landscape Classification.”~~

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<sup>4</sup> QLDC Section 42A Report, Strategic Directions Chapter, paragraph 12.105, page 33.

<sup>5</sup> QLDC Section 42A Report, Strategic Directions Chapter, page 34.

28. Objective 3.2.5.3 directs new subdivision, use and development to areas of the Rural Zone that have the capacity to absorb change. I agree that development in the Rural Zone should only occur where the resulting changes to the landscape can be appropriately absorbed.

29. Accordingly, I recommend the following changes to the originally notified wording of this Objective, as it gives direction as to what 'potential to absorb' means :

*~~“Direct new~~ Enable subdivision, use or development to occur in those areas where adverse effects on landscape and visual amenity values can be avoided, remedied or mitigated.~~which have potential to absorb change without detracting from landscape and visual amenity values.”~~*

30. I also agree with the reporting officers comments that Policy 3.2.5.3.1. should be deleted in its entirety as the matters it seeks to address (urban development within Urban Growth Boundaries) are better addressed within Chapter 4 – Urban Development<sup>6</sup>.

31. With regard to Objective 3.2.5.4 I consider that the currently proposed wording appears to assume that there is a predetermined capacity for development in the Rural Zone when this is not the case. The wording is also ambiguous and more of a statement than an objective. In my opinion Objective 3.2.5.4 would better direct and inform the relevant supporting Policies 3.2.5.4.1 and 3.2.5.4.2 if it were amended to read as follows:

*~~“Recognise there is a finite~~ Provide for residential activity in rural areas if the qualities of our while recognising the importance of the District's landscapes. ~~are to be maintained.”~~*

32. The Strategic Direction Chapter gives preference to farming activity in rural areas by virtue of Objective 3.2.5.5 and its supporting Policies 3.2.5.5.1 & 3.2.5.5.2.

33. In my opinion it is inappropriate to promote one form of land use over other competing land uses such as commercial tourism, recreation and viticulture, for example. Following my review of the Council reports it is my opinion that there is no factual basis to support this objective (3.2.5.5) and supporting policies. I do not agree that agricultural landuse is fundamental to the District's landscapes because other landuse can provide for the same and in many cases enhanced and more sustainable landscape outcomes.

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<sup>6</sup> QLDC Section 42A Report, Strategic Directions Chapter, paragraph 12.106, page 33.

34. There are many areas of the Queenstown Lakes District that whilst pastoral in appearance, are not independent economically viable pastoral farming operations.
35. For example, the Wakatipu Basin has pockets of low intensity sheep and beef farming. However, this land use is not necessarily productive in an economic sense. For example the Barnhill Corporate Trustee Limited & DE, ME Bunn & LA Green submission outlines the difficulties and challenges with trying to farm their land and identifies that it is not considered economically sustainable.
36. There are also rural areas that are highly valued for their landscape character that are not farmed at all such as tree planting on the Ladies Mile and the tree lined avenues and amenity planting on Speagrass Flat Road. In my opinion activity associated with development can enhance landscape qualities in landscapes where a layer of human habitation forms part of its valued qualities. I consider this to be the case in areas such as the Wakatipu Basin.
37. Intentionally directing these areas to be retained for farming activity in the future would not in my opinion meet the purpose of the Act particularly when alternative land use can maintain existing landscape values and result in positive effects for the District.
38. For example, a polo field and equestrian centre has been recently approved by consent (RM150118 TJ Investments PTE Limited & TA Property Trust Limited). Achieving a diversified rural land use including activities such as this would be uncertain given this proposed Objective and its supporting policies. Notwithstanding such activities can logically only be accommodated within a Rural Zone and do maintain rural character and open space.
39. The Objective and Policies as notified do not provide for commercial recreation and tourism which often operates in the Rural Zone of the District due to the need to utilise certain landscapes and geographic features for example Canyon Swing or (for the separation from noise sensitive receivers) scenic aircraft flights.
40. Given the above, in my opinion it is important that the Objective and its supporting Policies are amended to recognise that there are other activities that utilise the resources of the Rural Zone and that diversification from pastoral farming will be necessary in some locations to provide for the economic well-being of the District's residents. My suggested alterations to achieve this are outlined below:

***“Objective 3.2.5.5 Recognise that agricultural land use and other activities that rely on rural resources is are fundamental to the character of our landscapes.”***

***“Policy 3.2.5.5.1 ~~Give preference to~~Enable farming and other activities that rely on rural resources ~~activity~~ in rural areas except where it conflicts with significant nature conservation values.”***

***“3.2.5.5.2 Recognise that the retention of the character of rural areas ~~is often~~ can be dependent on the ongoing viability of farming and other activities that rely on rural resources and that evolving forms of agricultural and other land uses which may change the landscape are anticipated.”***

41. Maintaining the theme of diversified land use I have mentioned above, in my opinion a fundamental oversight in the Strategic Direction Chapter is the lack of recognition of the contribution tourism and commercial recreation makes to the social and economic well-being of the District.

42. This oversight is recognised by the reporting officer in the Councils Section 42A Report<sup>7</sup> and an additional Objective and Policy have been proposed under Goal 1 of the Strategic Directions Chapter. I agree with the proposed amendments which will form re-numbered Objective 3.2.1.4 and Policy 3.2.4.4.1 respectively and which state:

***“Objective 3.2.1.4 – Recognise and provide for the significant socioeconomic benefits of tourism activities across the District.”***

***“Policy 3.2.1.4.1 - Enable the use and development of natural and physical resources for tourism activity where adverse effects are avoided, remedied or mitigated.”***

43. I also accept the reporting officer's proposed changes to (re-numbered) Objective 3.2.6.1 which provides for diversification from traditional rural land uses:

***“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 adverse effects on rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests are avoided, remedied or mitigated.”***

44. Even taking into account the amendments recommended in the Section 42A report to Goals 3.2.1 & 3.2.6, in my opinion the amendments discussed above are required to support the framework for Goal 3.2.5 so that overall the objectives work together in

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<sup>7</sup> QLDC Section 42A Report – Strategic Directions, paragraph 12.26 to 12.30, pages 18 – 19.

achieving the purpose of the Act. To achieve this purpose the objectives should appropriately provide for commercial recreation, tourism, rural living and diversified rural land use whilst protecting the wider landscape values.

45. Objective 3.2.6.1 seeks to provide access to more affordable housing within the District. I am aware of the current housing shortage and affordability issues within the Queenstown Lakes District.
46. I agree with the intention of the Objective 3.2.6.1 and its supporting Policies 3.2.6.1.1 to 3.2.6.4.2 although I consider the wording of the Objective could be refined as follows to recognise that land availability is one of the core issues affecting housing supply:

~~“Maintain and p~~Provide access to housing and enable land supply for housing that is more affordable.”

### **Landscape Chapter**

47. In my opinion the Objectives and Policies of the Landscape chapter create an emphasis on the protection of all landscapes without adequate provision for appropriate use and development. In my view the provisions of the Landscape Chapter should provide opportunities for sustainable land uses and development, taking into account Section 6 and 7 matters.
48. Flowing down from Chapter 3, the Landscape Chapter provides that the open character of productive farmland is a key element of the landscape character which can be vulnerable to degradation from subdivision, development and non-farming activities.
49. I acknowledge that there are still vast areas of Pastoral Lease High Country Stations that provide for dramatic, open rural landscapes that have not been significantly modified or influenced by development and are worthy of higher levels of protection.
50. However, there are areas that are significantly different in character to these areas of Outstanding Natural Landscape. In my opinion the provisions do not appropriately recognise and provide for these very different landscape and land use environments.
51. Accordingly, it is my opinion that the Objectives and Policies of the Landscape Chapter should recognise existing character and enable further development of rural

environments subject to avoiding, remedying or mitigating the adverse effects on existing rural character.

52. As notified, there appears to be a strong preference in the policy framework for the avoidance of adverse effects on landscape character and amenity with limited direction to enable the remediation or mitigation of potential adverse effects. This approach does not in my opinion achieve the sustainable management purpose of the Act or recognise the positive benefits development can have. In my view amendments to the provisions can ensure they remain effective but more efficient and appropriate in providing for the enabling nature of the Act.
53. Accordingly, I consider that a number of amendments are required to Objectives and Policies as outlined below.
54. Policy 6.3.1.3 assumes that development in the Outstanding Natural Landscape will be inappropriate in almost every location. In addition it unnecessarily refers to specific assessment matters. There are numerous examples in the District where development in ONLs has been found to be appropriate. Therefore, if there are particular attributes of these landscapes that are more vulnerable to change policies should specify these. However, in my view it is appropriate to seek to avoid, remedy or mitigate these adverse effects. This approach will provide a better balance and recognition of the varying nature of the landscape and that its ability to absorb change is different in different circumstances.
55. I note that Policy 6.3.1.4 takes a similar approach to 6.3.1.3 but is directed to the Rural Landscape Classification albeit the terminology used is inconsistent with the proposed Zoning. In my opinion these are the landscapes where development forms part of the landscape character and where greater recognition of the diversity and opportunity these landscapes provide is appropriate, particularly in the Wakatipu Basin where this landscape is not a 'rural productive' landscape.
56. In my opinion these Policies should be amended as follows:

**Policy 6.3.1.3**

*“That subdivision and development proposals located within the Outstanding Natural Landscape, or an Outstanding Natural Feature be located and designed in such a manner that adverse effects on landscape character and visual amenity values are avoided, remedy or mitigated. ~~taking into consideration 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.~~”*

