

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of Hearing Stream 11
– Ski Area Sub Zones

**REPLY OF KIM BANKS
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

SKI AREA SUB ZONES

19 MAY 2017

 **Simpson Grierson**
Barristers & Solicitors

S J Scott / H L Baillie
Telephone: +64-3-968 4018
Facsimile: +64-3-379 5023
Email: sarah.scott@simpsongrierson.com
PO Box 874
SOLICITORS
CHRISTCHURCH 8140

TABLE OF CONTENTS

1. INTRODUCTION	1
2. LANDSCAPE CLASSIFICATIONS AND LANDSCAPE ASSESSMENT MATTERS	2
3. AMENDED FRAMEWORK FOR SAA AND ACTIVITIES UNDERTAKEN OUTSIDE OF THE SASZ	3
4. ACCESS TO THE SASZ	8
5. REZONING SOUGHT BY MCS AT CARDRONA SASZ	9
6. REZONING SOUGHT BY SOHO AT CARDRONA SASZ	10
7. REZONING SOUGHT BY NZSKI AT REMARKABLES SASZ – AREA A (LAKE ALTA BASIN)	11
8. REZONING SOUGHT BY NZSKI AT REMARKABLES SASZ – 'AREA B' (REMARKABLES SKI FIELD ACCESS ROAD)	12

Appendix 1 – Recommended Revised Provisions

Appendix 2 – Section 32AA Evaluation

Appendix 3 – NZSki Proposed Rezoning of Area A at Remarkables

1. INTRODUCTION

- 1.1 My name is Kim Banks. I prepared strategic, specific and rebuttal statements of evidence for the Ski Area Sub Zones (**SASZ**) in the Proposed District Plan (**PDP**). My qualifications and experience are listed in my strategic evidence dated 10 March 2017.
- 1.2 I have reviewed the evidence filed by other expert witnesses on behalf of submitters, attended the hearing on 8 May and have been provided with information from submitters and counsel presented at the hearing, including reports of what has taken place at the hearing on 9 and 10 May 2017.
- 1.3 This reply evidence covers the following issues:
- (a) application of the landscape categories to Ski Area Activities (**SAA**);
 - (b) amended framework for Passenger Lift Systems (**PLS**) and SAA outside of the SASZ;
 - (c) access to the SASZ;
 - (d) rezoning sought by Mount Cardrona Station Limited (**MCS**, 407) at Cardrona SASZ;
 - (e) rezoning sought by Soho Ski Area Limited and Blackmans Creek No. 1 LP (**Soho**, 610) at Cardrona SASZ;
 - (f) rezoning sought by NZSki Limited (**NZSki**, 572) at Remarkables SASZ – Area A (Lake Alta Basin); and
 - (g) rezoning sought by NZSki at Remarkables SASZ – Area B (Remarkables Ski Field Access Road).
- 1.4 Where I am recommending changes to Chapter 2 (Definitions), Chapter 6 (Landscape) and Chapter 21 (Rural) as a consequence of the hearing of evidence and submissions, I have appended the relevant provisions as **Appendix 1 (Revised Provisions)**. I have attached a section 32AA evaluation in **Appendix 2**.
- 1.5 The changes that I have recommended to the text in Chapters 2, 6 and 21, may mean that additional submitters require notice of this right of reply.

2. LANDSCAPE CLASSIFICATIONS AND LANDSCAPE ASSESSMENT MATTERS

2.1 During the Council's opening, the Chair of the Hearings Panel (**Panel**) expressed concerns with the interpretation presented in my evidence relating to the application of landscape categories to SAA within the SASZ, compared to Mr Barr's evidence in Stream 1B (for the Landscape Chapter 6), and Stream 2 (Rural Chapter 21), and Council's opening legal submissions. I believe the Chair was referring to the following paragraphs in my evidence, which I acknowledge are unclear and I wish to correct them as follows (my emphasis added):

- (a) *Provision 6.4.1.3 of the Landscape Chapter identifies that SAA within the SASZ are exempt from application of the "landscape assessment matters" (as contained within Chapter 21 – Rural). However, the "landscape categories" as set out in paragraph 11.8 above apply to across the SASZ as it is located within the Rural Zone, ~~and any activities within the SASZ, including SAA;~~¹ and*
- (b) *... This means that the landscape classifications remain applicable within the SASZ, ~~inclusive of SAA,~~ as these classifications define matters identified within Section 6 (ONL), ONF) and Section 7 (RL) of the RMA, and specifically identified for management within the Rural Zone..."²*

2.2 I refer the Panel to paragraph 9.224 of Mr Barr's s42A for Chapter 6, where he states, after considering submissions on (notified) 6.4.1.3:

It is important that the provision clarifies exactly what is exempt from the landscape classifications. The Ski Area Sub Zones are located within the ONL, and the exemptions provide for anticipated activities within identified areas. In the situation that an activity not fitting the definition of Ski Area Activity is proposed within the Ski Area Sub Zone, and it requires a resource consent (e.g. non-farming) it is important that it is subject to the full assessment of the provisions of the PDP, primarily the rule framework, assessment matters in Chapter 21 (Rural Zone) and the full objective and policies of the Landscape Chapter.

1 Kim Banks, Strategic s42A, paragraph 11.13.

2 Kim Banks, Rebuttal Evidence, paragraph 3.5.

2.3 I believe my corrected evidence aligns with this extract of Mr Barr’s evidence. In summary, the landscape classifications apply across the SASZ on the planning maps. It is then the planning framework that provides that the landscape assessment matters do not apply to any SAA within the SASZ. The landscape assessment matters will apply to any non-SAA within a SASZ.³

2.4 To align with the changes I have recommended to Chapter 21 and the definition of SAA (both discussed below), I also recommend a consequential amendment to Rule 6.4.1.3 of the Landscape Chapter to clarify that the landscape assessment matters do not apply to those activities that are listed in Table 7 of Chapter 21, as these activities are anticipated and enabled within the SASZ; and matters of control or discretion have been developed to address landscape. This amendment is necessary because this provision refers specifically to “SAA”, and not all of the activities listed in Table 7 are specifically mentioned within the definition of “SAA”.

6.4.1.3 The landscape categories assessment matters apply only to the Rural Zone, and for clarification purposes do not apply to the following areas within the Rural Zones are not applicable to the following:

- a. Ski Area Activities identified as Permitted, Controlled, or Restricted Discretionary within the Ski Area Sub Zones)
- b. The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps.
- c. ~~The Gibbston Character Zone.~~
- d. ~~The Rural Lifestyle Zone.~~
- e. ~~The Rural Residential Zone.~~

3. AMENDED FRAMEWORK FOR SAA AND ACTIVITIES UNDERTAKEN OUTSIDE OF THE SASZ

3.1 Extensions of the SASZ are being sought at the Remarkables (NZSki, Area 1), Coronet Peak (NZSki), and at Cardrona (Soho/TC's revised relief), to enable the activity of skiing and ancillary activities such as avalanche safety and ski patrol to occur in areas close to, but outside the notified SASZ boundaries. In my Strategic s42A,⁴ I provided an alternative solution to extending the zone, which was to provide an additional ‘exception’ to Rule 21.4.19 to specify that such activities are permitted outside the SASZ.

3 That requires a discretionary or non-complying activity resource consent.

4 Kim Banks, Strategic s42A, paragraph 12.33.

- 3.2** NZSki in particular continued to express its preference for an extended SASZ above Lake Alta, which prohibited all earthworks, buildings and infrastructure; but allowed for other SAA, rather than my proposed solution.
- 3.3** In balancing the evidence presented by submitters and questions from the Panel during the hearing, I have considered an alternative framework to the provisions of Chapters 2, 6 and 21, which I believe will address the concerns of submitters around Rule 21.4.19 ('SAA outside of the SASZ'). I believe this revised framework will alleviate the need for extensions to the SASZ and clarify in particular that the activity of skiing (whether commercial or non-commercial) is permitted outside the SASZ. It remains my view that the SASZ should not be extended at 'Area A' at the Lake Alta Basin.
- 3.4** The following changes have been made under the revised framework I recommend to Chapter 21, and I discuss some of these in more detail in subsequent sections:
- (a) amending the definition of "Ski Area Activities" to reframe this to the range of land uses and activities consistent with skiing and in association with SASZs; and avoid reference to words such as 'installation' and 'establishment' which (in combination with my recommended new Rule 21.5.27A – relocated from reply Rule 21.4.18) imply or suggest that such components of the definition should be permitted. The revised definition is also less specific and broader, so as to be otherwise guided by the Activity Table and other zone provisions (Purpose, Objectives and Policies) for determining activity status. This avoids the need to mention every possible activity that may occur in a SASZ within the definition, and also avoids a possible misinterpretation that avalanche safety and ski patrol are regulated by the PDP (either inside or outside of the SASZ);
 - (b) amending the definition of "Ski Area Activities" to decouple it from PLS, and more generally refer to "transportation and servicing infrastructure". PLS remain a separate definition, and remain identified as a Controlled activity within the SASZ;
 - (c) a new Rule 21.4.27C (relocated from reply Rule 21.4.19) that identifies PLS as a restricted discretionary activity within the Rural Zone generally, which in combination with the suggested amendment

to the definition of SAA, will enable this rule to apply to systems (such as a gondola) in the Rural zone which may, or may not be, associated with access to a SASZ. The matters of discretion have been revised to include reference to the landscape and link with the landscape classifications of Chapter 6 which will remain applicable over this land;

- (d) a new rule (21.4.27B) that identifies a PLS connecting the Mount Cardrona Station Special Zone to the Cardrona Ski Area Sub Zone as a Controlled Activity (discussed again below);
- (e) deletion of reply Rule 21.4.19 which stated that SAA outside the SASZ are a non-complying activity; and inclusion of new Rule 21.4.27A which clarifies that some activities (such as commercial recreation and recreation i.e. skiing) are permitted outside the SASZ. Other activities not falling within the permitted uses of new Rule 21.4.27A will otherwise default to the respective rules for the Rural zone (for example, visitor accommodation outside the SASZ would be a discretionary activity via Rule 21.4.20);
- (f) Including an advice note to clarify that heli-skiing is subject to the Rules for Informal Airports (21.4.25 and Table 6), because the deletion of Rule 21.4.19 removes the rule that clarified that heli-skiing not located within a SASZ is a commercial recreation activity;
- (g) a consequential amendment to the definition of “Commercial Recreational Activities” to delete the text “...excluding ski area activities” so that this definition is consistent with the definition of SAA, which includes “...recreational activities either commercial or non commercial”;
- (h) a new rule (21.4.27D) that identifies ‘access’ in the Rural Zone used to convey passengers to and from a SASZ as a restricted discretionary activity, and provides a dedicated rule framework for construction of roads or other transport infrastructure (discussed again below); and
- (i) exclusion of PLS from Table 3 (Standards for Buildings) because a PLS is subject to a dedicated consent process both within and outside the SASZ, with matters of control (in the SASZ) and matters of discretion (in the Rural Zone) and the route and design of such structures is often governed by other factors which would make these standards impractical and irrelevant.

