

**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 12 –
Upper Clutha Mapping
Annotations and
Rezoning Requests

**STATEMENT OF EVIDENCE OF CRAIG BARR
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

GROUP 3 RURAL

17 March 2017

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TABLE OF CONTENTS

1. INTRODUCTION	1
2. EXECUTIVE SUMMARY	2
3. GLEN DENE (384), SARAH BURDON (282).....	3
4. HEATHER PENNYCOOK (585), ROYAL FOREST AND BIRD PROTECTION SOCIETY (706).....	14
5. LAKE MCKAY STATION LTD	20
6. LAKE MCKAY STATION LTD (439) SNAs	21
7. LAKE MCKAY STATION LTD - ONL BOUNDARIES (482)	22
8. LAKE MCKAY STATION LTD (483) (RURAL RESIDENTIAL ZONE)	24
9. LAKE MCKAY STATION LTD (484) (RURAL LIFESTYLE ZONES)	30
10. JAMES COOPER (400)	39
11. LESLEY AND JERRY BURDON (581)	41
12. ROYAL FOREST AND BIRD PROTECTION SOCIETY (706) EVAN ALTY (339)	47
13. GLENDHU BAY TRUSTEES LIMITED (583).....	51
14. CROSSHILL FARMS LIMITED (531).....	64
15. JEREMY BELL INVESTMENTS LIMITED (782).....	70
16. JEREMY BELL INVESTMENTS (820)	75
17. ANDREW AND ZUZANA MILLSON (242).....	80
18. DAVE SHERWIN (388) GRAHAM BALLANTYNE (245).....	80
19. WILLOWRIDGE DEVELOMENTS LIMITED (249).....	82
20. WAKATIPU HOLDINGS (314).....	87
21. TIM BURDON (791) AND LAKES LAND CARE (794)	91
22. F M A TAYLOR (800).....	92
23. JEFF ROGERS (2).....	92
24. SOLOBIO LTD (325).....	97

Appendix 1: Planning Overview and Consented Areas of the Makaroa Rural Lifestyle Zone

1. INTRODUCTION

- 1.1 My name is Craig Alan Barr. My qualifications and experience are set out in my first, strategic statement of evidence.
- 1.2 I confirm that I have read the Code of Conduct for Expert Witness contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.
- 1.3 This report provides recommendations to the Hearings Panel (**Panel**) on the submissions to the Proposed District Plan (**PDP**) grouped as Rural. These submissions relate to land that is outside of the urban area and urban periphery of Wanaka and Lake Hawea townships.
- 1.4 The submissions on urban and Lake Hāwea rezoning (Statement 1A), Wanaka business land rezoning (Statement 1B), and Wanaka urban fringe (Statement 2) are contained in separate statements of evidence. **Appendix 1** to my strategic evidence specifies in what statement each submission is addressed, i.e. in the 1A, 2B, 2, 3, or the Strategic statements. In addition I have used a range of assessment principles (**Rezoning Assessment Principles**) and context factors to assist in the assessment of the rezoning requests. These are set out in paragraph 2.13 of my strategic evidence.
- 1.5 The following assessment of submissions is undertaken in the order as set out in **Appendix 1** of my strategic evidence.
- 1.6 I refer to my strategic evidence at section 4 which sets out the Council's approach to submissions that are not on Stage 1 PDP land. In the context of this report on Rural submissions, this includes the submission of Contact Energy Limited (580). No evaluation of their merits has been undertaken.

1.7 My strategic evidence also addresses several submissions on strategic components and common themes, including outstanding natural features and landscapes.

1.8 I refer to and rely on my first, strategic statement of evidence, and the evidence of:

- (a) Ms Helen Mellsop (Landscape – Upper Clutha Basin);
- (b) Dr Marion Read (Landscape – Makarora Valley, Parkins and Glendhu Bay, and Matukituki Valley);
- (c) Mr Glenn Davis (Ecologist);
- (d) Mr Ulrich Glasner (Infrastructure); and
- (e) Ms Wendy Banks (Transportation).

1.9 All references to PDP provision numbers, are to the Council's Reply version of those provisions (unless otherwise stated).

2. EXECUTIVE SUMMARY

2.1 34 submissions on rezoning or mapping annotations were received and allocated in the Group 3 area (Rural). The following changes are recommended to the notified PDP Planning Maps:

- (a) rezone the majority of the Rural Lifestyle Zone at Makarora from Rural Lifestyle to Rural Zone and classifying the Rural Zoned land as Outstanding Natural Landscape (**ONL**) (Submitters: Heather Pennycook (585) and Royal Forest and Bird Protection Society (**Forest and Bird**) (706));
- (b) at Atkins Road, Luggate, rezone approximately 5ha of land from Rural Zone to Rural Residential Zone (Submitter: Lake McKay Station Ltd (483)); and
- (c) remove the Rural Residential Zoning at Rekos Point and rezone this land to Rural with an ONL classification (Submitters: Forest and Bird (706) and Evan Alty (339).