**Policy 6.3.1.4**

~~“That subdivision and development proposals located within the Rural Landscape Classification be located and designed in such a manner that adverse effects on landscape character and visual amenity values are avoided, remedied, or mitigated, taking into consideration assessment matters in provisions 21.7.2 and 21.7.3 be assessed against the assessment matters in provisions 21.7.2 and 21.7.3 because subdivision and development is inappropriate in many locations in these landscapes, meaning successful applications will be, on balance, consistent with the assessment matters.”~~

57. The Section 42A report recommended changes to Policy 6.3.1.5 relating to urban development. I support these changes. In my view the policy recognises the varied nature of the landscape, and that its ability to absorb change is critical to managing adverse effects on landscape values.
58. I acknowledge that the intent of the Landscape Chapter provisions are ‘high level’ and intended to be applicable to not only future resource consent applications but will also inform the consideration of future re-zoning proposals.
59. Accordingly, I generally support the intent of Policy 6.3.1.6 which seeks to provide for rural living development through plan changes where the rural landscape can absorb change. However, I consider that an amendment to the wording of this Policy can broaden its applicability by enabling appropriately considered development proposals (resource consents).
60. I note that the reporting officer in the Section 42A Report considers that if ‘development proposals’ are a reference to resource consent applications then this should be explicit in the Policy but then goes on to state that the Policy is inherent to Plan Change proposals and should remain that way<sup>8</sup>. I disagree with this approach and my recommended wording of this Policy is detailed below:

“Enable rural living through rural living and resort zones in areas where the landscape can absorb change and through carefully considered subdivision and land use proposals.”

61. Proposed Policy 6.3.1.10 seeks to protect landscape character and visual amenity values when viewed from public places. I consider that the use of the term ‘protect’ directs safeguarding or preservation.

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<sup>8</sup> QLDC Section 42A Report – Landscape Chapter, page 20 paragraphs 9.80 and 9.81

62. In my opinion, and particularly with regard to land contained within the Rural Landscape Classification this threshold is too high as it implies no change if viewed from public places. I consider the use of the words avoid, remedy or mitigate would be more appropriate in this context. I base this opinion on the fact that development and the presence of buildings form part of the existing character of various areas of the Rural Landscape Classification and as previously discussed further development can provide opportunities to maintain and enhance these landscape values for example through planting with ecological and visual amenity benefits.

63. Accordingly, I suggest changes to recognise the different values and character of Outstanding Natural Landscape and Outstanding Natural Features as opposed to the values and character of the Rural Landscape Classification. My suggested wording is outlined below:

*“Recognise the importance of ~~protecting~~ avoiding, remedying, or mitigating adverse effects on landscape character and visual amenity values, particularly as viewed from public places.”*

64. Objective 6.3.2 seeks the outright avoidance of adverse cumulative effects on landscape character and amenity values through incremental subdivision and development.

65. Cumulative effects can pose a potential adverse effect in respect of subdivision, use and development of natural and physical resources. This type of effect is specifically identified in Section 3(d) of the RMA and is required to be given consideration pursuant to Section 104(1)(a).

66. However, I consider the use of the word ‘avoid’ (only) in this Objective could be problematic. I am of the opinion that the Objective should use the terminology of Part 5 of the Act and require adverse cumulative effects to be avoided, remedied or mitigated.

67. A cumulative effect is an effect that grows in quantity, strength or effect by successive additions. I support the use of the word ‘incremental’ in this respect, as proposed by the Section 42A report<sup>9</sup>. My proposed wording of Objective 6.3.2 is as follows:

*“Avoid remedy or mitigate adverse cumulative effects on landscape character and visual amenity values caused by incremental subdivision and development.”*

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<sup>9</sup> QLDC Section 42A Report – Landscape Chapter paragraph 9.106, page 24

68. Policy 6.3.2.1 which supports the abovementioned Objective states that there will be a finite capacity for residential development in particular if the important landscape, quality, character and amenity values of the Rural Zone are to be sustained.
69. It is my opinion that the application of this Policy would be problematic as it could be argued that if the specified values and character are to be sustained i.e. continued in their present state without interruption, then no further development would be appropriate.
70. I consider that there are still areas capable of absorbing development in the Rural Zone. Given this and the above identified complications in the application of this Policy I consider it adds little value and should be deleted.
71. Policy 6.3.2.2 looks to direct where development is appropriate. However in my view the use of the word 'degraded' implies a threshold where any change would result in cumulative effects that are unacceptable. I consider it is the landscape's ability to absorb change that is important in the consideration of adverse cumulative effects. Therefore I consider this policy should be amended as follows:
- "Allow residential subdivision and development only in locations where the District's landscape character and visual amenity would not have capacity to absorb change not be degraded".*
72. In my view Policy 6.3.2.3 places a presumption on development being adverse. The policy also fails to recognise the potential benefits of clustering development together and implies new development located next to other development is undesirable. Therefore, in my opinion this policy should be amended as follows:
- "Recognise that proposals for residential subdivision or development in the Rural Zone that seek support from existing and consented subdivision or development may have potential for adverse cumulative effects. Particularly where the subdivision and development would constitute sprawl along roads."*
73. I consider Policy 6.3.2.4 is similar to Policy 6.3.2.3 where it implies locating development in a clustered arrangement is inappropriate. However, clustering of development can provide for development to be focused in those locations where it can absorb change whilst protecting and enhancing areas with less such ability. Therefore, in my opinion this policy should be deleted with amended Policy 6.3.2.4

adequately providing for consideration of development next to other development and sprawl along roads.

74. Policy 6.3.2.5 provides reference to 'openness' however 'openness' is not always attributed to the particular character and quality of a particular landscape. In my opinion to seek protection of 'openness' in all instances is inefficient and inappropriate. Therefore, I consider reference to 'openness' should be deleted from this policy.

75. Policy 6.3.4.1 in my opinion sets the threshold too high, requiring avoidance of degradation. Given the purpose of the Act, in my opinion subdivision and development should seek to avoid, remedy or mitigate adverse effects and this policy should be amended as follows

*“Avoid remedy or mitigate adverse effects of 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.”*

76. Policy 6.3.4.2 in my view should reflect the varying nature of the landscape and that farming, although important, is not the only use of these landscapes. There should also be recognition of the significant positive contribution these other activities can make to the District. Therefore, in my opinion this policy should be amended as follows:

*“Recognise that ~~large~~ parts of the District’s Outstanding Natural Landscapes include working farms and accept that viable forms of other activities and farming involve activities which may modify the landscape, providing the quality and character of the Outstanding Natural Landscape is not adversely affected.”*

77. Objective 6.3.5 and its supporting Policies seek to ensure that subdivision, use and development in the Rural Landscape Classification does not degrade the character and amenity of the landscape.

78. As identified in the Council officers Section 42A Report<sup>10</sup> this part of the landscape chapter framework recognises that the Rural Landscape Classification contains rural land with varying character and amenity that will have differing capacity to absorb development.

79. I agree with this position and consider that it is appropriate for the higher order framework of the landscape chapter to recognise the potentially greater ability of the

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<sup>10</sup> QLDC Section 42A Report – Landscape Chapter, paragraph 9.131

Rural Landscape Classification to successfully absorb change. However, I consider that the wording of Objective 6.3.5 and supporting Policies 6.3.5.1 and 6.3.5.2 should be amended to align better with the purpose of the Act and to reflect a threshold of protection that is most appropriate to the Rural Landscape Classification. This is of particular importance because the RLC is in my opinion a resource with considerable economic and social value. My proposed changes are outlined below:

**Objective 6.3.5**

Ensure *Enable appropriate* subdivision and development ~~does not degrade~~ *which will avoid, remedy, or mitigate any adverse effects on* landscape character and diminish visual amenity values of *in* the Rural Landscapes (RLC).

**Policy 6.3.5.1**

*Avoid, remedy, or mitigate adverse effects from inappropriate* subdivision and development ~~only where it will not degrade~~ on landscape quality or character, or diminish the or visual amenity values identified for any Rural Landscape.

**Policy 6.3.5.2**

*Avoid* ~~remedy, or mitigate~~ adverse effects from subdivision and development that are:

- *Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this plan); and*
- ~~Visible from public roads.~~

80. Policy 6.3.5.3 seeks to avoid planting and screening which would degrade openness where this is an important part of the landscape character.
81. In my view the application of this Policy is problematic in its current form. The Rural Landscape Classification contains a variety of landscape units that exhibit different qualities and differing extents of openness and subsequently views of the rural landscape. Openness is not necessarily the value sought to be maintained in certain rural areas, for example where vegetation is a more dominant element of the landscape.
82. Accordingly, to direct the avoidance of planting and screening in the Rural Landscape Classification to address effects on 'openness' which varies considerably throughout this landscape is not appropriate.
83. In my opinion, the Policy would be more appropriately worded to avoid planting and screening that has the potential to degrade views and appreciation of the landscape quality or character. My recommended change to this Policy is outlined below:

*“Avoid planting and screening, particularly along roads and boundaries, which would degrade ~~openness views~~ where such ~~openness views~~ are an important part of the ~~for~~ the appreciation of landscape quality or character.”*

84. Similarly to the above, Policy 6.3.5.6 directs regard to be had to adverse effects on open landscape character.

85. For the reasons outlined above in my opinion this policy should be deleted.

86. Objective 6.3.8 in my view should be expanded to include commercial recreation given the significance of this to the district’s economy and interrelationship with the District’s landscape. My recommended addition is noted below:

*“Recognise the dependence of tourism and commercial recreation on the District’s landscapes.”*

87. Policy 6.3.8.1 in my opinion should also go further to “recognise the importance of these activities for the District”.