Passenger Lift Systems

- 3.5** The deletion of Rule 21.4.19 removes the recommended restricted discretionary rule for PLS outside the SASZ (as recommended in Council's reply for the Rural hearing). It remains my view that restricted discretionary status for PLS outside the SASZ is appropriate, and this was also accepted by Mr Ferguson through his supplementary evidence for Soho and Treble Cone Investments Ltd (**TC**).
- 3.6** Through the hearing, the Panel has questioned the approach for PLS, and the possible application of a district wide restricted discretionary status for gondolas (not only for those providing access to a SASZ, but also for other gondolas, such as the existing Skyline gondola). I consider restricted discretionary activity status to be appropriate for gondolas district wide, regardless of whether they provide access to a SASZ or are for another purpose. This is because the resource management considerations for a gondola within the Rural Zone and any Outstanding Natural Landscape (**ONL**) are essentially consistent, wherever these systems may be located. The exception to this is between the existing SASZ at Cardrona and the Mount Cardrona Station Special Zone, where I recommend a controlled activity status is applied, and I return to this later.
- 3.7** To provide a rule framework for PLS in the Rural zone generally, I recommend decoupling PLS from the definition of SAA so that it becomes a stand-alone definition within Chapter 2, and updating the definition of PLS so that it does not require that it be "within or to a ski area sub zone". I also recommend deleting reference to PLS specifically within the definition of SAA, and replacing this with "*transportation and servicing infrastructure*". My changes do still provide specifically for PLS within the SASZ as a controlled activity, as I recognise that these systems (particularly chairlifts, t-bars and rope tows; and in some instances gondolas) are integral to the continued development of SAA and achievement of the zone purpose. Recognition of the role of PLS in supporting the continued development of SASZs from such structures is reflected in the amended Policy 21.2.6.4, which refers to their reliance on connection to transport networks.
- 3.8** To provide for PLS in both the Rural Zone generally, and also within SASZs, I recommend three separate rules:

- (a) 21.4.27B of Table 1, which identifies PLS in the Rural Zone (between the Mount Cardrona Station Special Zone and the Cardrona Ski Area Sub Zone) as a controlled activity;
- (b) 21.4.27C of Table 1, which identifies PLS in the Rural Zone as a restricted discretionary activity; and
- (c) 21.5.28 of Table 7 which identifies PLS in a SASZ as a controlled activity.

3.9 With regard to PLS for activities not dedicated to access associated with SASZ (Rule 21.4.27C), I consider that Objective 21.2.9 and related policies support this rule and provide appropriate guidance for decision makers. The relevant objective and policies are:

21.2.9 A range of activities are undertaken that rely on a rural location on the basis they do not degrade landscape values, rural amenity, or impinge on permitted and established activities.

21.2.9.1 Commercial activities in the Rural Zone should have a genuine link with the rural land and water resource, farming, horticulture or viticulture activities, or recreation activities associated with resources located within the Rural Zone.

21.2.9.2 Provide for the establishment of commercial, retail and industrial activities only where these would protect, maintain or enhance rural quality or character, amenity and landscape values.

3.10 In terms of PLS being subject to the standards for buildings, I concur with the evidence of Mr Ferguson, in that PLS could be completely excluded from the standards in Table 3. I have therefore amended the heading to Table 3 as identified below:

Table 3 – Standards for Structures and Buildings		Non-compliance
The following standards apply to structures and buildings, except Farm Buildings <u>and Passenger Lift Systems.</u>		
21.5.14	Structures	21.5.14

3.11 I believe this change is appropriate because a PLS is subject to a consent process, with matters of control (in the SASZ) and matters of discretion (in the Rural Zone) and the route and design of such structures is often governed by other factors which would make these standards irrelevant. However, as a consequence I have recommended that material colour and light reflectance should be included more explicitly in the matters of control or discretion for a PLS (as this was otherwise required by Table 3, Rule 21.5.15), particularly those located outside the SASZ.

3.12 However other SAA and buildings should remain subject to these standards, particularly building height. Therefore, I accept the recommended amendment of Mr Ferguson with minor modification.

4. ACCESS TO THE SASZ

4.1 A number of submitters, and in particular through submitters' evidence for Soho (610) and TCI (613), support the recognition of PLS outside the notified SASZ. However, Soho and TCI also seek recognition within the provisions of vehicular and other transportation systems upon which the SASZ relies, because this infrastructure is integral to meeting the purpose of the zone. I agree that this infrastructure is integral. However, as I have previously stated, I do not support extension of the SASZ as the means of recognising or providing for such infrastructure.

4.2 It is my understanding, as also stated by Mr Ferguson, that the construction of a road is subject to the status of the activity to which the road/access relates. Therefore, if the access is related to a particular SAA, then the activity status for road construction is the same activity status as the SAA. Earthworks and indigenous vegetation clearance rules also apply. I have stated above, that I recommend deleting Rule 21.4.19, which stated that SAA outside the SASZ are non-complying. Therefore, this status would no longer apply for road access to a SASZ. The Rural Zone provisions would then become relevant.

4.3 I have reviewed Mr Ferguson's proposed approach. I support the provision of restricted discretionary status for vehicle access, as this provides a rule and matters of discretion specifically for road access itself, and would unbundle road construction from the activity to which it relates to enable it to be considered as a specific and separate activity. However, I recommend some

modifications to the terminology used by Mr Ferguson, to reduce subjectivity and to provide additional matters of discretion.

4.4 Firstly, I consider the rule can be simplified to refer to “*access (other than a passenger lift system) used to convey passengers to and from a SASZ*”. In my view, the word 'access' sufficiently covers the possible types of access that could be developed, whether vehicular or otherwise. The more important consideration is that the access is *to a SASZ*. I also have adopted Mr Ferguson's matters of discretion in part, however with some amendments, and with the inclusion of erosion and sediment control. I also do not support inclusion of 'economic viability' as the PDP is required under Part 5 to provide for economic wellbeing, and does so by the resource management framework applied. The PDP does not directly influence economic viability.

5. REZONING SOUGHT BY MCS AT CARDRONA SASZ

5.1 In light of the evidence lodged by MCS and questions from the Panel during the course of the hearing, I have reconsidered my view on this rezoning. I make this recommendation on the basis that the relief sought by the submitter is for the purpose of enabling a PLS connection, between the SASZ and the Mount Cardrona Station Special Zone, as a controlled activity.

5.2 Within my s42A, I expressed concerns at extending this zone on this specific land area due to the range of possible other SAA that could be enabled, and due to inconsistency with the zone purpose having its basis in locations where skiing occurs. I consider that the notified boundary of the Cardrona SASZ (extending down to around 700masl) in some ways has exacerbated this. However, this matter is not within the scope of this hearing. I do however consider that to extend the sub-zone in this location to join with a zone that enables urban activities, is inappropriate, and could set a precedent for a similar outcome in other locations (which I have not recommended).

5.3 The relief was subsequently modified through MCSL's evidence. I consider the simplest means of enabling the PLS in this location as a controlled activity is to create a new rule, under the Rural Zone (and alongside the changes discussed above for PLS in the Rural zone generally). This new rule will specify that a *PLS “Between the Mt Cardrona Station Special Zone and the*

Cardrona Ski Area Subzone” is a controlled activity. This rule will also mean that no overlay is required on the planning map.

- 5.4 The changes I have recommended are identified in **Appendix 1** and analysed in **Appendix 2 (s32AA)**.

6. REZONING SOUGHT BY SOHO AT CARDRONA SASZ

- 6.1 At the hearing, a Statement of Supplementary Evidence was presented by Mr Ferguson, identifying a reduced extent of rezoning (181 ha) within the upper reaches of the Callaghans Creek and Blackmans Creek Basin, with the reason being to provide opportunity for skiing. Based on the recommended changes to the provisions, I consider that any extension to the SASZ is unnecessary simply to recognise the activity of skiing, and I have recommended alternative relief that I consider should address the submitter's concerns.
- 6.2 However I have reviewed my position, and based on the revised extent I now support this rezoning (with the minor exception addressed in the following paragraph) as I consider its reduced scale and elevation (mostly above the ‘snow line’ at 1100masl) better fits the purpose of the zone, and does not create the need for a range of bespoke rules in order to manage possible effects. I note that Ms Yvonne Pfluger for Soho and TC has responded to queries from the Panel confirming she does not have concerns with this revised rezoning (which in itself distinguishes the rezoning from that sought at Remarkables, Area A). With regard to the practical effects of this rezoning, I note that consent obligations still apply under Table 7 for PLS, buildings, and visitor accommodation – and landscape is a relevant matter of consideration. The outcome of future earthworks provisions applicable to this area is not known, however I have considered this uncertainty in the context of the significant extent of the notified Cardrona SASZ which under the ODP contains a blanket exemption for earthworks.
- 6.3 There is one component of the amended relief that I do not support, as I note that the revised area extends further into the Blackmans Creek basin than the original submission did and this component of the rezoning is therefore out of scope. It has not been specifically assessed by Dr Read, nor I believe by Ms Pfluger. A QEII Mana Whenua (Open Space) Covenant also adjoins the Cardrona SASZ. I am not aware as to the exact location of the covenant

boundary in relation to the revised rezoning presented by Mr Ferguson; however my support is also on the basis that the zone extension remains fully outside of the boundaries of the QEII covenant.

6.4 My support is therefore limited to the area between the original rezoning submission, and the notified SASZ; and excluding any land affected by a QEII covenant. I have analysed this recommendation in **Appendix 2** (s32AA), which includes an image of the extent of the rezoning which I support.