2.2 The following amendments to the Outstanding Natural Feature (**ONF**) and ONL boundary are recommended:

- (a) at Maungawera Valley – relocate the ONL boundary on northern side of valley (Submitters: Tim Burdon (791) and Lakes Landcare (794));
- (b) at Pisa/Criffel range and Clutha River near Luggate – relocate the ONL boundary to a more refined reflection of the topography and landform (Submitter: Lake McKay Station Ltd (482));
- (c) at the confluence of Clutha and Hawea Rivers and associated river terrace systems – relocate the ONL boundary to a more refined reflection of the topography and landform (Submitter: James Cooper (400)); and
- (d) at the Wanaka Outlet and Dublin Bay Road area, reduce the extent of the ONL to a more refined reflection of the topography and landform (Submitter: Crosshill Farms (531)).

2.3 Each of the relevant submissions are considered in the sections below.

3. GLEN DENE (384), SARAH BURDON (282)

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural Zone is more appropriate than the requested rezoning of Rural Visitor Zone over the campground area and the requested Rural Lifestyle Zone at the Glen Dene Homestead. The Rural Zone has the most appropriate provisions to manage the wide variety of effects that are possible from the requested rural living and visitor activities.

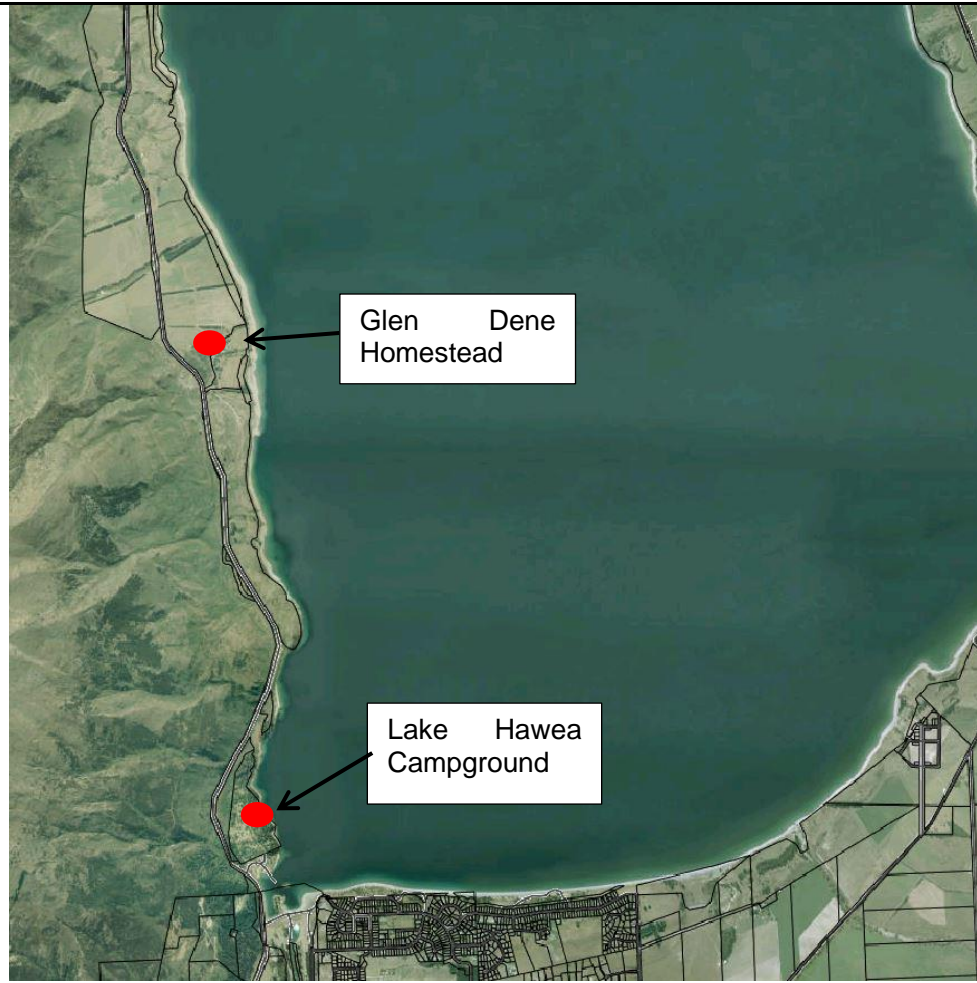
Property and submission information	
Further Submitters	None
Land area/request referred to as	Lake Hawea Campground and surrounds Glen Dene Homestead.
PDP Zone and Mapping annotations	Rural Zone Designation 175 within Campground