*“Enable the establishment of infrastructure associated with tourism and commercial recreation in recognition of ~~Acknowledge~~ the contribution tourism infrastructure makes to the economic and recreational values of the District.”*

88. Policy 6.3.8.2 in my view also sets the threshold too high with the use of ‘protect, maintain or enhance’. Given the significant benefits of tourism in my view a more efficient and therefore appropriate policy would seek to avoid, remedy or mitigate adverse effects. Therefore I recommend the following amendments:

*“Recognise that commercial recreation and tourism related activities locating within the rural zones may be appropriate where these activities enhance the appreciation of landscapes, and on the basis they would avoid, remedy or mitigate adverse effects on ~~protect, maintain or enhance~~ landscape quality, character and visual amenity values “*

89. Overall, I am of the opinion that the Landscape Chapter Objectives and Policies require amendment as described in **Appendix [C]**. I consider these changes improve the provisions and ensure their application is clear, and most appropriately achieve the purpose of the Act.

## Summary

90. Overall, in my opinion the provisions as currently drafted do not provide appropriate recognition of the varying landscape values that exist in this District or that for a number of areas of the Rural zone the landscape values are no longer premised on rural productivity.
  
91. In my opinion Council's development of a framework premised on rural productivity and protection of that activity, is ineffective and inefficient and does not adequately recognise the positive effects and benefits for the District that can result from a variety of land uses that rely on the rural environment. These landuses can occur without inappropriate costs or effects on the District's landscape values therefore a balance in the provisions that recognises this in the context of the enabling nature of the Act is considered appropriate.

Tim Williams

29<sup>th</sup> February 2016

## APPENDIX [A] – Summary of Submitters

### Skyline Enterprises Limited (Submission No. 574)

8. Skyline Enterprises Limited (“Skyline”) is the leaseholder of Section 1 SO Plan 24832 and Section 1 SO Plan 22971. In combination with an easement for the gondola cableway over Pt Section 110 BLK XX Shotover SD Skyline provides and operates the Skyline Gondola, Restaurant and associated commercial recreation facilities on Bob’s Peak, Queenstown. The 4.1 Ha area containing the restaurant and associated commercial recreation activities sees over 700,000 visitors annually.
9. The majority of the abovementioned facilities operated by Skyline are proposed to be located within the Rural Zone (Outstanding Natural Landscape) of the PDP.
10. Skyline’s primary submission seeks re-zoning of the subject site in recognition of its iconic tourism status. In my opinion, achieving the relief sought necessitates that the Strategic Direction and Landscape Chapters of the PDP are amended to provide recognition of the importance of tourism and that rural areas are capable of being modified beyond pastoral use to enable the social, economic and cultural well-being of the District.

### Totally Tourism Limited (Submission No. 571)

11. Totally Tourism Limited (“TTL”) is a tourism based company operating in the South Island of New Zealand. It offers scenic and adventure activities to both international visitors to New Zealand and domestic travellers.
12. TTL was established in 1999, and is the umbrella company for a group of tourism operations. These operations include The Helicopter Line, Mitre Peak Cruises, Milford Sound Scenic Flights, Glacier Helicopters. Queenstown Combos, Challenge Rafting, Harris Mountains Heli-Ski, Air Fiordland, Wanaka Flightseeing, The Station and Queenstown Information Centres.
13. TTL’s submission was largely directed towards simplifying and streamlining the PDP provisions for commercial recreation activities such as informal airports and heli-skiing. To achieve the relief sought in their submission it is my opinion that the

Strategic Directions and Landscape Chapters of the PDP should be amended to provide for greater recognition of the benefits of tourism and the ability for diversification of traditional farming activities to provide for commercial recreation.

Shotover Trust (Submission No. 248)

14. The Shotover Trust owns Lot 1 DP 21914 that is situated off Lower Shotover Road, Wakatipu Basin. Under the PDP, the site is partly contained within the Rural Zone (Rural Landscape Classification) and the Rural Lifestyle Zone.
15. Shotover Trust lodged a primary submission that sought the introduction of the Rural Lifestyle Zone over all the site (i.e. discontinue the proposed split zoning approach), the support/opposition of certain Objectives and Policies should the Rural Lifestyle Zone be imposed over all the site, and the opposition of certain Objectives and Policies should the site continue to be split zoned between the proposed Rural and Rural Lifestyle Zones.

Speargrass Trust (Submission No. 557)

16. The Speargrass Trust owns Lot 2 DP 274111 that is situated off Speargrass Flat Road, Wakatipu Basin. Under the PDP, the site is partly contained within the Rural Zone (Rural Landscape Classification) and the Rural Lifestyle Zone.
17. Speargrass Trust lodged a primary submission that sought the introduction of the Rural Lifestyle Zone over all the site (i.e. discontinue the proposed split zoning approach), the support/opposition of certain Objectives and Policies should the Rural Lifestyle Zone be imposed over all the site, and the opposition of certain Objectives and Policies should the site continue to be split zoned between the proposed Rural and Rural Lifestyle Zones.

Boundary Trust (Submission No. 541)

18. Boundary Trust owns Lot 3 and Part Lot 2 DP 19667 that is situated off the Arrowtown Lake Hayes Road, Wakatipu Basin. Under the PDP, the site is contained within the Rural Zone (Rural Landscape Classification).

19. Boundary Trust lodged a submission that primarily sought to include the land within an expanded Millbrook Resort Zone (with certain amendments to the notified Millbrook Resort Zone provisions).
20. The submission opposed/supported a number of Objectives and Policies within Chapters 3, 6 and 27 of the PDP.

Spruce Grove Trust (Malaghan Road) (Submission No. 558)

21. Spruce Grove Trust owns Section 11 SO 447314 that is situated off Malaghans Road. Under the PDP, the site is contained within the Rural Zone (Rural Landscape Classification).
22. Spruce Grove Trust lodged a submission that primarily sought to include the land within an expanded Millbrook Resort Zone (with certain amendments to the notified Millbrook Resort Zone provisions).
23. The submission opposed/supported a number of Objectives and Policies within Chapters 3, 6 and 27 of the PDP.

Spruce Grove Trust (Butel Road) (Submission No. 559)

24. Spruce Grove Trust owns Lot 1 DP 27846 that is situated off Butel Road, Arrowtown. Under the PDP, the site is contained within the Rural Zone (Rural Landscape Classification).
25. Spruce Grove Trust lodged a submission that primarily sought to include the land within an expanded Millbrook Resort Zone (with certain amendments to the notified Millbrook Resort Zone provisions).
26. The submission opposed/supported a number of objectives and policies within Chapters 3, 6 and 27 of the PDP.

Morven Ferry Limited (Submission No. 629)

27. Morven Limited owns Lot 2 DP 411193, Lot 1 DP 300661 & Lot 12 DP 323200 located on Morven Ferry Road, Queenstown. Under the PDP, the site is contained

within the Rural Zone (Rural Landscape Classification and Outstanding Natural Landscape).

28. Morven Ferry Limited lodged a submission seeking to re-zone its land given the ability of the land to accommodate development and the uneconomic nature of farming the land.
29. The submission in addition to seeking re-zoning seeks greater recognition of the opportunities rural landscapes provide for diversification of land use and the positive economic and other effects this can have.

Barnhill Corporate Trustee Limited & DE, ME Bunn & LA Green (Submission No. 626)

30. Barnhill Corporate Trustee Limited & DE, ME Bunn & LA Green collectively own Lot 2 DP 397602, Lot 3 DP 397602, Lot 4 DP 397602 and Section 1 SO 455511, located on Morven Ferry Road, Queenstown. Under the PDP, the site is contained within the Rural Zone (Rural Landscape Classification and Outstanding Natural Landscape).
31. Barnhill Corporate Trustee Limited & DE, ME Bunn & LA Green submission sought re-zoning of their land given the proximity and relationship of the property to the Queenstown Trail the economic opportunities this relationship provides and because the existing farming operation is not considered economic and therefore sustainable.
32. The submission, in addition to seeking re-zoning, seeks greater recognition of the opportunities rural landscapes provide for diversification of land use and the positive economic and other effects this can have.

Alexander Kenneth and Robert Barry Robins & Robins Farm Limited (Submission No. 594)

33. Alexander Kenneth and Robert Barry Robins own Part Section 28 Block IX Shotover Survey District, located on Alex Robbins Road, Queenstown. Under the PDP, this site is proposed to be zoned to Rural Lifestyle. The submission supports the zoning of the land Rural Lifestyle.
34. The submission also seeks to provide a regime that most effectively and efficiently provides for rural residential living within the rural environment.

35. Robins Farm Limited owns Lot 5 DP 468905, located on Jean Robbins Road, Queenstown. Under the PDP, this site is proposed to be zoned Rural Residential with Outstand Natural Landscape line running through the site.
36. The submitter seeks better recognition of rural living opportunities within the rural environment and rationalisation of landscape matters.

Banco Trustees Limited (Submission No. 403)

37. Banco Trustees Limited own Section 1 SO 23541, located on McDonnell Road, Arrowtown. Under the PDP, this site is proposed to be zoned Rural Residential (Rural Landscape Classification).
38. The submitter opposes the zoning of its land Rural and seek that the land be zoned Rural Residential.