7. REZONING SOUGHT BY NZSKI AT REMARKABLES SASZ – AREA A (LAKE ALTA BASIN)

7.1 With regard to the mapping error relating to the boundary of the SASZ and the QLDC District boundary, I have liaised with NZSki. NZSki has provided a response to the Panel dated 17 May 2017.

7.2 As discussed in my Summary of Evidence, this error has occurred because the submitter's evidence and their rezoning extent boundary was prepared using Council's GIS District Plan Maps; which contained the incorrect location of the Stats NZ territorial authority boundary. Within **Appendix 3** I attach a map which illustrates the extent of NZSki's rezoning submission (using GIS data provided by NZSki), in relation to the (correct) QLDC District boundary (ie, the same as shown on the Council's notified planning map).

7.3 As illustrated in **Appendix 3**, some of the rezoning extent of Area A does remain within the QLDC District and remains within the scope of this hearing. In relation to this part of Area A, I note that NZSki maintains that the zone should be extended under a 'no-build area' framework, to recognise ski activities occurring here. I consider this to be unnecessary, based on the changes I have recommended to the chapter provisions discussed above, in particular a recommended new 21.4.27A which specifies that SAA for commercial recreation, avalanche safety and ski patrol are permitted outside the SASZ. I maintain the Rural Zone framework will be appropriate in managing activities undertaken in this area, recognising its recreational value, which is derived not only from skiing.

7.4 I do not agree with the submitter's case at the hearing, which was that the extension of the SASZ was necessary, solely to recognise existing skiing in the area.

8. REZONING SOUGHT BY NZSKI AT REMARKABLES SASZ – 'AREA B' (REMARKABLES SKI FIELD ACCESS ROAD)

8.1 Following review of the evidence and questioning of NZSki, I confirm that my recommendation to oppose this rezoning of 'Area B' is unchanged. As stated in my Specific s42A and rebuttal, I consider that the Rural Zone is more appropriate in this instance, to manage the range of possible and uncertain effects that may arise from the type of zoning and framework promoted by NZSki. Mr Dent acknowledged at the hearing that it was more of a special zone that they are pursuing, but referred to it as a type of SASZ as it related to the SAA within the Remarkables ski area.

8.2 The Rural Zone, in combination with the provisions of Chapter 6 (Landscape) provides the appropriate framework to address s6(b), s7(b), (c) and (f) of the RMA, in addition to Goal 3.2.5 to protect the ONL from inappropriate subdivision, use and development. Dr Read remains opposed to this submission from a landscape perspective.

8.3 However, I recognise the need to provide for some degree of buildings and activities such as worker accommodation that directly support the continued operation of the Remarkables Ski Area within the Rural framework. Mr Dent's concern is that the Rural Zone (regardless of landscape classification) contains relatively strong provisions. The purpose, objectives and policies of the Rural Zone do contain some recognition of the need to provide for "*appropriate other activities that rely on the rural land resource...* and separately, to "*enable the continued development of ski area activities... within the identified sub zones...*".⁵

8.4 I consider that there could be a more explicit link to activities occurring outside the SASZ, which rely on the rural resource, and support achievement of the purpose of the SASZ, i.e. providing for activities that directly support ski field operations. This is a similar matter to the need to provide for access upon

5 Rural Zone Purpose.

which the SASZ relies (discussed above). I have therefore recommended some changes to the policies for Chapter 21 to address this (Policies 21.2.6.4, 21.2.6.5 and 21.2.9.9). The proposed new policy 21.2.9.9 states:

21.2.9.9 Have regard to the role of commercial activities and worker accommodation in supporting the future growth and development of ski field operations in Ski Area Subzones.

- 8.5** This policy sits under Objective 21.2.9 which provides for a range of activities that rely on a rural location provided they do not degrade landscape values, rural amenity, or impinge on farming permitted and established activities. Therefore, whilst the preference is for such uses to locate within the SASZ (and this is encouraged by the restricted discretionary activity status and Policies 21.2.6.4 and 21.2.6.5), the proposed new policy 21.2.9.9 will assist in the consideration of these uses where they may be proposed outside of the SASZ. However, this will be under the umbrella of the caveats of Objective 21.2.9 which requires that they do not degrade landscape values.
- 8.6** With the suggested amendments to policies, it remains my view that Area B is more appropriately zoned Rural. This is because in my view, it is appropriate that the strategic objectives and policies of the PDP, including landscape assessment matters, are able to be applied here, consistent with development occurring elsewhere in the Rural Zone or within an ONL.
- 8.7** In my view, the strategic chapters of the PDP provide adequate recognition of the economic and recreation value of tourism and skiing, including the activities that support this. This is evident through Strategic Direction Chapter 3, under Goal 3.2.1 and Policy 3.2.1.1.3; Objective 3.2.1.6; and Objective 3.2.1.4; and within the Landscape Chapter 6 at Objective 6.3.7 and associated policies. I therefore consider these provisions would be helpful, in combination with the policy amendments I have recommended, in guiding the analysis of discretionary or non-complying consent applications on this land.
- 8.8** With regard to visitor or worker accommodation, I note that this activity would be discretionary under Rule 21.4.20 within the Rural Zone. I consider that given the local site context, it is important that such development be considered against Chapter 6 and the landscape assessment matters. I believe the discretionary status to be appropriate, particularly as there is land in close proximity to the ski field within Jacks Point, Kelvin Heights and the

Remarkables Park Special Zone, which is zoned to enable visitor accommodation. I have however recommended the inclusion of reference to visitor accommodation and worker accommodation, associated with SAA in a SASZ, within the amended policy framework (Objective 21.2.6 and Policy 21.2.6.5).

- 8.9** The changes I have recommended are identified in **Appendix 1** and analysed in **Appendix 2 (s32AA)**.



Kim Banks

19 May 2017

APPENDIX 1
RECOMMENDED REVISED PROVISIONS

RURAL ZONE 21

Key:

Green underlined text for additions and ~~green strike through~~ text for deletions, Right of Reply of Kim Banks, Hearing Stream 11, dated 19 May 2017.

Red underlined text for additions and ~~red strike through~~ text for deletions, Appendix 1 to Craig Barr's Right of Reply, dated 3 June 2016.

Purple underlined text for additions and ~~purple strike through~~ text for deletions, Working Draft in response to the Panel's Fourth Procedural Minute, dated 13 April 2016.

21 Rural Zone

21.1 Zone Purpose

The purpose of the Rural zone is to enable farming activities and provide for appropriate other activities that rely on rural resources while protecting, maintaining and enhancing landscape values, nature conservation values, the soil and water resource and rural amenity.

Comment [CB1]: J Brown for 806 et. al

A wide range of productive activities occur in the Rural Zone and because the majority of the District's distinctive landscapes comprising open spaces, lakes and rivers with high visual quality and cultural value are located in the Rural Zone, there also exists ~~the desire for a wide range of~~ rural living, recreation, commercial and tourism activities and the desire for further opportunities for these activities.

Comment [CB2]: J Brown for 806 et. al

Ski Area sub zones are located within the Rural Zone. These sub zones recognise the contribution tourism infrastructure makes to the economic and recreational values of the District. The purpose of the Ski Area sub zones is to enable the continued development of Ski Area Activities as year round destinations for ski area, tourism and recreational activities within the identified sub zones where the effects of the development ~~would be~~ are cumulatively minor.

Comment [CB3]: Submitters 610, 613, 615, FS1229.

Comment [CB4]: J Brown for 806 et. al

In addition, the Rural Industrial Sub Zone includes established industrial activities that are based on rural resources or support farming and rural productive activities.

A substantial proportion of the Outstanding Natural Landscapes of the district comprises private land managed in traditional pastoral farming systems. Rural land values tend to be driven by the high landscape and amenity values in the district. The long term sustainability of pastoral farming will depend upon farmers being able to achieve economic returns from utilising the natural and physical resources of their properties. For this reason, it is important to acknowledge the potential for a range of alternative uses of ~~farm~~ rural properties that utilise the qualities that make them so valuable.

Comment [CB5]: J Brown for 806 et. al

The Gibbston Valley is recognised as a Special Character Area for viticulture production and the management of this area is provided for in Chapter 23.

Pursuant to Section 86(b)(3) of the RMA, the following rules that protect or relate to water have immediate legal effect:

- 21.4.24 and all rules in Table 9: Activities on the surface of lakes and rivers.
- 21.5.4: Setback of buildings from water bodies.
- 21.5.7: Dairy farming grazing within the bed or margin of a water body.
- 21.4.30 (b) and 21.4.32: Suction dredge mining.

RURAL ZONE 21

21.2.6 **Objective - Encourage** ~~The future growth, development and consolidation of existing Ski Areas~~ **Skiing Area Activities is encouraged within identified and Ski Area Sub Zones, while avoiding, remedying or mitigating adverse effects on the environment.**

Comment [CB6]: Grammatical change to read more like an outcome statement.

Comment [KB7]: NZSki (572); Ski Area Sub Zone Mapping (Stream 11)

Comment [CB8]: Grammatical change

Policies

21.2.6.1 Identify Ski **Field Area** Sub Zones and encourage Ski Area Activities to locate and consolidate within the sub zones.

21.2.6.2 Control the visual impact of roads, buildings and infrastructure associated with Ski Area Activities.

21.2.6.3 Provide for the continuation of existing vehicle testing facilities within the Waiorau Snow Farm Ski Area Sub Zone on the basis the landscape and indigenous biodiversity values are not further degraded.

~~21.2.6.4 Provide for appropriate alternative (non road) means of transport to and within Ski Area Sub Zones, by way of passenger lift systems and ancillary structures and facilities, recognising their reliance on connection to the District's road and transportation network.~~

Comment [CB9]: 806 et. al

Comment [SG10]: Soho/TCI (610); Ski Area Sub Zone Mapping (Stream 11)

~~21.2.6.5 Provide for visitor accommodation and worker accommodation activities within Ski Area Sub Zones and/or associated with a Ski Area Activity, which are complementary to outdoor recreation activities, can realise landscape and conservation benefits and that avoid, remedy or mitigate adverse effects on the environment and landscape.~~

Comment [SG11]: NZSki (572); Ski Area Sub Zone Mapping (Stream 11)

Policies

21.2.9.1 Commercial activities in the Rural Zone should have a genuine link with the rural land **and** water resource, farming, horticulture or viticulture activities, or recreation activities associated with resources located within the Rural Zone.

Comment [CB12]: Clarity. Activities on the surface of water are deemed to be a use of land, however water is added for clarity.