	Outstanding Natural Landscape
Zone requested and mapping annotations	<u>ONL</u> ONL classification changed to RLC on campground and surrounds <u>Campground and Surrounds</u> Rural Visitor Zone <u>Glen Dene Homestead</u> Rural Lifestyle Zone
Supporting technical Information or reports	None
Legal Description	<u>Campground and Surrounds</u> Pt Sec 2 Block II Lower Hawea Survey District Designation 175 (as part of Pt Sec 2 Blk II) Lot 1 DP 418972 Lot 2 DP 418972 <u>Glen Dene Homestead</u> Lot 2 DP 396356
Area	<u>Campground and Surrounds: 22.7Ha</u> Pt Sec 2 Blk II Lower Hawea Survey District: 15.7Ha Designation 175: 2.8Ha Lot 1 DP 418972: 1.4Ha Lot 2 DP 418972: 5.6Ha <u>Glen Dene Homestead Surrounds:</u> approx. 13Ha of 100.7Ha site
QLDC Property ID	13504, 37310
QLDC Hazard Register	<u>Campground and Surrounds</u> Liquefaction Risk LIC 1 (Nil to Low Risk) Alluvial Fan: ORC: fan less active recently Alluvial Fan: Regional Scale composite <u>Glen Dene Homestead Site</u> Liquefaction Risk: Possibly Susceptible Alluvial Fans: Regional Scale: Debris dominated

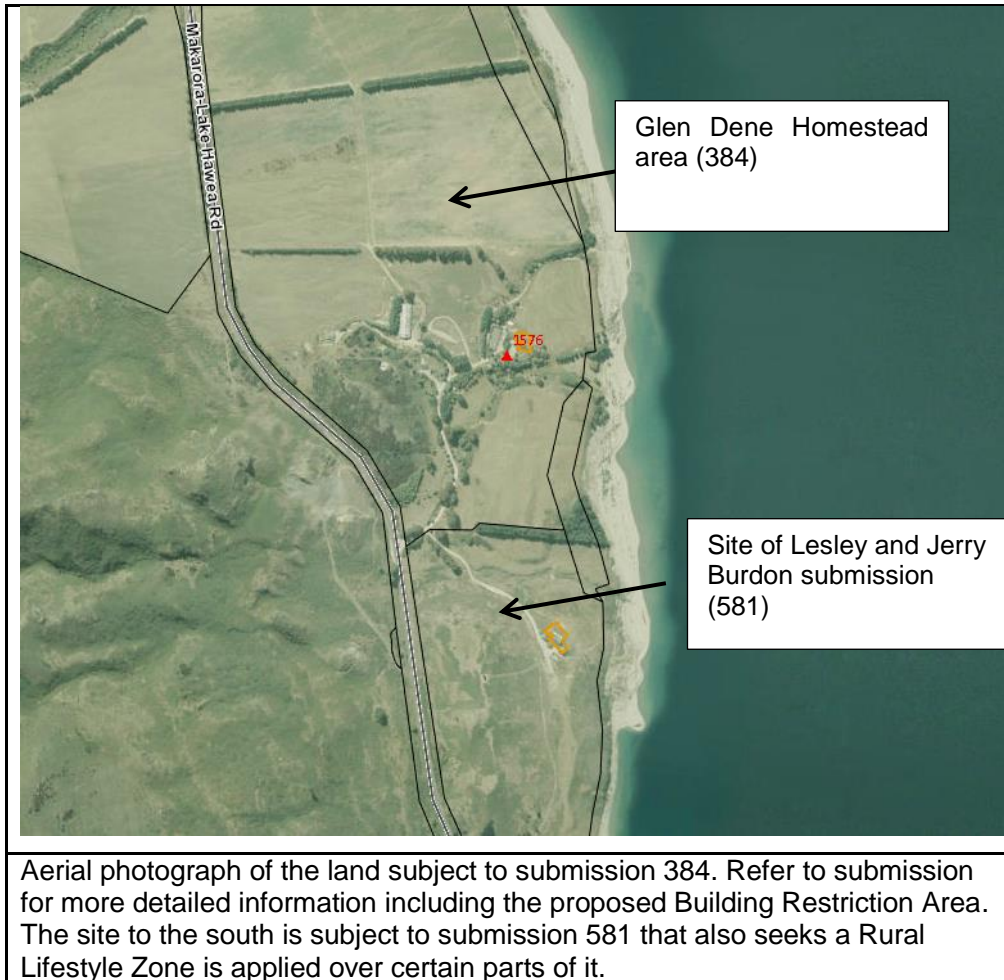
Summary of Council assessments and recommendations	
Landscape	Camp Ground Partly Not opposed Glen Dene Homestead – Not Opposed on the condition a BRA is imposed
Indigenous vegetation	Not opposed
Infrastructure (wastewater and water supply)	Opposed
Traffic	Opposed



Aerial Photograph of the site – Glen Dene Area



Aerial photograph illustrating the location of the Lake Hawea Campground and Glen Dene Homestead area.