Lesley and Jerry Burdon (Submission No. 581)

39. Lesley and Jerry Burdon own Lot 1 DP 396356, Lake Hawea. The PDP zones the site Rural Zone (Outstanding Natural Landscape). This zoning is identified on Proposed Planning Map 8 – Wanaka Rural. Lesley and Jerry Burdon lodged a primary submission (No. 581) on the PDP seeking the Rural (Outstanding Natural Landscape) zoning of their site be amended to Rural Lifestyle Zone with a specific objective, policies and rules that can ensure future development protects the Outstanding Natural Landscape. The submitter also sought changes to the Strategic Direction Chapter (3) and Landscape Chapter (6) of the PDP to better reflect the purpose and terminology of the RMA and provide a clearer and more certain policy direction for the PDP.

J M Martin (Submission No. 565)

40. J M Martin owns Lots 1-2 DP 320468 and Lot 4 DP 22585. This land is located off the Arrowtown-Lake Hayes Road. Under the PDP, the site is contained within the Rural Zone (Rural Landscape Classification).

41. Principally, J M Martin has sought the introduction of the Rural Lifestyle Zone over the land described above, together with the support/opposition of certain Objectives and Policies within Chapters 3, 6 and 22.
42. If the land owned by the submitter is retained within the Rural Zone (Rural Landscape Classification), the submitter has opposed a number of Objectives and Policies within Chapters 3, 6 and 21.

Slopehill Joint Venture (Submission No. 537)

43. The submitters own an 8.44 hectare block of land on the southern side of Slopehill Road legally described as Pt Lot 2 DP 26174 and held in Certificate of Title OT18/61.
44. In terms of the PDP the subject site is contained within the Rural Zone – Rural Landscape Classification and immediately adjoins the proposed Rural Lifestyle Zone along its southern and western boundaries. It is the submitter's position that their site is surrounded by rural living development on steeper terrain and to impose the Rural Landscape Classification over the site would be inconsistent with the existing pattern of development and an inefficient use of resources.
45. The submitters are of the opinion that their land is suitable for rural living development and seek that the proposed Rural Lifestyle Zone boundary is shifted eastwards to encompass their property. While this matter will be heard in the District Plan hearing streams for re-zoning, amendments to the Objectives and Policies of the Strategic Directions and Landscape Chapter are also considered necessary to achieve the relief sought.

## Appendix [B]

### Proposed Chapter 3 Changes and Section 32 Assessment

Proposed Provisions	Amended Provisions (deleted text struck through added text underlined)	Comment / Section 32 Assessment						
<p><b>Objective 3.2.1.4</b> – Recognise and provide for the significant socioeconomic benefits of tourism activities across the District.<sup>1</sup></p> <p><b>Policy 3.2.1.4.1</b> – Enable the use and development of natural and physical resources for tourism activity where adverse effects are avoided, remedied or mitigated.</p>	Support amendments in Section 42A report	<p>The Section 42a report recommends the addition of this Objective and Policy to specifically recognise the benefits of commercial recreation and tourism. I fully agree with this approach given that tourism underpins the Districts economic well-being and the Strategic Directions Chapter was previously silent on this very important component. In my opinion, the Objective and Policy suitably acknowledge the requirement to enable use of the natural and physical resources of the District provided that any adverse effects are appropriately avoided, remedied or mitigated.</p> <table border="1"> <thead> <tr> <th>Costs</th> <th>Benefits</th> <th>Effectiveness &amp; Efficiency</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> <li>The proposed Objective and Policy will enable development of commercial recreation and tourism activities across the District. This may lead to potential adverse effects of development and noise associated with tourism ventures changing the character and/or quality of the environment.</li> </ul> </td> <td> <ul style="list-style-type: none"> <li>Creates positive economic, and social benefits (e.g. employment, economic growth, enhancement of public amenities and landscape) by recognising and enabling appropriate future development of commercial recreation and tourism throughout the District.</li> </ul> </td> <td> <p>The addition of this Objective and Policy is considered effective and efficient and most appropriate in that they better achieve the purpose of the Act as identified in the s42a report.</p> </td> </tr> </tbody> </table>	Costs	Benefits	Effectiveness & Efficiency	<ul style="list-style-type: none"> <li>The proposed Objective and Policy will enable development of commercial recreation and tourism activities across the District. This may lead to potential adverse effects of development and noise associated with tourism ventures changing the character and/or quality of the environment.</li> </ul>	<ul style="list-style-type: none"> <li>Creates positive economic, and social benefits (e.g. employment, economic growth, enhancement of public amenities and landscape) by recognising and enabling appropriate future development of commercial recreation and tourism throughout the District.</li> </ul>	<p>The addition of this Objective and Policy is considered effective and efficient and most appropriate in that they better achieve the purpose of the Act as identified in the s42a report.</p>
Costs	Benefits	Effectiveness & Efficiency						
<ul style="list-style-type: none"> <li>The proposed Objective and Policy will enable development of commercial recreation and tourism activities across the District. This may lead to potential adverse effects of development and noise associated with tourism ventures changing the character and/or quality of the environment.</li> </ul>	<ul style="list-style-type: none"> <li>Creates positive economic, and social benefits (e.g. employment, economic growth, enhancement of public amenities and landscape) by recognising and enabling appropriate future development of commercial recreation and tourism throughout the District.</li> </ul>	<p>The addition of this Objective and Policy is considered effective and efficient and most appropriate in that they better achieve the purpose of the Act as identified in the s42a report.</p>						
<p><b>Objective 3.2.1.6.1</b> - Recognise the potential for rural areas to diversify their</p>	<p><b><u>Proposed Objective 3.2.1.6.1</u></b> - <u>Recognise the potential for rural areas to diversify their land use</u></p>	<p>The Section 42a report recommends the amendments to this Objective (and its subsequent re-numbering due to changes in other parts of the Strategic Directions Chapter). I support the proposed changes as I consider that recognition of diversified land use and development in rural areas is necessary to ensure a sustainable use of natural and physical resources and will maintain the</p>						

<sup>1</sup> This Objective and Policy were proposed in the Section 42A Report for the Strategic Directions Chapter, page 21. They were not contained in the original notified version of the PDP on 26<sup>th</sup> August 2015.

<p>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.</p>	<p><del>beyond the strong productive value of farming, provided adverse effects on a sensitive approach is taken to rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests are avoided, remedied or mitigated.</del></p>	<p>economic well-being of the Districts residents. This is particularly important as productive farming in large parts of the Districts rural landscapes is becoming or already has become un-economic. The use of the words avoid, remedy and mitigate also better aligns with the purpose of the act and recognises that some rural landscapes are capable of absorbing use and development that differs from traditional agricultural practises.</p>		
		<p><b>Costs</b></p> <ul style="list-style-type: none"> <li>The proposed Objective will enable development and use of rural landscapes for less traditional activities such as commercial recreation and tourism and rural living. These land use may have a range of adverse effects including visual effects and noise that are not characteristic with existing use of rural land in some areas.</li> </ul>	<p><b>Benefits</b></p> <ul style="list-style-type: none"> <li>Creates positive economic and social benefits by recognising and enabling appropriate future development of commercial recreation and tourism and rural living throughout the District's rural landscape which can offset the low economic returns from traditional agricultural land use.</li> <li>Diversification can enable continued traditional land use to co-exist with commercial recreation and tourism ventures and rural living thereby maintaining the existing rural amenity.</li> </ul>	<p><b>Effectiveness &amp; Efficiency</b></p> <p>The addition of this Objective is considered effective and efficient and therefore appropriate in that they better achieves the purpose of the Act as identified in the s42a report.</p>
<p><b>Objective 3.2.5.1</b> Protect the natural character of Outstanding Natural Landscapes and Outstanding Natural Features from subdivision, use and development.</p>	<p>1. Amend Objective 3.2.5.1 as follows:  Protect the <del>natural character</del> <u>quality</u> of the Outstanding Natural Landscapes and Outstanding Natural Features from <u>inappropriate</u> Subdivision, use and development.</p>	<p>The Section 42a report recommends a change to this policy to refer to the 'quality' of these landscapes and features rather than 'natural character' which I agree with. However, in my opinion the use of the word 'protect' can be interpreted as meaning to prevent change or safeguard an existing situation. This leads to a presumption that no development will be appropriate in these landscapes and features. In my opinion, the Objective should acknowledge that development can be appropriate in these landscapes.</p>		
		<p><b>Costs</b></p>	<p><b>Benefits</b></p>	<p><b>Effectiveness &amp; Efficiency</b></p>