21.2.9.2 ~~Avoid~~ Provide for the establishment of commercial, retail and industrial activities **only** where they ~~se~~ would ~~degrade~~ **protect, maintain or enhance** rural quality or character, amenity values and landscape values.

Comment [CB13]: Submitter 806 and FS1313.

21.2.9.3 Encourage forestry to be consistent with topography and vegetation patterns, to locate outside of the Outstanding Natural Features and Landscapes, **significant natural areas** and ensure forestry does not degrade the landscape character or visual amenity values of the Rural Landscape.

Comment [CB14]: Submitter 706.

21.2.9.4 Ensure forestry harvesting avoids adverse effects with regards to siltation and erosion and sites are rehabilitated to minimise runoff, erosion and effects on landscape values.

21.2.9.5 Limit **exotic** forestry to species that do not have any potential to spread and naturalise.

Comment [CB15]: Submitter 600.

21.2.9.6 Ensure traffic from commercial activities does not diminish rural amenity or affect the safe and efficient operation of the roading and trail network, or access to public places.

21.2.9.7 **Provide** for a range of activities that support the vitality, use and enjoyment of the **Queenstown Trail and Upper Clutha Tracks Trail** network on the basis landscape and rural amenity is protected, maintained or enhanced and established activities are not **compromised**.

Comment [CB16]: Submitter 671

~~21.2.9.8 Ensure that rural living is located where rural character, amenity and landscape values can be managed to ensure that over domestication of the rural landscape is avoided.~~

Comment [CB17]: Submitter 806 et. al

~~21.2.9.9 Have regard to the role of commercial activities and worker accommodation in supporting the future growth and development of ski field operations in Ski Area Sub Zones.~~

Comment [KB18]: NZSki (572); Ski Area Sub Zone Mapping (Stream 11)

RURAL ZONE 21

21.4 Rules - Activities

All activities, including any listed permitted activities shall be subject to the rules and standards contained in Tables 1 to 10.

Table 1 – Activities

Table 2 – Standards for all Activities

Table 3 – Structures and Buildings

Table 4 – Farm Buildings

Table 5 – Commercial Activities

Table 6 – Informal Airports

Table 7 – Ski Area Sub Zone

Table 8 – Rural Industrial Sub Zone

Table 9 – Surface of Lakes and Rivers

Table 10 – Closeburn Station

Rule	Table 1 – Activities Rural Zone	Activity
21.4.1	Any activity not listed in tables 1 to 10.	NC
	Farming Activities	
21.4.2	Farming Activity that complies with the standards in Table 2.	P
21.4.3	Construction or addition to farm buildings that comply with the standards in Table 4.	P
21.4.4	Factory Farming that complies with the standards in Table 2.	P
	<u>Buildings, Residential Activities, Subdivision and Development</u>	
21.4.5	The use of land or buildings for residential activity except as provided for in any other rule.	D
21.4.6	One residential unit within any building platform approved by resource consent.	P
21.4.7	The construction and exterior alteration of buildings located within a building platform approved by resource consent, or registered on the applicable computer freehold register, subject to compliance with the standards in Table 3.	P
21.4.8	The exterior alteration of any lawfully established building located outside of a building platform <u>where there is not an approved building platform on the site</u> , subject to compliance with the standards in Table 3.	P
21.4.9	The identification of a building platform not less than 70m ² and not greater than 1000m ² .	D
21.4.10	The construction of any building including the physical activity associated with buildings including roading, access, lighting, landscaping and earthworks, not provided for by any other rule.	D

RURAL ZONE 21

Rule	Table 1 – Activities Rural Zone	Activity
21.4.11	Domestic Livestock.	P
21.4.12	Residential Flat (activity only, the specific rules for the construction of any buildings apply).	P
	Commercial Activities	
21.4.13	Home Occupation that complies with the standards in Table 5.	P
21.4.14	<p>Retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site and that comply with the standards in Table 5.</p> <p>Except roadside stalls that meet the following shall be a permitted activity:</p> <ol style="list-style-type: none"> the ground floor area is less than 5m²; are not higher than 2.0m from ground level; the minimum sight distance from the stall/access shall be 200m; the minimum distance of the stall/access from an intersection shall be 100m; and, the stall shall not be located on the legal road reserve. <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> The location of the activity and buildings. Vehicle crossing location, car parking. Rural amenity and landscape character. 	C
21.4.15	Commercial activities ancillary to and located on the same site as commercial recreational or recreational activities.	D
21.4.16	Commercial recreation activities that comply with the standards in Table 5.	P
21.4.17	Cafes and restaurants located in a winery complex within a vineyard.	D
21.4.18	Ski Area Activities within the a Ski Area Sub Zone.	P

Comment [CB19]: Submitter 806 et al

Comment [SG20]: Relocated to 21.5.27A. Ski Area Sub Zone Mapping (Stream 11)

RURAL ZONE 21

Rule	Table 1 – Activities Rural Zone	Activity
21.4.19	<p>Ski Area Activities not located within a Ski Area Sub Zone, with the exception of the following:</p> <p>Passenger Lift Systems, heli-skiing and non-commercial skiing.</p> <p>a. Commercial heli skiing not located within a Ski Area Sub Zone is a commercial recreation activity Rule 21.4.16 applies.</p> <p>b. Passenger Lift Systems not located within a Ski Area Sub Zone shall be a restricted discretionary activity.</p> <p>Discretion is reserved to all of the following:</p> <ul style="list-style-type: none"> • The route of the passenger lift system and the extent to which the passenger lift system breaks the line and form of the landscapes with special regard to skylines, ridges, hills and prominent slopes. • Whether the materials and colours to be used are consistent with the rural landscape of which the passenger lift system will form a part. • Whether the geotechnical conditions are suitable for the passenger lift system and the extent to which they are relevant to the route. • Lighting. • The ecological values of the land affected by structures and activities. • Balancing environmental considerations with operational requirements. • The positive effects arising from directly linking settlements with ski area sub zones and providing alternative non-vehicular access. 	NC
21.4.20	Visitor Accommodation.	D
21.4.21	Forestry Activities <u>within the Rural Landscapes classification.</u>	D
21.4.22	Retail activities within the Rural Industrial Sub Zone that involve the sale of goods produced, processed or manufactured on site or ancillary to Rural Industrial activities that comply with Table 8.	P
21.4.23	Administrative offices ancillary to and located on the same site as Rural Industrial activities being undertaken within the Rural Industrial Sub Zone that comply with Table 8.	P
	Other Activities	
21.4.24	Activities on the surface of lakes and rivers that comply with Table 9.	P
21.4.25	Informal Airports that that comply with Table 6.	P
21.4.26	Any building within a Building Restriction Area identified on the Planning Maps.	NC
21.4.27	Recreation and/or Recreational Activity.	P

Comment [KB21]: Relocated to 21.4.27A, 21.4.27B, 21.4.27C, and Table 7; Ski Area Sub Zone Mapping (Stream 11)

Comment [CB22]: Submitter 407

Comment [CB23]: Comment. Non commercial skiing is a recreational activity and permitted pursuant to Rule 21.4.27

RURAL ZONE 21

Rule	Table 1 – Activities Rural Zone	Activity
21.4.27A	<p>The following Ski Area Activities not located within a Ski Area Sub Zone, with the exception of the following:</p> <p>a. recreational activities either commercial or non commercial</p> <p>b. use of snowgroomers, snowmobiles and 4WD vehicles for support or operational activities.</p> <p>c. avalanche safety and ski patrol.</p> <p>Note: Heli-skiing is subject to the Rules for Informal Airports (21.4.25 and Table 6).</p> <p>Passenger Lift Systems, heli skiing and non commercial skiing.</p> <p>a. Commercial heli skiing not located within a Ski Area Sub Zone is a commercial recreation activity Rule 21.4.16 applies.</p> <p>b. Passenger Lift Systems not located within a Ski Area Sub Zone shall be a restricted discretionary activity.</p> <p>Discretion is reserved to all of the following:</p> <ul style="list-style-type: none"> • The route of the passenger lift system and the extent to which the passenger lift system breaks the line and form of the landscapes with special regard to skylines, ridges, hills and prominent slopes. • Whether the materials and colours to be used are consistent with the rural landscape of which the passenger lift system will form a part. • Whether the geotechnical conditions are suitable for the passenger lift system and the extent to which they are relevant to the route. • Lighting. • The ecological values of the land affected by structures and activities. • Balancing environmental considerations with operational requirements. • The positive effects arising from directly linking settlements with ski area sub-zones and providing alternative non-vehicular access. 	<p>NC-P</p>

Comment [SG24]: MCS (407), NZSKI (572), Soho/TCI (610); Ski Area Sub Zone Mapping (Stream 11)

Comment [CB25]: Submitter 407

Comment [CB26]: Comment. Non commercial skiing is a recreational activity and permitted pursuant to Rule 21.4.27

Comment [KB27]: Relocated under "Note" of this rule 21.4.27A; Ski Area Sub Zone Mapping (Stream 11)

Comment [KB28]: Relocated to Rule 21.4.27B and 27.4.27C; Ski Area Sub Zone Mapping (Stream 11)

RURAL ZONE 21

Rule	Table 1 – Activities Rural Zone	Activity
<p>21.4.27 B</p>	<p>Passenger Lift Systems directly linking the Mount Cardrona Station Special Zone to the Cardrona Ski Area Sub Zone</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • The extent to which the ski tow or lift or building passenger lift system breaks the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes. • Whether the materials and colour to be used are consistent with the rural landscape of which the passenger lift system will form a part. • Whether the Materials, and colours and light reflectance to be used are, including consistency with the rural landscape of which the passenger lift system will form a part. • Landscape. • Sediment and erosion control. • Balancing environmental considerations with operational characteristics. 	<p>C</p>
<p>21.4.27 C</p>	<p>Ski Area Activities within the a Ski Area Sub Zone.</p> <p>Passenger Lift Systems</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> • The route of the passenger lift system and the extent to which the passenger lift system breaks the line and form of the landscapes with special regard to skylines, ridges, hills and prominent slopes. • Whether the Materials, and colours, and light reflectance to be used are, including consistency with the rural landscape of which the passenger lift system will form a part. • Landscape. • Whether the geotechnical conditions are suitable for the passenger lift system or vehicle and the extent to which they are relevant to the route. • Lighting. • The ecological values of the land affected by structures and activities. • Balancing environmental considerations with operational requirements. • The positive effects arising from directly linking settlements with ski area sub zones and providing alternative non-vehicular access. 	<p>P</p> <p>RD</p>