- 3.1** The submitters seek the following outcomes:¹
- (a) the removal of the ONL line on the land described as the Lake Hawea Campground and surrounds, and the reclassification of this area as Rural Landscape;
 - (b) the rezoning of the Lake Hawea Campground and surrounds from Rural to Rural Visitor; and
 - (c) the rezoning of the area around the Glen Dene Homestead from Rural to Rural Lifestyle.
- 3.2** The Lake Hawea Campground and surrounds is approximately 23ha in area. It is zoned Rural and classified as an ONL.
- 3.3** The submitters have requested that QLDC Designation 175 (2.8Ha) is extended to cover the whole land parcel holding the campground

¹ The extension of Designation 175 over the Campground area was addressed in the Designations Hearing and the removal of SNA B16A was addressed in the Rural hearing.

operations and facilities which totals 15.7 hectares. The requiring authority for Designation 175 is QLDC, and the purpose of the Designation is "Part of Hawea Recreation Reserve (Motor Park)". The designation enables accommodation related development within the designated area. The submitter wishes to be able to expand the camp ground so that it can be operational throughout the year, and making the business more viable. The matter of extending the designation was addressed at the Designation Hearing (hearing stream 10) and is not a matter for this hearing. The Council as regulator and the Council and requiring authority do not support the extension of the designation.

- 3.4** It is also requested by the submitter to rezone approximately 13 hectares of the Glen Dene Homestead area from Rural Zone to Rural Lifestyle Zone, to provide for up to six dwellings. There are currently three dwellings in this area. A plan accompanying the request shows a no build area set back from the edge of Lake Hawea. The submitter seeks to allow for future growth of their tourism and farming business. Reference is also made to Rural Residential or special zone to allow for future buildings and/or extra housing to allow for the changing nature of the submitter's business, which may require more staff and visitor accommodation.

Lake Hawea Campground ONL Boundary

- 3.5** Ms Mellsop opposes the submission regarding the ONL classification of the site to be reclassified to RLC. Ms Mellsop notes that while the site has been subject to modification, it is a transitional area between two ONLs, being Lake Hawea located to the east and the mountains located to the west, and that the site is too small to be considered a landscape by itself. I refer to and rely on Ms Mellsop's opinion on this matter and recommend the area is retained as ONL.

Lake Hawea Campground Rezoning

- 3.6** With the exception of the highly visible northern part of the site, Ms Mellsop considers the site has the ability to absorb additional campground buildings and development. Ms Mellsop's opinion is that

the site is already perceived as a node of development, that there are numerous trees that can absorb buildings without adverse visual effects, and the site is close enough to the Lake Hawea township, that further development on the site is unlikely to appear as sporadic or as sprawl.

- 3.7** However, Ms Mellsop raises concern with regard to the level of control the Council would have over the density of development, location, external appearance, height of buildings, and associated landscaping, under the provisions of the Rural Visitor Zone, using the Operative District Plan (**ODP**) Rural Visitor Zone Provisions as a guide.
- 3.8** In Ms Mellsop's opinion, this would be better controlled under a designation regime whereby conditions can be specifically prescribed. The matter of using the outline plan process with the requiring authority is an option that could be pursued. As noted above, the matter of extending the designation was addressed at the Designation Hearing.
- 3.9** With regard to indigenous vegetation, Mr Davis's view is that he does not oppose the rezoning and further development of the campground from an ecological perspective because the site does not contain significant indigenous vegetation values. I refer to and rely on Mr Davis's evidence.

Infrastructure

- 3.10** In terms of wastewater and water, Mr Glasner notes the subject site is outside the Hawea wastewater scheme boundary, but within the water scheme boundary.
- 3.11** Mr Glasner notes that the land is outside the Hawea wastewater and within the water scheme boundaries, and is surrounded by Rural zone. The area is currently connected to the water supply with a 50 mm lateral but is not connected to the wastewater supply. Mr Glasner considers it difficult to estimate potential density, but has

inferred that the requested zoning could anticipate intensive commercial accommodation development.

- 3.12** Rezoning to a Visitor Accommodation zone would require water supply for firefighting to be upgraded. Mr Glasner also notes in his evidence that the site is located near Lake Hawea and high standards of on-site disposal of wastewater would be required, and that if it was desired to connect to the Hawea wastewater Scheme, this would have to be via a pump and the wastewater main would have to be upgraded.
- 3.13** Mr Glasner opposes the rezoning to a Rural Visitor zone from an infrastructure perspective because it is unclear how servicing of this site is planned and if it is feasible.

Traffic

- 3.14** Ms Banks considers that the rezoning to visitor activities would enable significant development, and create an increase in larger vehicles such as buses, campervans and these would need to be accommodated within the site. Based on the lack of information submitted Ms Banks opposes the submission.

Analysis

- 3.15** From a planning perspective, I consider the submission and relief sought to rezone the area to a Rural Visitor Zone does not provide adequate certainty that the wide range of activities and resultant increase in the scale of these activities could be appropriately managed.
- 3.16** The PDP does not have a Rural Visitor Zone. I am relying on the provisions of the ODP Rural Visitor Zone to guide my assessment. I consider the Rural Visitor Zone to be relatively permissive because it only has rules for building height and building setback. There are not any controls on density.

- 3.17** Having considered these factors, and noting also that the area of land requested to be rezoned is substantial, that no structure plan has been provided with the submission, and that the submission overall lacks certainty as to the effects of the rezoning, it is my opinion that the Rural Zone is the most appropriate way to manage activities on this site. The design led provisions in Section 21.7 (Assessment Matters – Landscapes) of the PDP **[CB15]** and Chapter 6 **[CB6]** will help determine the capability of the site to absorb development.