		<ul style="list-style-type: none"> <li>The amended objective particularly with the reference to 'inappropriate' subdivision, use and development is more enabling as it recognises that there may be some (albeit limited) proposals that could be appropriate in these locations. This has the potential to facilitate some future development within the rural landscapes.</li> </ul>	<ul style="list-style-type: none"> <li>Creates positive economic, and social benefits by enabling appropriate future development in the Outstanding Natural Landscape and Outstanding Natural Features.</li> </ul>	<p>Amending this policy is considered effective as it directs consideration to inappropriate development that is the resource management issue to be addressed. It is also considered more efficient as it provides a better balance between the enabling nature of the act and positive effects appropriate development can have. Accordingly, the amendments are appropriate in that they better achieve the purpose of the Act.</p>
<p><b>Objective 3.2.5.2</b> Minimise the adverse landscape effects of subdivision, use or development in specified Rural Landscapes</p>	<p>1. Amend <b>Objective 3.2.5.2</b> as follows.</p> <p><del>Minimise the adverse landscape effects of subdivision, use or development in specified Rural Landscapes.</del></p> <p><u>Recognise the landscape character and visual amenity values of the Rural Landscape Classification.</u></p>	<p>The Section 42a report recommends a change to this policy which I largely agree with. In my opinion the words maintain and enhance sets a higher threshold of protection than provided for in section 6 of the Act without justification and should be replaced with 'recognise'. I consider the maintenance or enhancement of landscape character would be very difficult for many development proposals to achieve which could preclude appropriate development from occurring.</p>		
		<p><b>Costs</b></p> <ul style="list-style-type: none"> <li>The amended objective is more enabling and facilitates future development within the rural landscapes which perceivably could create some level of effects on landscape character and visual amenity values.</li> </ul>	<p><b>Benefits</b></p> <ul style="list-style-type: none"> <li>Creates positive economic, and social benefits by enabling appropriate future development in the rural landscape;</li> <li>Ensures that consideration is afforded to the varied landscape character and visual amenity values of the many different landscape units found within the Rural Landscape</li> </ul>	<p><b>Effectiveness &amp; Efficiency</b></p> <p>Amending this policy is considered effective in establish a framework for identifying the different characteristic and values of this landscape. It is considered efficient in ensuring a framework where different values and greater recognition can be provided for the ability of this landscape to absorb change. This amended objective is considered to better achieve the purpose of the Act.</p>

			Classification.		
<p><b>Policy 3.2.5.2.1</b> Identify the district's Rural Landscape Classification on the district plan maps, and minimise the effects of subdivision, use and development on these landscapes.</p>	<p>1, Amend <b>Policy 3.2.5.2.1</b> as follows.</p> <p><del>Identify the district's Rural Landscape Classification on the district plan maps, and minimise the <u>Avoid, remedy, or mitigate the adverse</u> effects of subdivision, use and development <del>these landscapes on the Rural Landscape Classification.</del></del></p>	<p>In my opinion the word 'minimise' is difficult to interpret and apply and this policy should be amended to better reflect RMA purpose and terminology. The reference to identifying the Rural Landscape Classification on the District Plan Maps can be deleted as this has already occurred and does not need to be directed by this policy framework.</p>	<p><b>Costs</b></p> <ul style="list-style-type: none"> <li>• No identified costs</li> </ul>	<p><b>Benefits</b></p> <ul style="list-style-type: none"> <li>• Sets a strong policy direction to ensure adverse effects on the Rural Landscape Classification area avoided, remedied or mitigated.</li> <li>• Creates positive economic, and social benefits by enabling appropriate future development.</li> </ul>	<p><b>Effectiveness &amp; Efficiency</b></p> <p>Amending this policy is considered effective as it better reflects that it is the adverse effect of development that can degrade the landscape. These amendments are also considered more efficient in balancing the benefits of development and that development can be appropriate in certain circumstances. These amendments are therefore considered to make the policy more appropriate is seeking to achieve the objective.</p>
<p><b>Objective 3.2.5.3</b> 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.</p>	<p>1. Amend <b>Objective 3.2.5.3</b> as follows.</p> <p><del>Direct new subdivision, use or development to occur in those areas where adverse effects on landscape and visual amenity values can be avoided, remedied or</del> <u>Enable</u></p>	<p>In my opinion the word 'detract' is difficult to interpret and apply and this policy should be amended to better reflect RMA purpose and terminology.</p>	<p><b>Costs</b></p> <ul style="list-style-type: none"> <li>• No identified costs</li> </ul>	<p><b>Benefits</b></p> <ul style="list-style-type: none"> <li>• Creates a clearer and easier to interpret objective.</li> <li>• Creates positive economic, and social</li> </ul>	<p><b>Effectiveness &amp; Efficiency</b></p> <p>Amending this objective is considered effective as it better reflects that it is the adverse effects of development that can degrade the landscape. These amendments are also considered more efficient in balancing the benefits of</p>

	<del>mitigated. detracting from landscape and visual amenity values.</del>		benefits by enabling appropriate future development.	development and that development can be appropriate. These amendments are therefore considered to make the objective more appropriate is seeking to achieve the purpose of the Act.
<b>Objective 3.2.5.4</b> Recognise there is a finite capacity for residential activity in rural areas if the qualities of our landscape are to be maintained.	1. Amend <b>Objective 3.2.5.4</b> as follows.  <del>Recognise there is a finite capacity for residential activity in rural areas if the qualities of our landscape are to be maintained.</del> <i>Provide for residential activity in rural areas if the qualities of our landscape are to be maintained.</i> <i>while recognising the importance of the Districts landscapes.</i>	The current wording assumes that there is a predetermined capacity for development in the Rural Landscape when this is not the case. The Objective sets a higher threshold for protection than is provided for in Section 6 of the Act. It needs to be acknowledged that there are benefits in allowing appropriate levels of rural living activity in the rural landscapes.		
		<b>Costs</b> <ul style="list-style-type: none"> <li>The amended objective is more enabling which has the potential to facilitate future development within the rural landscapes which perceivably could create some level of effects on landscape character and visual amenity values.</li> </ul>	<b>Benefits</b> <ul style="list-style-type: none"> <li>Creates positive economic, and social benefits by enabling appropriate future development in the rural landscape;</li> <li>Requires that consideration is given to the appropriate carrying capacity / threshold of development that can be absorbed in rural areas when assessing future development proposals.</li> </ul>	<b>Effectiveness &amp; Efficiency</b> The amendments to this objective are considered effective in recognising the economic benefits residential activity brings to the District. The amendments are also considered more efficient recognising the relationship between residential activity and landscape given the interrelationship of these two resource management issues in a District where rural living is a valuable resource. Therefore, the amendments are considered appropriate.
<b>Objective 3.2.5.5</b> Recognise that agricultural land use is fundamental to the character of our landscapes.  <b>Policies 3.2.5.5.1</b>	1. Amend <b>Objective 3.2.5.5 and Policies 3.2.5.5.1</b> as follows;  <b>Objective 3.2.5.5</b> Recognise that agricultural land use <i>and other</i>	Objective 3.2.5.5 and Policies 3.2.5.5.1 and 3.2.5.5.2 should be amended. These do not adequately recognise competing interests such as tourism, viticulture, other recreational and rural living opportunities in the rural zones.  This objective will potentially conflict with future opportunities to develop in the Rural Zone and should not be expressed at a policy level. Preference for a particular sector should be assessed on a case by case basis within a relevant zone and in accordance with that zone's objectives and policies,		

<p>Give preference to farming activity in rural areas except where it conflicts with significant nature conservation values.</p> <p><b>3.2.5.5.2</b> Recognise that the retention of the character of rural areas is often dependent on the ongoing viability of farming and that evolving forms of agricultural land use which may change the landscape are anticipated.</p>	<p><i>activities that rely on rural resources</i> is <i>are</i> fundamental to the character of our landscapes.</p> <p><b>Policies 3.2.5.5.1</b> Give preference <u>Enable farming to farming and other activities that rely on rural resources</u> activity in rural areas except where it conflicts with significant nature conservation values.</p> <p><b>3.2.5.5.2</b> Recognise that the retention of the character of rural areas is <del>often</del> <u>can be</u> dependent on the ongoing viability of farming <u>and other activities that rely on rural resources</u> a and that evolving forms of agricultural <u>and other land uses</u> which may change the landscape are anticipated.</p>	<p>rather than expressed as a general policy in the strategic direction chapter.</p> <p>The objectives and policies identified above which provide a strong preference for farming activities are inappropriate as they do not recognise the importance of other uses of rural land. The proposed changes provide a suitable balance in recognising and providing for farming activities as well as other activities that rely on rural landscapes, which are fundamental to the region.</p>						
<p><b>Objective 3.2.6.1</b> Provide access to housing that is more affordable.</p>	<p>1. Amend <b>Objective 3.2.6.1</b> as follows. Provide access to housing</p>	<table border="1"> <thead> <tr> <th data-bbox="831 416 1016 464">Costs</th> <th data-bbox="1016 416 1525 464">Benefits</th> <th data-bbox="1525 416 2024 464">Effectiveness &amp; Efficiency</th> </tr> </thead> <tbody> <tr> <td data-bbox="831 464 1016 1214"> <ul style="list-style-type: none"> <li>Traditional use of the Rural Zone may be modified as diversification from pastoral farming occurs to provide for peoples economic-well being.</li> </ul> </td> <td data-bbox="1016 464 1525 1214"> <ul style="list-style-type: none"> <li>Recognises that there are a number of activities that rely on rural landscapes that are fundamental to the sustainability of this District.</li> <li>Enables consideration of a variety of land uses that rely on the characteristics of a rural environment such as topography and open space / distances from noise sensitive receivers.</li> </ul> </td> <td data-bbox="1525 464 2024 1214"> <ul style="list-style-type: none"> <li>The amended objectives and policies are considered effective and efficient and therefore appropriate in that they are applicable across a range of activities rather than just agricultural land use in the rural landscapes. Accordingly, the changes to the objective will better provide for the purpose of the Act whilst the policies are considered more appropriate in giving effect to the objective.</li> </ul> </td> </tr> </tbody> </table> <p>In my opinion it is necessary to broaden the Objective to recognise that providing access to more affordable housing is also partly achievable through enabling access to a greater supply of land for housing and residential purposes. The Objective as currently drafted is too narrow in its scope to fully address the issue of housing affordability.</p>	Costs	Benefits	Effectiveness & Efficiency	<ul style="list-style-type: none"> <li>Traditional use of the Rural Zone may be modified as diversification from pastoral farming occurs to provide for peoples economic-well being.</li> </ul>	<ul style="list-style-type: none"> <li>Recognises that there are a number of activities that rely on rural landscapes that are fundamental to the sustainability of this District.</li> <li>Enables consideration of a variety of land uses that rely on the characteristics of a rural environment such as topography and open space / distances from noise sensitive receivers.</li> </ul>	<ul style="list-style-type: none"> <li>The amended objectives and policies are considered effective and efficient and therefore appropriate in that they are applicable across a range of activities rather than just agricultural land use in the rural landscapes. Accordingly, the changes to the objective will better provide for the purpose of the Act whilst the policies are considered more appropriate in giving effect to the objective.</li> </ul>
Costs	Benefits	Effectiveness & Efficiency						
<ul style="list-style-type: none"> <li>Traditional use of the Rural Zone may be modified as diversification from pastoral farming occurs to provide for peoples economic-well being.</li> </ul>	<ul style="list-style-type: none"> <li>Recognises that there are a number of activities that rely on rural landscapes that are fundamental to the sustainability of this District.</li> <li>Enables consideration of a variety of land uses that rely on the characteristics of a rural environment such as topography and open space / distances from noise sensitive receivers.</li> </ul>	<ul style="list-style-type: none"> <li>The amended objectives and policies are considered effective and efficient and therefore appropriate in that they are applicable across a range of activities rather than just agricultural land use in the rural landscapes. Accordingly, the changes to the objective will better provide for the purpose of the Act whilst the policies are considered more appropriate in giving effect to the objective.</li> </ul>						