Comment [KB29]: MCS (407); Ski Area Sub Zone Mapping (Stream 11)

Comment [CB30]: Submitter 407

Comment [CB31]: Submitter 407

Comment [SG32]: Soho/TCl (610); Ski Area Sub Zone Mapping (Stream 11)

RURAL ZONE 21

Rule	Table 1 – Activities Rural Zone	Activity
21.4.27D	<p><u>Access (other than a Passenger Lift System) to and from a Ski Area Sub Zone.</u></p> <p><u>Discretion is restricted to the following:</u></p> <ul style="list-style-type: none"> • <u>Route and alignment with special regard to skylines, ridges, hills and prominent slopes.</u> • <u>Landscape.</u> • <u>Geotechnical conditions and the extent to which they are suitable and relevant to the route.</u> • <u>Lighting.</u> • <u>Ecological values and any proposed ecological mitigation works.</u> • <u>Sediment and erosion control.</u> • <u>Balancing environmental considerations with operational requirements.</u> • <u>The positive effects arising from directly linking the transportation network with ski area sub zones.</u> 	RD
	Activities within the Outer Control Boundary at Queenstown Airport and Wanaka Airport	
21.4.28	<p>New Building Platforms and Activities within the Outer Control Boundary - Wanaka Airport</p> <p>On any site located within the Outer Control Boundary, any new activity sensitive to aircraft noise or new building platform to be used for an activity sensitive to aircraft noise (except an activity sensitive to aircraft noise located on a building platform approved before 20 October 2010).</p>	PR
21.4.29	<p>Activities within the Outer Control Boundary - Queenstown Airport</p> <p>On any site located within the Outer Control Boundary, which includes the Air Noise Boundary, as indicated on the District Plan Maps, any new Activity Sensitive to Aircraft Noise.</p>	PR
	Mining Activities	
21.4.30	<p>The following mining and extraction activities are permitted:</p> <ol style="list-style-type: none"> a. Mineral prospecting. b. Mining by means of hand-held, non-motorised equipment and suction dredging, where the total motive power of any dredge does not exceed 10 horsepower (7.5 kilowatt); and c. The mining of aggregate for farming activities provided the total volume does not exceed 1000m³ in any one year. d. The activity will not be undertaken on an Outstanding Natural Feature. 	P

Comment [SG33]: Soho/TCI (610); Ski Area Sub Zone Mapping (Stream 11)

RURAL ZONE 21

Rule	Table 1 – Activities Rural Zone	Activity
21.4.31	<p>Mineral exploration that does not involve more than 20m³ in volume in any one hectare</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> The adverse effects on landscape, nature conservation values and water quality. <p>Rehabilitation of the site is completed that ensures:</p> <ul style="list-style-type: none"> the long term stability of the site. that the landforms or vegetation on finished areas are visually integrated into the landscape. water quality is maintained. that the land is returned to its original productive capacity. <u>that the land is rehabilitated to indigenous vegetation where the pre-existing land cover immediately prior to the exploration, comprised indigenous vegetation in terms of Part 33.3.3.2 and 33.3.3.3.</u> 	C
21.4.32	Any mining activity <u>or mineral prospecting</u> other than provided for in rules 21.4.30 and 21.4.31.	D
	Industrial Activities	
21.4.33	Rural Industrial Activities within a Rural Industrial Sub-Zone that comply with Table 8.	P
21.4.34	Buildings for Rural Industrial Activities that comply with Table 8.	P
21.4.35	Industrial Activities directly associated with wineries and underground cellars within a vineyard.	D
21.4.36	Other Industrial Activities.	NC

Comment [CB34]: Submitter 706.

RURAL ZONE 21

21.5 Rules - Standards

	Table 3 – Standards for Structures and Buildings The following standards apply to structures and buildings, except Farm Buildings <u>and Passenger Lift Systems.</u>	Non-compliance
21.5.14	<p>Structures</p> <p>Any structure <u>which is greater than 5 metres in length, and between 1 metre and 2 metres in height shall be located a minimum distance of within 10 metres of from</u> a road boundary, <u>which is greater than 5 metres in length, and between 1 metre and 2 metres in height,</u> except for:</p> <p>21.5.14.1 post and rail, post and wire and post and mesh fences, including deer fences;</p> <p>21.5.14.2 any structure associated with farming activities as defined in this plan.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Effects on landscape character, views and amenity, particularly from public roads. • The materials used, including their colour, reflectivity and permeability. • Whether the structure will be consistent with traditional rural elements. 	RD
21.5.15	<p>Buildings</p> <p>Any building, including any structure larger than 5m², that is new, relocated, altered, reclad or repainted, including containers intended to, or that remain on site for more than six months, and the alteration to any lawfully established building are subject to the following:</p> <p>All exterior surfaces* shall be coloured in the range of browns, greens or greys (except soffits), including;</p> <p>21.5.15.1 Pre-painted steel and all roofs shall have a <u>light</u> reflectance value not greater than 20%; and,</p> <p>21.5.15.2 All other surface** finishes shall have a <u>light</u> reflectance value of not greater than 30%.</p> <p>21.5.15.3 In the case of alterations to an existing building not located within a building platform, it does not increase the ground floor area by more than 30% in any ten year period.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • External appearance. • Visual prominence from both public places and private locations. • Landscape character. • Visual amenity. <p><u>Except this rule shall not apply within the Ski Area Sub Zones.</u></p>	RD

Comment [KB35]: NZSki (572); Soho/TCI (610), Ski Area Sub Zone Mapping (Stream 11)

Comment [CB36]: Submitters 610 and 613.

RURAL ZONE 21

	Table 3 – Standards for Structures and Buildings The following standards apply to structures and buildings, except Farm Buildings <u>and Passenger Lift Systems</u> .	Non-compliance
	* <u>Excludes soffits, windows and skylights (but not glass balustrades).</u> ** <u>Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.</u>	
21.5.16	Building size The maximum ground floor area of any building shall be 500m ² . Discretion is restricted to all of the following: <ul style="list-style-type: none"> • External appearance. • Visual prominence from both public places and private locations. • Landscape character. • Visual amenity. • Privacy, outlook and amenity from adjoining properties. <u>Except this rule shall not apply within the Ski Area Sub Zones.</u>	RD
21.5.17	Building Height The maximum height shall be 8m. Discretion is restricted to all of the following: <ul style="list-style-type: none"> • Rural Amenity and landscape character. • Privacy, outlook and amenity from adjoining properties. • Visual prominence from both public places and private locations. 	RD

Comment [KB35]: NZSki (572); Soho/TCI (610), Ski Area Sub Zone Mapping (Stream 11)

Comment [CB37]: Submitter 608 and others.

RURAL ZONE 21

	Table 7 – Standards for Ski Area Activities within the Ski Area Sub Zones	Activity
21.5.27 A	<u>Ski Area Activities, not otherwise identified in Table 7.</u>	P
21.5.27	<p>Construction, relocation, addition or alteration of a building.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • Location, external appearance and size, colour, visual dominance. • Associated earthworks, access and landscaping. • Provision of water supply, sewage treatment and disposal, electricity and communication services (where necessary). • Lighting. 	C
21.5.28	<p>Ski tows and lifts <u>Passenger Lift Systems.</u></p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • The extent to which the ski tow or lift or building <u>passenger lift system</u> breaks the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes. • Whether the materials and colour to be used are consistent with the rural landscape of which the passenger lift system will form a part. • Whether the Materials, and colours and light reflectance to be used are, including consistency with the rural landscape of which the passenger lift system will form a part. • <u>Landscape.</u> • <u>Sediment and erosion control.</u> • Balancing environmental considerations with operational characteristics. 	C
21.5.29	<p>Night lighting.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • Hours of operation. • Duration and intensity. • Impact on surrounding properties. 	C
21.5.30	<p>Vehicle Testing.</p> <p>In the Waiorau Snow Farm Ski Area Activity Sub Zone; the construction of access ways and tracks associated with the testing of vehicles, their parts and accessories.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • Gravel and silt run off. • Stormwater, erosion and siltation. • The sprawl of tracks and the extent to which earthworks modify the 	C

Comment [KB38]: Minor consequential amendment; Ski Area Sub Zone Mapping (Stream 11)

Comment [SG39]: Minor consequential amendment; Ski Area Sub Zone Mapping (Stream 11)

Comment [CB40]: Submitter 407

Comment [CB41]: Submitter 407

Comment [CB42]: Submitter 407

RURAL ZONE 21

	Table 7 – Standards for Ski Area Activities within the Ski Area Sub Zones	Activity
	<p>landform.</p> <ul style="list-style-type: none"> Stability of over-steepened embankments. 	
21.5.31	<p>Retail activities ancillary to Ski Area Activities.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> Location. Hours of operation with regard to consistency with ski-area activities. Amenity effects, including loss of remoteness or isolation. Traffic congestion, access and safety. Waste disposal. Cumulative effects. 	C
21.5.X	<p><u>Visitor Accommodation</u></p> <p><u>Of a duration of stay from 0 to 6 months and includes worker accommodation.</u></p> <p><u>Discretion is restricted to all of the following:</u></p> <ul style="list-style-type: none"> <u>Scale and intensity and whether these would have adverse effects on amenity, including loss of remoteness or isolation.</u> <u>Location, including whether that because of the scale and intensity the visitor accommodation should be located near the base building area (if any).</u> <u>Parking.</u> <u>Provision of water supply, sewage treatment and disposal.</u> <u>Cumulative effects.</u> <u>Natural Hazards.</u> <u>Landscape.</u> <u>Conservation benefits.</u> 	RD
21.5.X	<p><u>Visitor Accommodation of a duration of stay of more than 6 months</u></p>	D

Comment [KB38]: Minor consequential amendment; Ski Area Sub Zone Mapping (Stream 11)

Comment [CB43]: Submitter 572

Comment [CB44]: Submitters 608, 610.