Glen Dene Homestead Site

Landscape

- 3.18** From a landscape perspective, Ms Mellsop considers that additional development, clustered with existing buildings and vegetation, screened from the highway, would not detract from the natural character or visual amenity of the ONL at this point, and that three dwellings could be absorbed on the site, provided they were appropriately located, designed and landscaped, and all the open slopes leading down to Lake Hawea should be within the proposed BRA.

Ecology

- 3.19** Mr Davis states that the proposed Rural Lifestyle zone excludes areas that are likely to have ecological value. Mr Davis does not oppose the Rural Lifestyle zone from an ecological perspective.

Infrastructure

- 3.20** Mr Glasner has no objections to the requested rezoning from a water or wastewater perspective on the basis any future development would be self-reliant and the Council would not extend its infrastructure at this location.

Traffic

- 3.21** On the basis the rezone would allow a further 3 residential units, Ms Banks does not oppose the rezoning to Rural Lifestyle Zone.

Analysis

- 3.22** While Ms Mellsop considers that the level of development requested could be achieved without detracting from the amenity of the ONL, her recommendation is on the proviso that built form be appropriately designed and located. I consider that there is too much uncertainty surrounding the submission, and that the Rural Lifestyle zoning within an ONL would not suitably manage the protection of the ONL at this location. I do not consider the request for Rural Lifestyle zoning at this location would give effect to Strategic Direction Objective 3.2.5.1 **[CB3]**, to protect ONLs and ONFs from inappropriate development. The submitter has not provided any certainty that future development would be appropriate.
- 3.23** I consider that the Landscape Assessment Matters in Part 21.7 (Rural Zone) **[CB15]** provide the appropriate methods to ensure only suitable, sympathetic and design led proposals obtain approval. I do not consider the Rural Lifestyle Zone provisions **[CB16]** to offer a suitable level of management.
- 3.24** It is acknowledged that a BRA has been proposed, and Ms Mellsop has alluded to landscaping that would avoid or mitigate views from the lake and the State Highway. However, overall there is not enough certainty that the area can absorb development without detracting from the landscape quality, character and visual amenity of the site.
- 3.25** The request may not be compatible with Rural Residential & Lifestyle Objective 22.2.5 and Policy 22.2.5.1 **[CB16]**, where the requested rezoning would allow for residential use of the site in an area surrounded by rural land where it is permitted to undertake for example, farming activities. As such, any nuisance effects such as odour, noise, dust and traffic generation that are established, or expected to occur, may become noticeable to residents in rural areas.

It is unclear from the submission the extent that new residential activity on this site would be exposed to incompatible uses.

3.26 Given the location of the subject site, it is considered that the provisions of the Rural Zone are more appropriate to consider the effects of development on a case by case basis.

3.27 The retention of this land as Rural Zone will allow the ability of the Landscape and Rural Zone chapters to be applied without limitation. As set out in my Strategic evidence² these objectives and provisions will ensure that the management of the rural and landscape resource is appropriately managed, in particular regarding Section 6(b) of the RMA.

3.28 Overall, I recommend that the submission is rejected.

² At paragraphs 15.23-15.34 of my strategic statement of evidence dated 17 March 2017.