	<p>and land supply for housing that is more affordable.</p>	<p><b>Costs</b></p> <ul style="list-style-type: none"> <li>The proposed amendments promote the development of 'greenfield' subdivision and development to address housing supply. This may increase pressure within the Urban Growth Boundaries and the desire to expand into the Rural Zone.</li> </ul>	<p><b>Benefits</b></p> <ul style="list-style-type: none"> <li>Broadens the Objective and recognises that the issue of housing affordability is multifaceted and that land supply is one of the key issues at present.</li> <li>The addition of land supply to this objective is not necessarily limited to green field development but also increased density of existing residentially zoned land. This aligns with the direction of the PDP's medium density sub-zones and recommended changes to density, bulk and location in the Low Density and High Density Zones. Creates a clearer and easier to interpret objective.</li> </ul>	<p><b>Effectiveness &amp; Efficiency</b></p> <ul style="list-style-type: none"> <li>Given the influence supply has on the affordability this amendment is considered effective and will also be efficient in better recognising that supply of land is directly link to the supply of housing and therefore affordability. Accordingly, this amendment is considered appropriate and will better achieve the purpose of the Act.</li> </ul>
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## APPENDIX [C]

### Proposed Chapter 6 Changes and Section 32 Assessment

Proposed Provisions	Amended Provisions (deleted text struck through added text underlined)	Comment / Section 32 Assessment		
<p><b>Policy 6.3.1.3</b> 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.</p>	<p>Amend <b>Policy 6.3.1.3</b> as follows:</p> <p>That subdivision and development proposals located within the Outstanding Natural Landscape, or an Outstanding Natural Feature <u>be located and designed in such a manner that adverse effects on landscape character and visual amenity values are avoided, remedied or mitigated.</u>, 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.</p>	<p>The current wording appears to assume a decision outcome for development in the Rural Landscape. In my view every resource consent application should be assessed on its own merits without a policy assuming it is 'likely' to be inappropriate. The references to the assessment matters is unnecessary as this is outlining the assessment procedure and requirements rather than creating an effective policy to achieve the desired outcomes.</p>		
		<p><b>Costs</b></p>	<p><b>Benefits</b></p>	<p><b>Effectiveness &amp; Efficiency</b></p>
		<ul style="list-style-type: none"> <li>• No identified costs</li> </ul>	<ul style="list-style-type: none"> <li>• Encourages resource consent applications to be assessed on their own merits with a strong policy direction to ensure adverse effects on landscape character and visual amenity values are managed in relation to ONL and ONF landscapes.</li> <li>• Provides greater recognition of the economic, cultural and social benefits development can have.</li> <li>• Better reflects the diversity of these landscape and opportunities they provide particularly for tourism and commercial recreation activities</li> </ul>	<p>Amending this policy is effective in managing adverse effects by identifying that the location and design of development is important to this assessment. The amendments are more efficient as they recognise the benefits land use and development of these landscapes can provide for economic activity. Therefore the amended policy is considered more appropriate in achieving the purpose of the Act.</p>

<p><b>Policy 6.3.1.4</b> That subdivision and development proposals located within the Rural Landscape be assessed against the assessment matters in provisions 21.7.2 and 21.7.3 because subdivision and development is inappropriate in many locations in these landscapes, meaning successful applications will be, on balance, consistent with the assessment matters.</p>	<p>Amend <b>Policy 6.3.1.4</b> as follows.</p> <p>That subdivision and development proposals located within the Rural Landscape <u>Classification be located and designed in such a manner that adverse effects on landscape character and visual amenity values are avoided, remedied, or mitigated</u> be assessed against the assessment matters in provisions 21.7.2 and 21.7.3 because subdivision and development is inappropriate in many locations in these landscapes, meaning successful applications will be, on balance, consistent with the assessment matters.</p>	<p>The current wording appears to assume a decision outcome for development in the Rural Landscape Classification. In my view every resource consent application should be assessed on its own merits without a policy assuming it is 'likely' to be inappropriate. I am also of the opinion that the Rural Landscape Classification has a greater threshold to absorb proposed development and therefore the more enabling terminology of the Act to avoid, remedy or mitigate the potential adverse effects of development within this specified landscape category is more appropriate.</p>			
		<p><b>Costs</b></p> <ul style="list-style-type: none"> <li>The amended policy is more enabling with the exclusion of the reference to development being inappropriate in many locations which has the potential to effect the landscape qualities, character and visual amenity values of the Rural Landscape Classification.</li> </ul>	<p><b>Benefits</b></p> <ul style="list-style-type: none"> <li>Encourages resource consent applications to be assessed on their own merits with a strong policy direction to ensure adverse effects on landscape character and visual amenity values are avoided, remedied or mitigated.</li> <li>Removes the presumption that development is inappropriate and enables a fresh / clean approach to the assessment of individual development proposals on a case by case basis.</li> </ul>	<p><b>Effectiveness &amp; Efficiency</b></p> <p>The amended policy is considered more effective in recognising the different values of the RLC and that development forms part of this landscape. The amended policy is also considered efficient in providing for the benefits land use occurring in this landscape can provide. The policy is therefore considered more appropriate in achieving the objective and purpose of the Act.</p>	
		<p><b>Policy 6.3.1.6</b> Enable rural lifestyle living through applying Rural Lifestyle Zone and Rural Residential Zone plan changes in areas where</p>			<p>1. Amend <b>Policy 6.3.1.6</b> as follows.</p> <p><u>Enable rural living through rural living and resort zones in areas</u></p>
		<p>This Policy is supported with suggested amendments in order to broaden the applicability of the policy to all types of rural living including residential activity and to ensure it is applicable to resource consent and subdivision proposals as well as Plan Changes.</p>			

<p>the landscape can accommodate change.</p>	<p><i>where the landscape can absorb change and through carefully considered development proposals. lifestyle and residential living through applying Rural Lifestyle Zones and Rural Residential Zones plan changes in areas where the landscape can accommodate change.</i></p>	<p><b>Costs</b></p> <p>No identified costs</p>	<p><b>Benefits</b></p> <ul style="list-style-type: none"> <li>• More certainty that the policy applies to all types of rural living opportunities and statutory processes i.e. Plan Changes and consent applications.</li> </ul>	<p><b>Effectiveness &amp; Efficiency</b></p> <ul style="list-style-type: none"> <li>• The policy is effective, efficient and appropriate in so far as it now specifies that it applies to all types of rural living opportunities.</li> </ul>
<p><b>Policy 6.3.1.11</b> Recognise the importance of protecting the landscape character and visual amenity values, particularly as viewed from public places.</p>	<p>1. Amend <b>Policy 6.3.1.11</b> as follows.</p> <p>Recognise the importance of <del>protecting</del> <u>avoiding, remedying, or mitigating adverse effects on</u> landscape character and visual amenity values, particularly as viewed from public places.</p>	<p>The Section 42a report indicates including the words avoiding, remedying, or mitigating adverse effects would not provide any added value. The Section 42a report states <i>'in a situation where a development proposal proved that it could either avoid, remedy or mitigate any adverse effects, then the proposal would accord with the policy because these values would be protected'</i>. I disagree and consider that relying on protection of landscape character and visual amenity sets a higher threshold than avoid, remedy or mitigate which could restrict appropriate development particularly in the Rural Landscape Classification which has a higher threshold for future development.</p> <p>As the proposed policy applies to all three proposed rural landscape categories the Policy needs to recognise the contrasting values and level of protection that should be afforded.</p>		
		<p><b>Costs</b></p> <ul style="list-style-type: none"> <li>• The amended policy is more enabling with the exclusion of the reference to protection which has the potential to effect the landscape qualities and character and visual amenity values of the Rural Landscapes</li> </ul>	<p><b>Benefits</b></p> <ul style="list-style-type: none"> <li>• Encourages resource consent applications to be assessed on their own merits with a strong policy direction to ensure adverse effects on landscape character and visual amenity values are avoided, remedied or mitigated.</li> <li>• Creates positive economic,</li> </ul>	<p><b>Effectiveness &amp; Efficiency</b></p> <p>Amending this policy is considered effective as it better reflects that it is the adverse effects of development that can degrade the landscape. These amendments are also considered more efficient in balancing the benefits of development and that development can be appropriate. These</p>