Comment [SG45]: NZSki (572); Ski Area Sub Zone Mapping (Stream 11)

Comment [SG46]: Minor consequential amendment; Ski Area Sub Zone Mapping (Stream 11)

DEFINITIONS 2

Commercial Recreational Activities	Means the commercial guiding, training, instructing, transportation or provision of recreation facilities to clients for recreational purposes including the use of any building or land associated with the activity. excluding ski area activities.
---	--

Comment [KB47]: Consequential amendment to address SASZ rezoning submissions; Ski Area Sub Zone Mapping (Stream 11)

Passenger Lift Systems	Means any mechanical system used to convey or transport passengers within or to a Ski Area Sub Zone, including chairlifts, gondolas, T-bars and rope tows, and including all moving, fixed and ancillary components of such systems such as towers, pylons, cross arms, pulleys, cables, chairs, cabins, and structures to enable the embarking and disembarking of passengers. Excludes base and terminal buildings.
-------------------------------	---

Comment [CB48]: Submitter 407

Comment [KB49]: Consequential amendment; Ski Area Sub Zone Mapping (Stream 11)

Ski Area Activities	<p>Means the use of natural and physical resources for the purpose of providing for establishing, operating and maintaining the following activities and structures associated with Ski Area Sub Zones:</p> <ul style="list-style-type: none"> (a) recreational activities either commercial or non commercial (b) chairlifts, t bars and rope tows to facilitate commercial recreational activities passenger lift systems Transportation and servicing infrastructure (c) use of snowgroomers, snowmobiles and 4WD vehicles for support or operational activities. (d) activities ancillary to commercial recreational activities including avalanche safety, ski patrol, formation of snow trails and terrain. (e) installation and operation of snow making infrastructure including reservoirs, pumps and snow makers. (f) in the Waiorau Snow Farm Ski Area Sub Zone vehicle and product testing activities, being activities designed to test the safety, efficiency and durability of vehicles, their parts and accessories.
----------------------------	--

Comment [KB50]: NZSki (672), MCS (407), Soho/TCL (610); Ski Area Sub Zone Mapping (Stream 11)

Comment [CB51]: Submitter 613

Comment [CB52]: Submitter 407

Comment [CB53]: Submitter 613.

Comment [CB54]: Submitter 613.

LANDSCAPE 6

6.4 Rules Implementation Methods

6.4.1.3 The landscape categories assessment matters apply only to the Rural Zone, and for clarification purposes do not apply to the following areas within the Rural Zones are not applicable to the following:

- a. ~~Ski Area~~ Activities identified as Permitted, Controlled, or Restricted Discretionary within the Ski Area Sub Zones.
- b. The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps.
- c. ~~The Gibbston Character Zone.~~
- d. ~~The Rural Lifestyle Zone.~~
- e. ~~The Rural Residential Zone.~~

Comment [CB55]: Grammatical change so the statement is more outcomes based.

Clarification following comments and questioning from the Panel.

Comment [CB56]: Submitter 836.19

Comment [CB57]: Clarification. And submitter 836

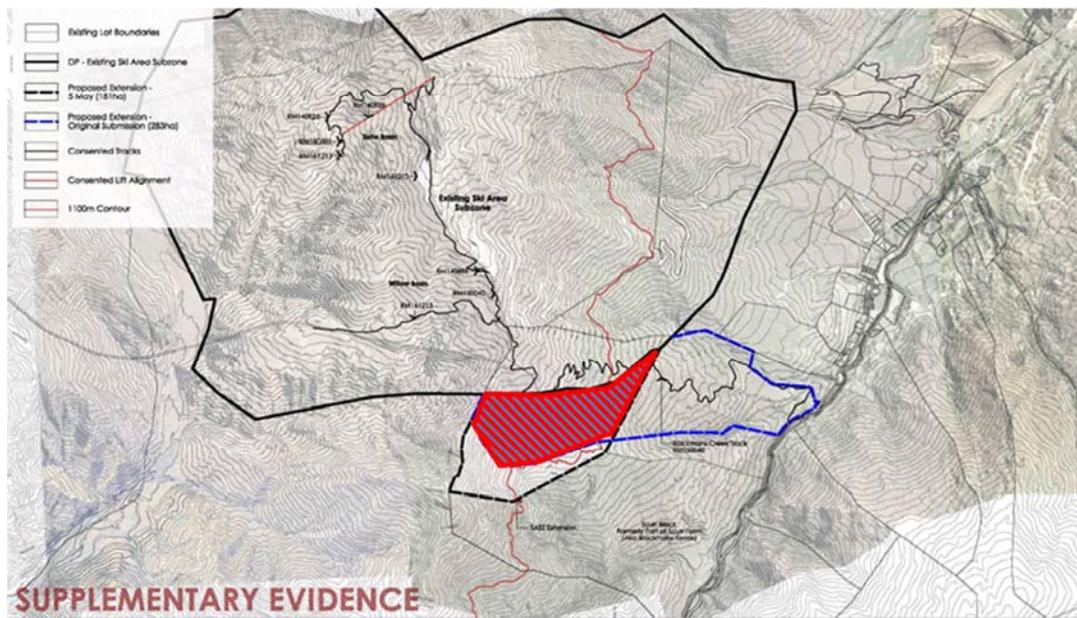
Comment [SG58]: Consequential amendment to address SASZ rezoning submissions; Ski Area Sub Zone Mapping (Stream 11)

APPENDIX 2
SECTION 32AA EVALUATION

Appendix 2
Section 32AA Evaluation

Rezoning of the area identified sought by Soho Ski Area and Blackmans Creek No. 1 LP (610) (boundary shown in thick red).

Area of recommended rezoning is identified in red below, *provided* this area remains fully outside of the QEII Mana Whenua (Open Space) Covenant (discussed in the Strategic s42A). Excludes area included in submitter’s revised relief dated 5 May, but outside scope of original submission.



Costs	Benefits	Effectiveness and efficiency
<p>Uncertainty surrounding the future regulation of earthworks in this location and risk of earthworks resulting in effects on the landscape values.</p> <p>Limits the extent of landscape matters that can be considered for SAA to the matters of control or discretion under 'Table 7' and the objectives and policies of Chapter 6 that are within the scope of these matters of control or discretion.</p>	<p>Supports Objective 3.2.1.4 and Policy 3.2.1.4.1 of the Strategic Direction Chapter to enable economic development and tourism where effects can be avoided, remedied or mitigated; in a location adjacent to which existing SAA already occur.</p> <p>Consistent with the purpose of the SASZ to enable the continued development of SAA, where the effects of the development are cumulatively minor.</p>	<p>The SASZ would provide for development of the ski area, in a location in which such activities are considered appropriate and anticipated. This supports Strategic Directions Objective 3.2.1.3.</p> <p>The ability to consider landscape effects for SAA is enabled through the provisions of Table 7 and Chapter 6; in addition to any non-SAA which would be subject to the full suite of landscape considerations of Chapter 6 and Chapter 21, given the</p>

	<p>Provides certainty of regulatory approach for ski operators.</p> <p>Recognises that the provisions of Chapter 21 for passenger lift systems contain adequate consideration to landscape matters and effects on ridges and skylines through matters of control under Rule 21.5.28; in addition to the ONL classification and consideration to the objectives and policies of Chapter 6.</p>	<p>ONL landscape categorisation.</p>
--	---	--------------------------------------

Recommended Amendments to Objective 21.2.1 and Policies 21.2.6.4 - 21.2.6.5 (changes being evaluated shown in green font):

21.2.1 **Objective - ~~Encourage~~ The future growth, development and consolidation of existing Ski Areas Skiing Area Activities is encouraged within identified and Ski Area Sub Zones, while avoiding, remedying or mitigating adverse effects on the environment.**

Policies

21.2.1.1 Identify Ski ~~Field Area~~ Sub Zones and encourage Ski Area Activities to locate and consolidate within the sub zones.

21.2.1.2 Control the visual impact of roads, buildings and infrastructure associated with Ski Area Activities.

21.2.1.3 Provide for the continuation of existing vehicle testing facilities within the Waiorau Snow Farm Ski Area Sub Zone on the basis the landscape and indigenous biodiversity values are not further degraded.

~~21.2.6.4 Provide for appropriate alternative (non road) means of transport to and within Ski Area Sub Zones, by way of passenger lift systems and ancillary structures and facilities, recognising their reliance on connection to the District's road and transportation network.~~

~~21.2.6.5 Provide for visitor accommodation and worker accommodation -activities within Ski Area Sub Zones and/or associated with a Ski Area Activity, which are complementary to outdoor recreation activities, can realise landscape and conservation benefits and that avoid, remedy or mitigate adverse effects on the environment and landscape.~~

Costs	Benefits	Effectiveness and efficiency
<p>Broadens the scope of these provisions to apply to activities outside the SASZ in the rural zone generally, and potential landscape effects if development is not adequately planned, designed and located. However, the provisions as drafted still contain the requirement to <i>avoid, remedy or mitigate adverse effects on the environment</i>; and also that access to the SASZ must be “appropriate” for the context and purpose (21.2.6.4).</p>	<p>Amendment to objective 21.2.1 will enable this objective to be applied to activities outside of the SASZ, which may support activities within the SASZ.</p> <p>Amendment to objective 21.2.1 ensures that development occurring outside the SASZ must still avoid, remedy or mitigate adverse effects on the environment.</p> <p>Amendment to policies 21.2.6.4 and 21.2.6.5 provide specifically for access (including but not limited to a gondola or road) and visitor or worker accommodation, which might be associated with and support SAA within the SASZ. This provides alternative relief that avoids the need to extend the SASZ (with the associated effects on landscape assessment and earthworks provisions that would result from extending the SASZ). Policy 21.2.6.5 includes the addition of “landscape” to ensure it is clear that landscape effects will be a key consideration where Visitor Accommodation or worker accommodation is proposed outside the SASZ.</p>	<p>I consider this amendment to be effective and efficient in supporting activities that support the SASZ and the achievement of the purpose of the zone to, enable the future growth and development of SASZs.</p>

Recommended New Policy 21.2.9.9:

21.2.9.9 Have regard to the role of commercial activities and worker accommodation in supporting the future growth and development of ski field operations in Ski Area Subzones.