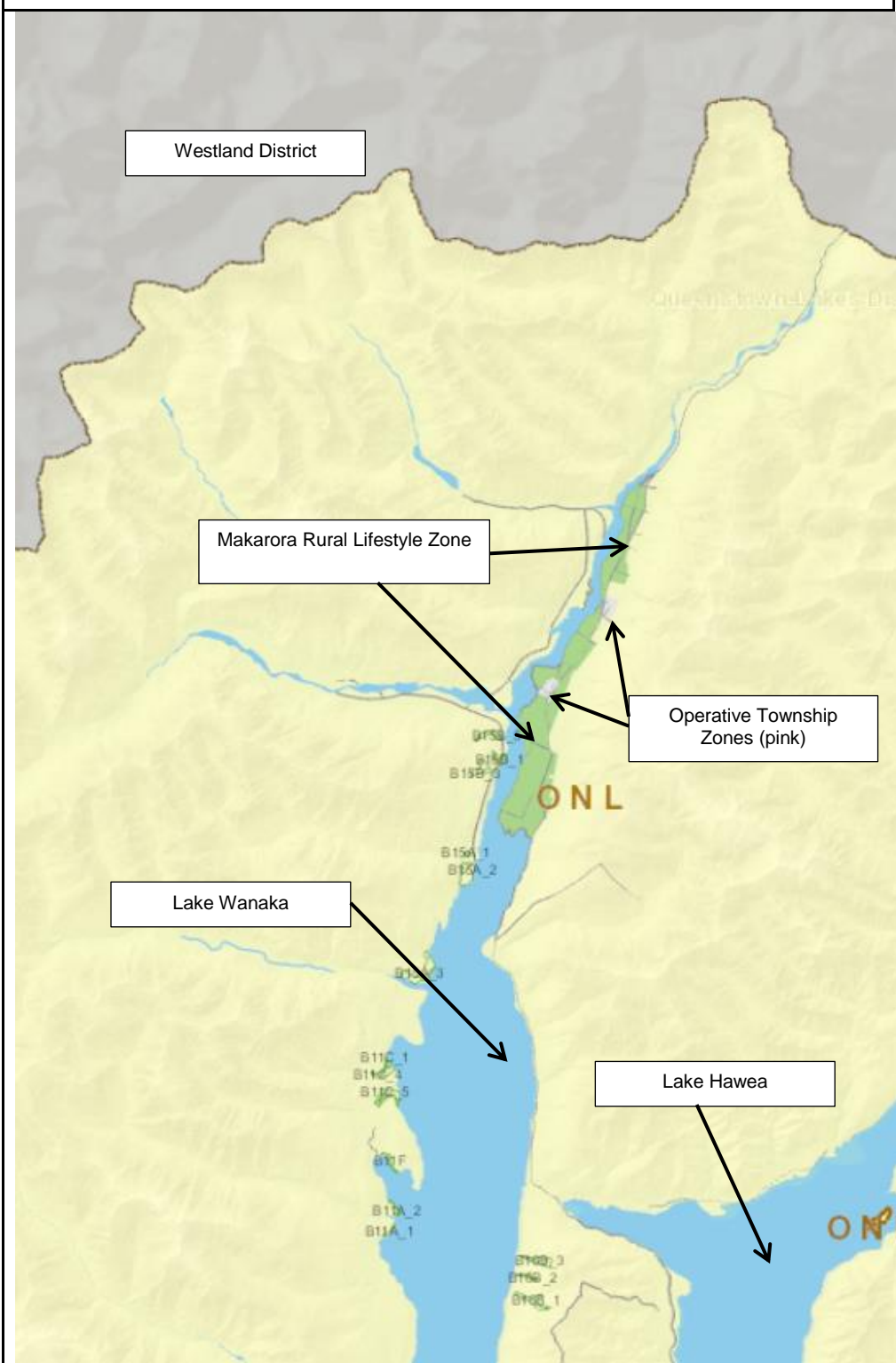
4. HEATHER PENNYCOOK (585), ROYAL FOREST AND BIRD PROTECTION SOCIETY (706)

Overall Recommendation	
Recommendation	Accept in part
Summary	The reduction of the notified Makarora Rural Lifestyle Zone provides a better method to manage the natural hazard and landscape issues in this area.

Property and submission information	
Further Submitters	None
Land area/request referred to as	Makarora Rural Lifestyle Zone
PDP Zone and Mapping annotations	Rural Lifestyle
Zone requested and mapping annotations	Rural ONL line to be extended over this area
Supporting technical Information or reports	None
Legal Description	Multiple
Area	Approx. 1,292 Ha
QLDC Property ID	Multiple
QLDC Hazard Register	Landslide Area: Areas susceptible to major debris flows Alluvial Fan: ORC river active bed Alluvial Fan: ORC river terrace Alluvial Fan: ORC fan less active recently Alluvial Fan: Hazard Area – Pipson Creek Alluvial Alluvial Fans – Regional scale – floodwater dominate Alluvial Fans – Regional scale – debris dominate Flooding: Rainfall Liquefaction Risk: Possibly Susceptible

Summary of Council assessments and recommendations	
Landscape	Supported
Indigenous Vegetation	Supported

Location – Makarora Valley



Excerpt of PDP zoning webmap identifying the Makarora Rural Lifestyle Zone. The zone is approximately 14.5 km in length and located at the head of Lake Wanaka, heading in a northerly direction toward Haast. The Rural Lifestyle Zone is the green area, the outlying Rural Zone ONL is yellow.

- 4.1 Ms Pennycook seeks two outcomes:
- (a) the rezoning of the Rural Lifestyle Zone along the Makarora Valley floor to Rural Zone; and
 - (b) the extension of the ONL over the subject area.
- 4.2 Ms Pennycook's submission states that the "*Rural Lifestyle zoning does not protect the unique landscape character and scenic beauty of the Makarora Valley*". The submission states that 440 lots could be created, which would have a huge adverse effect on the landscape amenity and aesthetics.
- 4.3 Ms Pennycook also states that the Rural Lifestyle zoning is not appropriate in terms of hazards, explaining that the valley is prone to flooding, landslides, and liquefaction in a large earthquake.
- 4.4 The submitter also considers that there is little demand for lifestyle sections in the subject area, and that the land is better for agricultural use.
- 4.5 Forest and Bird also oppose the notified Rural Lifestyle zoning owing to the sensitivity of the landscape, and cites the outstanding wildlife values of the Makarora River.
- 4.6 Both submitters state there are a number of rare/threatened species inhabiting the area, including the braided riverbed. The Rural Lifestyle Zone boundary captures some of the river margins.