			and social benefits derived from future development.	amendments are therefore considered to make the policy more appropriate in seeking to achieve the objective.
<p><b>Objective 6.3.2</b> Avoid adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development.</p>	<p>1. Amend <b>Objective 6.3.2</b> as follows.  Avoid <i>remedy or mitigate</i> adverse cumulative effects on landscape character and <i>visual</i> amenity values caused by incremental subdivision and development.</p>	<p>The issue of cumulative effects is thoroughly addressed in the Section 42a report. Whilst I accept it is an important issue for the rural landscape I am not convinced that limiting the management of this effect to avoidance is the most sustainable outcome. As the Supreme Court found in King Salmon Case, the use of the word 'avoid' has its ordinary meaning of "not allow" or "prevent" the occurrence of. Based on the current policy wording any cumulative effect in the rural landscape would in effect be prohibited with no opportunity to find appropriate solutions to remedy or mitigate the effect.</p> <p>Remedying or mitigating effects is specifically provided for in Section 6 of the Act (which a District Plan is required to align with) and in my view development proposals should be given the opportunity to address cumulative landscape effects in this manner.</p>		
		<b>Costs</b>	<b>Benefits</b>	<b>Effectiveness &amp; Efficiency</b>
		<ul style="list-style-type: none"> <li>The amended policy is more enabling with the addition of the words 'remedy or mitigate' which has the potential to facilitate future development within the rural landscapes which perceivably could create some level of cumulative landscape effects.</li> </ul>	<ul style="list-style-type: none"> <li>Encourages resource consent applications to be assessed on their own merits with a strong policy direction to ensure adverse cumulative effects on landscape character and visual amenity values are avoided, remedied or mitigated.</li> <li>Creates positive economic, and social benefits derived from future development.</li> </ul>	<p>Amending this objective is considered effective as it better reflects that it is the adverse effect of development that can lead to adverse cumulative effects on the landscape. These amendments are also considered more efficient in balancing the benefits of development and that development can be appropriate. These amendments are therefore considered to make the objective more appropriate</p>

				and will better achieve the purpose of the Act.
<p><b>Policy 6.3.2.1</b></p> <p>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.</p>	<p>1. Delete <b>Policy 6.3.2.1</b>.</p>	<p>Sustaining landscape quality, character and amenity values in my opinion is a policy which is very difficult to assess a development proposal against. This policy does not add value and is inconsistent as it could be argued that no development could be achievable if amenity values are to be sustained.</p>		
		<p><b>Costs</b></p> <ul style="list-style-type: none"> <li>Deleting this policy could affect the landscape qualities and character and visual amenity values of the Rural Landscapes.</li> </ul>	<p><b>Benefits</b></p> <ul style="list-style-type: none"> <li>Avoids the District Plan containing a policy that no development may be able to achieve.</li> <li>The outcomes of this policy are covered by policy 6.3.2.2.</li> </ul>	<p><b>Effectiveness &amp; Efficiency</b></p> <p>Deleting this policy is considered more effective in avoiding difficulties around its interpretation given other policies address cumulative effects. The deletion is also considered efficient in that other policies can manage adverse cumulative effects.</p>
<p><b>Policy 6.3.2.2</b></p> <p>Allow residential subdivision and development only in locations where the District's landscape character and visual amenity would not be degraded.</p> <p><b>Policy 6.3.2.3</b></p> <p>Recognise that proposals for residential subdivision or development in the Rural Zone that seek support from existing and consented</p>	<p>1. Amend <b>Policy 6.3.2.2</b> as follows:</p> <p>Allow residential subdivision and development only in locations where the District's landscape character and visual amenity would <u>not have capacity to absorb change</u> <del>not be degraded</del>.</p> <p>2. Amend <b>Policy 6.3.2.3</b> as follows:</p> <p>Recognise that proposals for residential subdivision or</p>	<ul style="list-style-type: none"> <li>Will be more enabling of residential development in some parts of the Rural Zone with the potential that this could result in adverse cumulative effects on landscape character and visual amenity if not appropriately designed and located.</li> <li>Removal of reference to openness may mean it is overlooked. However, openness is just one value of the landscapes quality</li> </ul>	<ul style="list-style-type: none"> <li>Ensures direction is still provided to avoid remedy or mitigate adverse cumulative effects on the Rural Zone however, rural residential development is recognised and enabled where such development will not create significant adverse cumulative effects.</li> <li>Recognises the economic, social and cultural benefits development can have and that adverse cumulative effects may not always arise</li> </ul>	<p>The amendments to these policies are considered to provide for more effective policies in recognising the matters relating to cumulative effects like the landscapes ability to absorb change. They are considered more efficient in recognising the benefits of development and therefore are considered more appropriate and will better achieve the objective and purpose of the Act.</p>

<p>subdivision or development have potential for adverse cumulative effects. Particularly where the subdivision and development would constitute sprawl along roads.</p> <p><b>Policy 6.3.2.4</b></p> <p>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.</p> <p><b>Policy 6.3.2.5</b></p> <p>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.</p>	<p>development in the Rural Zone that seek support from existing and consented subdivision or development <u>may</u> have potential for adverse cumulative effects. Particularly where the subdivision and development would constitute sprawl along roads.</p> <p>3. Delete <b>Policy 6.3.2.4</b></p> <p>4. Amend <b>Policy 6.3.2.5</b> as follows:</p> <p>Ensure incremental changes from subdivision and development do not degrade landscape quality <u>or</u> character <del>or openness</del> as a result of activities associated with mitigation of the visual effects of proposed development such as screening planting, mounding and earthworks</p>	<p>and character</p>	<p>from all development.</p>	
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		<b>Costs</b>	<b>Benefits</b>	<b>Effectiveness &amp; Efficiency</b>
<p><b>Policy 6.3.4.1</b></p> <p>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.</p> <p><b>Policy 6.3.4.2</b></p> <p>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.</p>	<p>1. Amend <b>Policy 6.3.4.1</b> as follows:</p> <p>Avoid <u>remedy or mitigate adverse effects of</u> 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.</p> <p>2. Amend <b>Policy 6.3.4.2</b> as follows:</p> <p>Recognise that <del>large</del> parts of the District's Outstanding Natural Landscapes include working farms and accept that viable <u>forms of other activities and</u> farming involve activities which may modify the landscape, providing the quality and character of the Outstanding Natural Landscape is not adversely affected.</p>	<ul style="list-style-type: none"> <li>The amended policies have the potential to enable development and use of the Outstanding Natural Landscape which is susceptible to adverse effects from a change in pastoral use and existing natural character.</li> </ul>	<ul style="list-style-type: none"> <li>Enables consideration and approval of development whereas at present the policies suggest that all development would need to be prevented as it will be nearly impossible to 'avoid' any degradation from development in this landscape.</li> <li>The proposed amendments will recognise that there are unique proposals and situations where development in the Outstanding Natural Landscape is acceptable and has significant benefits – i.e. Bob's Peak which contains the Skyline Gondola and Restaurant and associated facilities.</li> <li>The amendments will better provide for the significant economic benefits that activities can have without inappropriate adverse effects.</li> </ul>	<p>The proposed amendments to the policies are considered to be more efficient and effective as they provide recognition of the positive effects development can have in this landscape whilst still directing a suitable level of protection that is consistent with purpose of the Act and are therefore more appropriate.</p>