Costs	Benefits	Effectiveness and efficiency
<p>Provides additional scope to consider commercial activities in the rural zone generally, with potential associated effects to landscape, servicing, traffic and amenity if development is not adequately planned, designed and located.</p> <p>However the provisions as drafted to not 'enable' or 'provide for' these uses, it states to 'have regard to' and so highlights that this will be one consideration among many others in assessing a resource consent application for such activities.</p>	<p>Creation of this new policy 21.2.9.9 provides specifically for commercial activities and worker accommodation, which might be associated with and support SAA within the SASZ. This provides alternative relief which avoids the need to extend the SASZ (with the associated effects on landscape assessment and earthworks provisions which would result from extending the SASZ).</p> <p>This policy will support the Discretionary activity status for commercial activities outside the SASZ, through guiding the assessment of consents to have regard to the rule the proposal plays in supporting the future growth and development ski field operations in Ski Area Subzones.</p>	<p>I consider this amendment to be effective and efficient in supporting activities that support the SASZ and the achievement of the purpose of the zone to enable the future growth and development of SASZs.</p>

Recommended Relocation of Rules 21.4.18 and 21.4.19:

21.4.18	Ski Area Activities within the a Ski Area Sub Zone.	P
Costs	Benefits	Effectiveness and efficiency
<p>Reduces the scope (under the new rule 21.5.27A) to what activities are permitted in the SASZ.</p>	<p>Relocated to new rule 21.5.27A (discussed below) to provide more clarity about what SAA are permitted in the SASZ and groups these with other SAA in Table 7.</p>	<p>Effective and efficient in grouping these submissions with other SAA in Table 7.</p>

21.4.19	<p>Ski Area Activities not located within a Ski Area Sub Zone, with the exception of the following:</p> <p>Passenger Lift Systems, heli-skiing and non-commercial skiing.</p> <p>a. Commercial heli skiing not located within a Ski Area Sub Zone is a commercial recreation activity Rule 21.4.16 applies.</p> <p>b. Passenger Lift Systems not located within a Ski Area Sub Zone shall be a restricted discretionary activity. Discretion is reserved to all of the following:</p> <ul style="list-style-type: none"> • The route of the passenger lift system and the extent to which the passenger lift system breaks the line and form of the landscapes with special regard to skylines, ridges, hills and prominent slopes. • Whether the materials and colours to be used are consistent with the rural landscape of which the passenger lift system will form a part. • Whether the geotechnical conditions are suitable for the passenger lift system and the extent to which they are relevant to the route. • Lighting. • The ecological values of the land affected by structures and activities. • Balancing environmental considerations with operational requirements. • The positive effects arising from directly linking settlements with ski area sub zones and providing alternative non vehicular access. 	NG
---------	--	----

Costs	Benefits	Effectiveness and efficiency
	<p>Reformatted into new rules 21.4.27A, B and C (discussed below) to provide more clarity about the activity status for activities outside of the SASZ.</p> <p>Replaces the 'exception' format which may be difficult for plan users and provides for these activities separately.</p>	<p>Effective and efficient in grouping these submissions with other SAA in Table 7.</p>

Recommended New Rule 21.4.27A:

<p><u>21.4.27A</u></p>	<p>The following Ski Area Activities not located within a Ski Area Sub Zone, with the exception of the following:</p> <p><u>a. recreational activities either commercial or non commercial</u></p> <p><u>b. use of snowgroomers, snowmobiles and 4WD vehicles for support or operational activities.</u></p> <p><u>c. avalanche safety and ski patrol</u></p> <p><u>Note: Heli-skiing is subject to the Rules for Informal Airports (21.4.25 and Table 6).</u></p> <p>Passenger Lift Systems, heli-skiing and non-commercial skiing.</p> <p>a. Commercial heli skiing not located within a Ski Area Sub Zone is a commercial recreation activity Rule 21.4.16 applies.</p> <p>b. Passenger Lift Systems not located within a Ski Area Sub Zone shall be a restricted discretionary activity.</p> <p>Discretion is reserved to all of the following:</p> <ul style="list-style-type: none"> • The route of the passenger lift system and the extent to which the passenger lift system breaks the line and form of the landscapes with special regard to skylines, ridges, hills and prominent slopes. • Whether the materials and colours to be used are consistent with the rural landscape of which the passenger lift system will form a part. • Whether the geotechnical conditions are suitable for the passenger lift system and the extent to which they are relevant to the route. • Lighting. • The ecological values of the land affected by structures and activities. • Balancing environmental considerations with operational requirements. • The positive effects arising from directly linking settlements with ski area sub zones and providing alternative non-vehicular access. 	<p>NC-P</p>
------------------------	--	------------------------

Costs	Benefits	Effectiveness and efficiency
	<p>Provides for SAA not located within a SASZ, and clarifies the scope of activities that are enabled as permitted outside the subzone. Clarifies that the activity of skiing outside the subzone, and</p>	<p>This provides alternative relief that avoids the need to extend the SASZ (with the associated effects on landscape assessment and earthworks provisions which would result from extending the SASZ).</p>

	<p>avalanche control do not trigger consent outside the subzone.</p> <p>Includes advice note to highlight that heli skiing is subject to rules for commercial recreation and informal airports.</p>	
--	---	--

Recommended New Rule 21.4.27B:

21.4.27B	<p>Passenger lift systems directly linking the Mount Cardrona Station Special Zone to the Cardrona Ski Area Sub Zone</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • <u>The extent to which the ski tow or lift or building passenger lift system breaks the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes.</u> • Whether the materials and colour to be used are consistent with the rural landscape of which the passenger lift system will form a part. • Whether the Materials, and colours and light reflectance to be used are, including consistency with the rural landscape of which the passenger lift system will form a part. • <u>Landscape.</u> • <u>Sediment and erosion control.</u> • <u>Balancing environmental considerations with operational characteristics.</u> 	C
----------	---	---

Costs	Benefits	Effectiveness and efficiency
Creates a bespoke rule for this specific location and adds to plan length.	<p>Provides for the construction of a PLS between the MCS Special Zone, to the SASZ as a controlled activity; recognising that it is also controlled in these adjoining zones.</p> <p>Avoids consenting complexities associated with what would be (under the reply provisions) a restricted discretionary activity for a 400m strip of land between the MCS Special Zone and the Cardrona SASZ.</p>	This change is effective and efficient in providing alternative relief which avoids the need to extend the SASZ (with the associated effects on landscape assessment and earthworks provisions which would result from extending the SASZ).

Recommended New Rule 21.4.27C:

<p>21.4.27C</p>	<p>Ski Area Activities within the a Ski Area Sub Zone. <u>Passenger lift systems</u> <u>Discretion is restricted to the following:</u></p> <ul style="list-style-type: none"> • <u>The route of the passenger lift system and the extent to which the passenger lift system breaks the line and form of the landscapes with special regard to skylines, ridges, hills and prominent slopes.</u> • Whether the Materials, and colours, and light reflectance to be used are, including consistency with the rural landscape of which the passenger lift system will form a part. • <u>Landscape.</u> • <u>Whether the geotechnical conditions are suitable for the passenger lift system or vehicle and the extent to which they are relevant to the route.</u> • <u>Lighting.</u> • <u>The ecological values of the land affected by structures and activities.</u> • <u>Balancing environmental considerations with operational requirements.</u> • <u>The positive effects arising from directly linking settlements with ski area sub zones and providing alternative non-vehicular access.</u> 	<p>P RD</p>
------------------------	--	-----------------

Costs	Benefits	Effectiveness and efficiency
<p>Could enable increased development of such structures across the District, not associated with SAA or a SASZ, with associated landscape effects. However this is unlikely because of the likely significant financial costs and geotechnical considerations which, from an applicant's perspective, will have a significant role in the viability of such developments.</p>	<p>Recommended change will allow PLS proposed in the Rural zone generally to be assessed under the same process as PLS associated with a SASZ; recognising that the resource management considerations and possible effects are consistent, wherever these structures are located.</p>	<p>This change is effective and efficient in providing for PLS outside of the SASZ, within the Rural zone generally.</p>

Recommended New Rule 21.4.27D:

<u>21.4.27D</u>	<u>Access (other than a Passenger Lift System) to and from a Ski Area Sub Zone.</u>	<u>RD</u>
	<p><u>Discretion is restricted to the following:</u></p> <ul style="list-style-type: none"> • <u>Route and alignment with special regard to skylines, ridges, hills and prominent slopes.</u> • <u>Landscape.</u> • <u>Geotechnical conditions and the extent to which they are suitable and relevant to the route.</u> • <u>Lighting.</u> • <u>Ecological values and any proposed ecological mitigation works.</u> • <u>Sediment and erosion control.</u> • <u>Balancing environmental considerations with operational requirements.</u> • <u>The positive effects arising from directly linking the transportation network with ski area sub zones.</u> 	

Costs	Benefits	Effectiveness and efficiency
<p>Creates a bespoke rule and adds to plan length.</p> <p>Could enable increased development of vehicle access with associated landscape effects. This is however offset by the need for access to be <i>to and from a Ski Area Sub Zone</i> and also the inclusion of 'landscape' as a matter of discretion, to enable consideration of the objectives and policies of Chapter 6.</p>	<p>Provides for access (other than PLS) to a SASZ, including vehicle assess. Matters of discretion relate specifically to resource management considerations and possible effects associated with road access; and include 'landscape' generally, to enable consideration of the objectives and policies of Chapter 6 (recognising that the landscape assessment matters would not apply to a restricted discretionary activity).</p>	<p>Change is effective and efficient in supporting the achievement of the zone purpose for the growth and development of SASZ, recognising their reliance on transportation networks and infrastructure.</p>

Recommended Addition to Table 3:

	Table 3 – Standards for Structures and Buildings The following standards apply to structures and buildings, except Farm Buildings and Passenger Lift Systems.	Non-compliance
--	---	-----------------------

Costs	Benefits	Effectiveness and efficiency
Could result in associated buildings to a PLS being excluded from, for example, height limits. However, base and terminal buildings are excluded from the definition of a PLS.	Amended heading to Table 3 allows PLS to be excluded from these standards, recognising the uniqueness of these structures and the fact most of these standards will be irrelevant and impractical. Recognises that base/terminal buildings will still be subject to these rules because they are not defined as a PLS.	I consider this amendment to be effective and efficient in supporting the achievement of the purpose of the zone to enable the future growth and development of SASZs.

Recommended New Rule 21.5.27A:

21.5.27A	Ski Area Activities, not otherwise identified in Table 7.	P
--------------------------	---	---

Costs	Benefits	Effectiveness and efficiency
Changes to the right of reply framework which submitters may be familiar with. Potential uncertainty as to what this includes with recognition to the amended definition of SAA (discussed below) which is now more broad and flexible.	Clarifies that it is only the activities not otherwise listed in this table, and falling within the definition of SAA, and within the SASZ, which are permitted.	I consider this amendment to be effective and efficient in grouping this rule with others of Table 7 that apply to activities in the SASZ.