Landscape

- 4.7 Dr Read has assessed the landscape effects of the rezoning submission and considers that the entire valley is ONL and that the potential development of the Rural Lifestyle zone, even taking into account potential limitations by natural hazards, would result in the fragmentation of the Makarora Valley's 'open pastoral areas and in the dispersal of dwellings and their associated accoutrements across the landscape'.

4.8 I rely on Dr Read's expert assessment of the landscape attributes that in her opinion qualify it as an ONL.

4.9 Dr Read considers that the existing zoning does not protect this distinctive landscape from inappropriate development and considers that the Rural Zone should be applied with the exception of an area adjacent to the southernmost operative Township zone.

Ecology

4.10 Mr Davis sets out in his evidence that the site is not located within an acutely or chronically threatened environment. Based on aerial imagery the site is a mosaic of exotic pasture grasses, grey shrubland and a braided river, which provide habitat for threatened species, including the Nationally Vulnerable banded dotterel, and the At Risk – Recovering eastern New Zealand Falcon.

4.11 Mr Davis does not oppose the Rural Zone from an ecological perspective for the areas of grey shrubland and braided river habitat.

Traffic and Infrastructure

4.12 Both Mr Glasner and Ms Banks have no concerns from an infrastructure and traffic perspective because the requested rezoning to remove the development enabled under the Rural Lifestyle provisions would reduce the effects of traffic, and the Rural Lifestyle Zone development would be self-reliant in terms of water and wastewater.

Analysis

4.13 A review of the planning history of Makarora, including the development that has been undertaken within the Rural Lifestyle zone that reflects a Rural Lifestyle pattern of development, of higher intensity has been identified and is attached as **Appendix 1** to this evidence.

- 4.14** From a planning perspective, I agree with Dr Read that the Rural Zone and ONL classification, is the most appropriate way to manage this resource. Rezoning the wider part of the area that has not been subdivided or developed in terms of rural living as envisaged under the Rural Lifestyle Zone would enable the full discretionary regime and application of the assessment matters in part 21.7 **[CB15]**. This would meet Part 2 of the Resource Management Act 1991 (**RMA**), with particular regard to section 6(b), the protection of outstanding natural features and landscapes from inappropriate subdivision use and development.
- 4.15** While the zone change request would remove opportunities for rural living in Makarora, and this is clearly a social and economic cost, which I accept that neither the submitter nor myself have had quantified, such costs are in my view outweighed by the application of a more appropriate zone and associated policy and rule framework. I also note that the uptake of Rural Living opportunities through the Makarora Rural Lifestyle Zone has been low.
- 4.16** As suggested by Dr Read, there are some small areas within the Makarora Rural Lifestyle Zone that have been developed. These areas and some additional areas that have been developed or subdivided to a Rural Lifestyle type development have been identified and are recommended to be retained as Rural Lifestyle Zone. I consider that these should be retained as Makarora Rural Lifestyle because the types of development rights enabled on this land are commensurate to the outcomes sought in the Rural Lifestyle Zone. Notwithstanding that no further submissions were lodged against the rezonings, I also consider that it would be fair to these landowners who have developed their properties to the Rural Lifestyle provisions if this zoning was retained. I make this recommendation not solely based on landscape related advice, but from the perspective of the most appropriate zoning that should apply given the subdivision and development given effect to on these sites.
- 4.17** A fuller analysis of the areas to be retained as Rural Lifestyle Zone is included in **Appendix 1**, by way of summary. **Figure 1** below illustrates the areas of the Makarora Rural Lifestyle Zone that are recommended to be retained. I consider that all other areas should

be rezoned to Rural, and as considered by Dr Read, should be classified as ONL.