<p><b>6.3.5 Objective</b> - Ensure subdivision and development does not degrade landscape character and diminish visual amenity values of the Rural Landscapes (RLC).</p> <p><b>Policy 6.3.5.1</b> Allow subdivision and development only where it will not degrade landscape quality or character, or diminish the visual amenity values identified for any Rural Landscape.</p> <p><b>Policy 6.3.5.2</b> Avoid adverse effects from subdivision and development that are:</p> <ul style="list-style-type: none"> <li>• Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and</li> <li>• Visible from public roads.</li> </ul>	<p>1. Amend <b>6.3.5 Objective</b> as follows.</p> <p><del>Ensure</del> <u>Enable appropriate</u> subdivision and development <del>does not degrade landscape character and diminish visual amenity values of</del> <u>in</u> the Rural Landscapes (RLC).</p> <p>1. Amend <b>Policy 6.3.5.1</b> as follows.</p> <p><del>Avoid, remedy, or mitigate adverse effects from</del> <u>Allow</u> subdivision and development <del>only where it will not degrade on landscape quality or character, or diminish the or</del> visual amenity values identified for any Rural Landscape.</p> <p>2. Amend <b>Policy 6.3.5.2</b> as follows.</p> <p>Avoid <del>remedy, or mitigate adverse</del> effects from subdivision and development that are:</p> <ul style="list-style-type: none"> <li>• Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and</li> <li>• <del>Visible from public roads.</del></li> </ul>	<p>This part of the Landscape Chapter is intended to recognise that the Rural Landscape Classification has a greater capacity to absorb change given the variable character and amenity that occurs within this landscape category. This is acknowledged in the officers Section 42 Report.</p> <p>However, the Objective and supporting Policies 6.3.5.1 and 6.3.5.2 require amendments to ensure that the framework aligns with the purpose of the Act and reflects a threshold of protection that is appropriate to the Rural Landscape Classification.</p>						
		<table border="1"> <thead> <tr> <th data-bbox="954 485 1312 539">Costs</th> <th data-bbox="1312 485 1693 539">Benefits</th> <th data-bbox="1693 485 2047 539">Effectiveness &amp; Efficiency</th> </tr> </thead> <tbody> <tr> <td data-bbox="954 539 1312 1362"> <ul style="list-style-type: none"> <li>• The amended Objective and supporting Policies are more enabling particularly with the addition of the words ‘Avoid, remedy or mitigate’ which has the potential to facilitate future development within the rural landscape classification. This would result in some level of effect on landscape character and visual amenity values.</li> </ul> </td> <td data-bbox="1312 539 1693 1362"> <ul style="list-style-type: none"> <li>• Sets a strong policy direction to ensure adverse effects on landscape character and visual amenity values are avoided, remedied or mitigated with avoidance being the key word with respect to Outstanding Natural Landscapes and Features.</li> <li>• Creates positive economic, and social benefits by enabling appropriate future development in all Rural Landscapes.</li> <li>• Affords a level of protection that is consistent with the threshold expected for landscapes that are not Outstanding Natural Landscape or Features.</li> </ul> </td> <td data-bbox="1693 539 2047 1362"> <p>These amendments are considered more effective in recognising that development is a part of the RLC landscape and that effects need to be managed. The amendments are considered more efficient in balancing costs whilst recognising the RLC landscape has the ability to absorb development and provide for significant benefits. The amended objective will better provide for the purposed the Act whilst the policies will be more appropriate in providing for the objective.</p> </td> </tr> </tbody> </table>	Costs	Benefits	Effectiveness & Efficiency	<ul style="list-style-type: none"> <li>• The amended Objective and supporting Policies are more enabling particularly with the addition of the words ‘Avoid, remedy or mitigate’ which has the potential to facilitate future development within the rural landscape classification. This would result in some level of effect on landscape character and visual amenity values.</li> </ul>	<ul style="list-style-type: none"> <li>• Sets a strong policy direction to ensure adverse effects on landscape character and visual amenity values are avoided, remedied or mitigated with avoidance being the key word with respect to Outstanding Natural Landscapes and Features.</li> <li>• Creates positive economic, and social benefits by enabling appropriate future development in all Rural Landscapes.</li> <li>• Affords a level of protection that is consistent with the threshold expected for landscapes that are not Outstanding Natural Landscape or Features.</li> </ul>	<p>These amendments are considered more effective in recognising that development is a part of the RLC landscape and that effects need to be managed. The amendments are considered more efficient in balancing costs whilst recognising the RLC landscape has the ability to absorb development and provide for significant benefits. The amended objective will better provide for the purposed the Act whilst the policies will be more appropriate in providing for the objective.</p>
Costs	Benefits	Effectiveness & Efficiency						
<ul style="list-style-type: none"> <li>• The amended Objective and supporting Policies are more enabling particularly with the addition of the words ‘Avoid, remedy or mitigate’ which has the potential to facilitate future development within the rural landscape classification. This would result in some level of effect on landscape character and visual amenity values.</li> </ul>	<ul style="list-style-type: none"> <li>• Sets a strong policy direction to ensure adverse effects on landscape character and visual amenity values are avoided, remedied or mitigated with avoidance being the key word with respect to Outstanding Natural Landscapes and Features.</li> <li>• Creates positive economic, and social benefits by enabling appropriate future development in all Rural Landscapes.</li> <li>• Affords a level of protection that is consistent with the threshold expected for landscapes that are not Outstanding Natural Landscape or Features.</li> </ul>	<p>These amendments are considered more effective in recognising that development is a part of the RLC landscape and that effects need to be managed. The amendments are considered more efficient in balancing costs whilst recognising the RLC landscape has the ability to absorb development and provide for significant benefits. The amended objective will better provide for the purposed the Act whilst the policies will be more appropriate in providing for the objective.</p>						

<p><b>Policy 6.3.5.3</b> Avoid planting and screening, particularly along roads and boundaries, which would degrade openness where such openness is an important part of the landscape quality or character.</p>	<p>1. Amend <b>Policy 6.3.5.3</b> as follows.</p> <p>Avoid planting and screening, particularly along roads and boundaries, which would degrade <del>openness</del><u>views</u> where such <del>openness</del><u>views are</u> an important <del>part of the</del> <u>for the appreciation of landscape</u> quality or character.</p>	<p>The wording of this policy is problematic in that ‘openness’ as the Rural Landscape Classification contains a variable mix of landscape units that offer different levels of views and ‘openness’ of the landscape.</p> <p>Accordingly, avoidance of planting and screening in this landscape category in order to remedy or mitigate potential adverse effects would represent a threshold of protection that is not consistent with Part 2 of the Act.</p>		
		<p><b>Costs</b></p>	<p><b>Benefits</b></p>	<p><b>Effectiveness &amp; Efficiency</b></p>

		<ul style="list-style-type: none"> <li>• The proposed amendments to this Policy may enable future development in the Rural Landscape Classification if planting and screening is an effective form of mitigation.</li> <li>• Planting and screening may result in a reduction of openness in parts of the Rural Landscape Classification.</li> </ul>	<ul style="list-style-type: none"> <li>• Sets a strong policy direction to ensure adverse effects resulting from a loss of views of the landscape are avoided, remedied or mitigated.</li> <li>• Maintains an appropriate 'tool' in mitigating effects of rural development.</li> </ul>	<p>The amendments will make the policy more effective as it better links the cause to the effect. The amendments will also make the policy more efficient for the same reasons. The amendments will therefore be more appropriate in achieving the objective.</p>
<p><b>Policy 6.3.5.6</b> Have regard to the adverse effects from subdivision and development on the open landscape character where it is open at present.</p>	<p>1. Amend <b>Policy 6.3.5.6</b> as follows.</p> <p>Have regard to the adverse effects from subdivision, <u>use</u> and development on <del>the open</del> <u>views of the</u> landscape</p>	<p>Similarly to the assessment above this policy in its notified format is problematic and as previously described the Rural Landscape Classification contains a wide variety of landscape units where the extent of openness or expansive landscape is markedly different.</p> <p>As such, it is my opinion that the policy is better worded to protect views of the specific landscape character and ensure that these views remain uninterrupted or not subjected to</p>		

	<p>character <i>where those views are uninterrupted at present. It is open at present.</i></p>	degradation.		
		<b>Costs</b>	<b>Benefits</b>	<b>Effectiveness &amp; Efficiency</b>
		<ul style="list-style-type: none"> <li>No additional costs are considered to arise. It is considered that the amended policy achieves the same intent but is more appropriately worded.</li> </ul>	<ul style="list-style-type: none"> <li>The amendments will assist to better reflect the requirement to protect views of the existing landscape character.</li> </ul>	<p>The amendments will make the policy more effective as it better links the cause to the effect. The amendments will also make the policy more efficient for the same reasons. The amendments will therefore be more appropriate in achieving the objective.</p>
<p><b>Objective 6.3.8</b> - Recognise the dependence of tourism on the District's landscapes.</p> <p><b>Policy 6.3.8.1</b> Acknowledge the contribution tourism infrastructure makes to the economic and recreational values of the District.</p> <p><b>Policy 6.3.8.2</b> Recognise that commercial recreation and tourism related activities locating within the rural zones may be appropriate where these activities enhance the appreciation of</p>	<p>1. Amend <b>Objective 6.3.8</b> as follows:</p> <p>Recognise the dependence of tourism <u>and commercial recreation</u> on the District's landscapes.</p> <p>2. Amend <b>Policy 6.3.8.1</b> as follows:</p> <p><u>Enable the establishment of infrastructure associated with tourism and commercial recreation in recognition of</u> <del>Acknowledge</del> the contribution tourism infrastructure makes to the economic and recreational values of the District.</p>	<ul style="list-style-type: none"> <li>No costs are considered to arise from the amended objective and policies.</li> </ul>	<ul style="list-style-type: none"> <li>The amendments provide better recognition of the importance of tourism and commercial recreation and the significant benefits (economic, social and cultural) that they provide to the District.</li> <li>The amendments are more enabling of tourism that is critical to the Districts economy.</li> </ul>	<p>The proposed amendments are considered to be more effective and efficient as they recognise that development for tourism and commercial recreation is a vitally important feature of the Districts economy and provides a more appropriate balance between the cost of and significant benefits of tourism. The amendments will better provide for the purpose of the Act.</p>

<p>landscapes, and on the basis they would protect, maintain or enhance landscape quality, character and visual amenity values.</p>	<p>3. Amend <b>Policy 6.3.8.2</b> as follows:</p> <p>Recognise that commercial recreation and tourism related activities locating within the rural zones may be appropriate where these activities enhance the appreciation of landscapes, and on the basis they would <u>avoid, remedy or mitigate adverse effects on</u> <del>protect, maintain or enhance</del> landscape quality, character and visual amenity values.</p>			
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