Recommended Amendment to Rule 21.5.X:

21.5.X	<p><u>Visitor Accommodation</u></p> <p><u>Of a duration of stay from 0 to 6 months and includes worker accommodation.</u></p> <p><u>Discretion is restricted to all of the following:</u></p> <ul style="list-style-type: none"> • <u>Scale and intensity and whether these would have adverse effects on amenity, including loss of remoteness or isolation.</u> • <u>Location, including whether that because of the scale and intensity the visitor accommodation should be located near the base building area (if any).</u> • <u>Parking.</u> • <u>Provision of water supply, sewage treatment and disposal.</u> • <u>Cumulative effects.</u> • <u>Natural Hazards.</u> • <u>Landscape.</u> • <u>Conservation benefits.</u> 	<u>RD</u>
21.5.X	<u>Visitor Accommodation of a duration of stay of more than 6 months</u>	<u>D</u>

Costs	Benefits	Effectiveness and efficiency
Increases the consideration to landscape effects, which may result in costs to applicants.	<p>Identifies a non compliance status as Discretionary, for VA which is for duration of more than 6 months.</p> <p>Includes reference to landscape, recognising that the landscape assessment matters would not apply and to enable consideration of the objectives and policies of Chapter 6.</p>	This change is effective and efficient in correcting a potential loophole in the activity status which is intended to provide for VA and worker accommodation (and not longer term accommodation) in the SASZ.

Recommended Amendments to Definitions:

<p><u>Passenger Lift Systems</u></p>	<p>Means any mechanical system used to convey or transport passengers within or to a Ski Area Sub-Zone, including chairlifts, gondolas, T-bars and rope tows, and including all moving, fixed and ancillary components of such systems such as towers, pylons, cross arms, pulleys, cables, chairs, cabins, and structures to enable the embarking and disembarking of passengers. Excludes base and terminal buildings.</p>
---	--

Costs	Benefits	Effectiveness and efficiency
<p>Could enable increased development of such structures across the District, not associated with SAA or a SASZ, with associated landscape effects. However, this cost is offset by the likely significant financial costs and geotechnical considerations which, from an applicant's perspective, will have a significant role in the viability of such developments.</p>	<p>Consequential amendment to enabling PLS to occur within the Rural zone generally, and not limited to those within or to a SASZ.</p>	<p>This change is effective and efficient in providing for PLS outside of the SASZ, within the Rural zone generally.</p>

<p>Ski Area Activities</p>	<p>Means the use of natural and physical resources for the purpose of providing for establishing, operating and maintaining the following activities and structures associated with Ski Area Sub Zones:</p> <ul style="list-style-type: none"> (a) recreational activities either commercial or non commercial (b) chairlifts, t bars and rope tows to facilitate commercial recreational activities passenger lift systems. <u>Transportation and servicing infrastructure</u> (c) use of snowgroomers, snowmobiles and 4WD vehicles for support or operational activities. (d) activities ancillary to commercial recreational activities including, avalanche safety, ski patrol, formation of snow trails and terrain. (e) Installation and operation of <u>snow making infrastructure including reservoirs, pumps and snow makers.</u> (f) in the Waiorau Snow Farm Ski Area Sub Zone vehicle and product testing activities, being activities designed to test the safety, efficiency and durability of vehicles, their parts and accessories.
-----------------------------------	---

Costs	Benefits	Effectiveness and efficiency
<p>May increase the flexibility of this definition too extensively to result in un-anticipated activities seeking to fall within this definition. However, this risk is offset by the inclusion that an SAA must be <i>associated with Ski Area Sub Zones</i>.</p>	<p>Refocuses definition on what uses are considered to be SAA; and leave to the activity tables to define whether 'establishing' or 'installing' such activities requires a consent.</p> <p>Inclusion of <i>associated with Ski Area Sub Zones</i> links these activities with needing to support activities in the sub zone. Also supports new rules for PLS outside of the SASZ through linking the SAA PLS to the need to be supporting a SASZ.</p> <p>Broadens the definition so that it is less specific and more flexible. Deletion of specific activities (such as avalanche control) avoids needing to list all the possible ancillary uses to SAA. The purpose, policies and objectives of Chapter 21 otherwise guide this.</p>	<p>Effective and efficient in supporting the amended framework proposed for SAA and SASZs, and supporting the purpose of the SASZ to enable growth and development.</p>

<table border="1"> <tr> <td>Commercial Recreational Activities</td> <td>Means the commercial guiding, training, instructing, transportation or provision of recreation facilities to clients for recreational purposes including the use of any building or land associated with the activity. excluding ski area activities.</td> </tr> </table>			Commercial Recreational Activities	Means the commercial guiding, training, instructing, transportation or provision of recreation facilities to clients for recreational purposes including the use of any building or land associated with the activity. excluding ski area activities.
Commercial Recreational Activities	Means the commercial guiding, training, instructing, transportation or provision of recreation facilities to clients for recreational purposes including the use of any building or land associated with the activity. excluding ski area activities.			
Costs	Benefits	Effectiveness and efficiency		
None identified.	Consequential amendment to clarify that SAA is also commercial recreation activities, and align with the definition of SAA.	Effective and efficient in correcting a potential loophole for commercial recreation outside the SASZ, and aligning this definition with the definition of SAA.		

Recommended Amendment to 6.4.1.3:

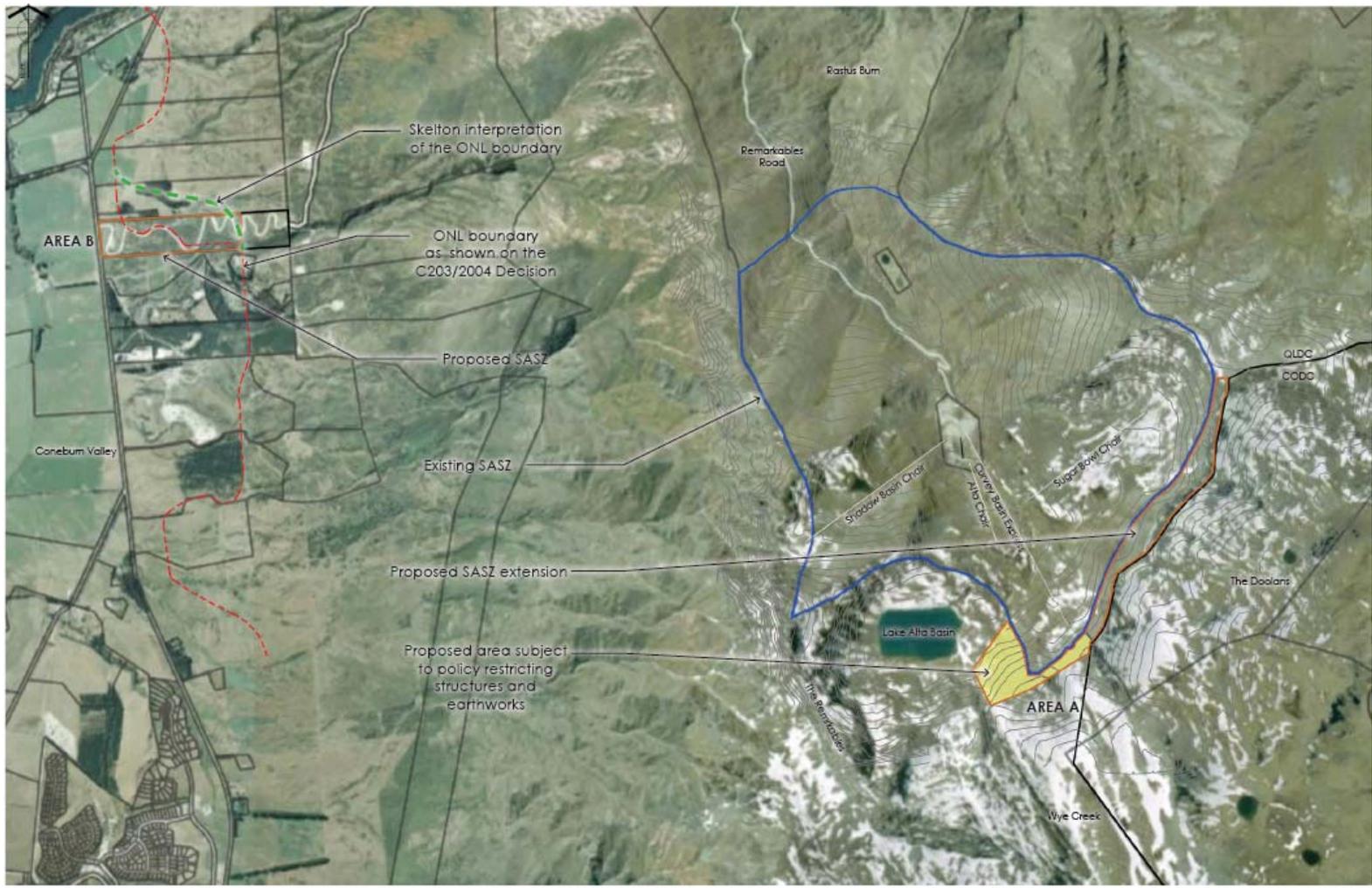
6.4.1.3	<p>The landscape categories assessment matters apply only to the Rural Zone, and for clarification purposes do not apply to the following areas within the Rural Zones <u>are not applicable to the following:</u></p> <ul style="list-style-type: none"> a. Ski Area Activities <u>identified as Permitted, Controlled, or Restricted Discretionary</u> within the Ski Area Sub Zones. b. The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps. c. The Gibbston Character Zone. d. The Rural Lifestyle Zone. e. The Rural Residential Zone.
---------	---

Costs	Benefits	Effectiveness and efficiency
None identified.	Clarifies the extent of SAA which are intended to be exempt from landscape assessment matters.	This change is effective and efficient in providing clarity about the planning framework for the assessment of landscape matters as they relate to SAA, and ensures that SAA which may be D (such as VA for more than 6 month duration) are not excluded from the landscape assessment matters.

APPENDIX 3
NZSKI PROPOSED REZONING OF 'AREA A' AT THE REMARKABLES



NZSki proposed rezoning at 'Area A' at the Remarkables (shown by blue line, inclusive of the notified SASZ extent. The Central Otago District boundary is shown in light grey)



Extent of rezoning and location of Area A referred to as the 'no-build area' (identified in yellow)