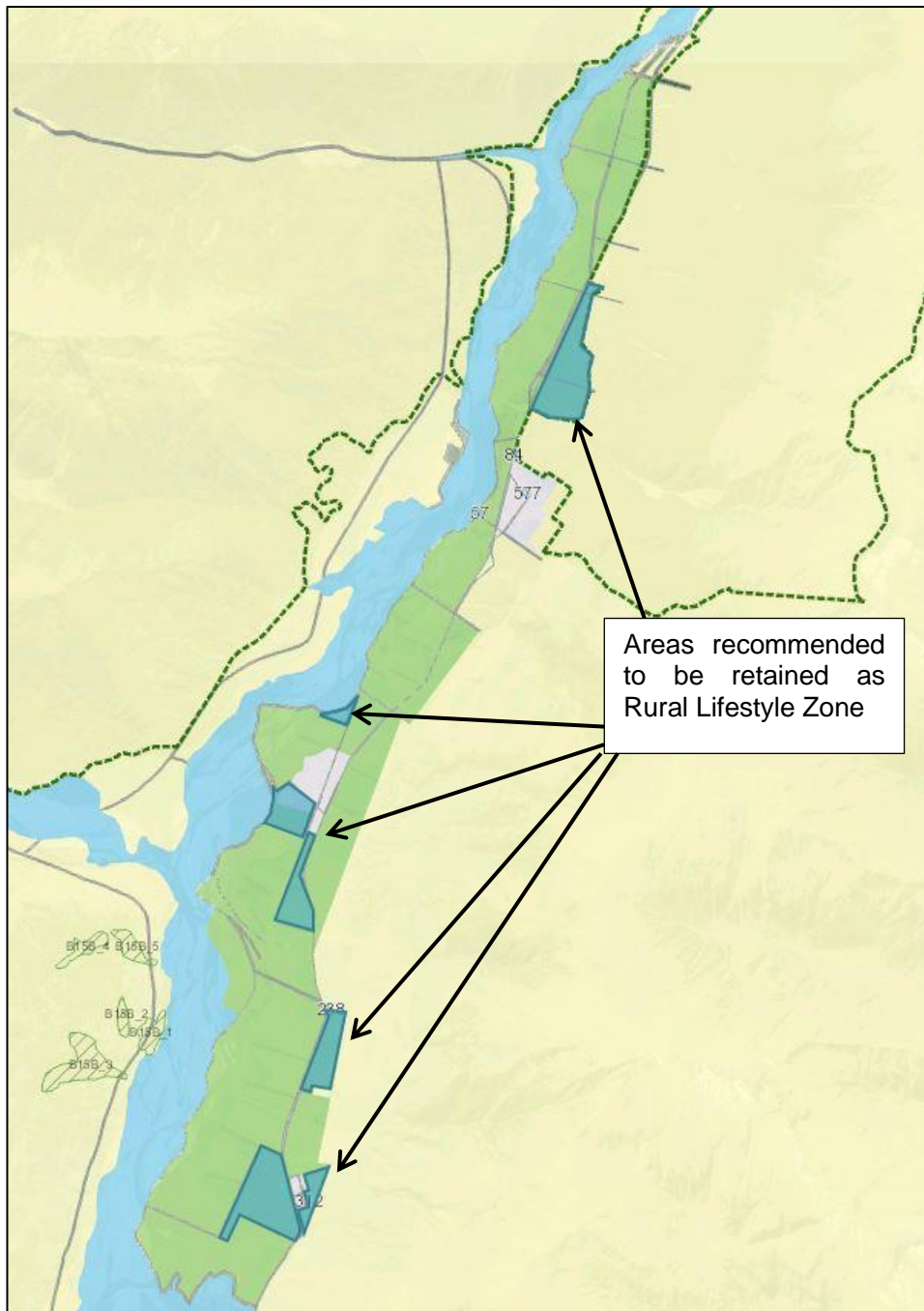


Figure 1. Areas outlined by dark green shading that are recommended to be retained Rural Lifestyle Zone. The remaining light green areas illustrate the notified PDP Rural Lifestyle Zone, all of which are recommended to be rezoned to Rural.

4.18 I consider that the request substantially improves the management of this land in terms of giving effect to the Otago Regional Policy Statement 1998 and the Otago Proposed Regional Policy Statement

[CB34] and compatibility with the following PDP Policies **[CB3, 6 and 15]**:

Strategic Objective 3.2.5.1 – Protection of the outstanding Natural Features and Landscapes from inappropriate development ;

Landscape Objective 6.3.1 – Landscapes are managed and protected from the adverse effects of subdivision, use and development;

Landscape Policy 6.3.1.10 – recognise the importance of protecting the landscape character and visual amenity values, particularly as viewed from public places;

Landscape Objective 6.3.3 – the protection, maintenance or enhancement of the District's Outstanding Natural Features and Landscapes from the adverse effects of inappropriate development. (And all subsequent policies 6.3.3.1 – 6.3.3.5);

Rural Zone Objective 21.2.1 – A range of land uses including farming, permitted and established activities are enabled while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation values and rural amenity values

Rural Zone Policy 21.2.1.1 – Enable farming activities while protecting, maintaining and enhancing the values of indigenous biodiversity, ecosystem services, recreational values, the landscape and surface of lakes and rivers and their margins.

4.19 Overall, I recommend that the submission is accepted in part, in so far that the Makarora Rural Lifestyle Zone is rezoned to Rural with the exception of the areas identified in Figure 1.

5. LAKE MCKAY STATION LTD

5.1 Lake McKay Station Ltd (**LMS**) has lodged four separate submissions that were allocated a unique submitter reference. The respective submissions seek the following:

- (a) the removal of SNAs E30A, E30B, E30D, E30F and E18G (439);
- (b) amendments to the location of the ONL at the base of the Pisa and Criffel Ranges and near the Clutha River area (482);
- (c) rezoning from Rural Zone to Rural Residential Zone near Atkins Road, Luggate (483); and
- (d) rezoning from Rural Zone to Rural Lifestyle Zone at three separate locations (484).

5.2 While the assessment of each has been discussed separately in each submission reference, they have all been considered from an overall perspective, including the imposition of the SNAs on the landholding.

6. LAKE MCKAY STATION LTD (439) SNAs

6.1 Lake McKay Station Ltd has sought to amend the boundaries of SNAs E30A, E30B, E30D, E30F and E18G.

6.2 Mr Davis identifies that all of the SNAs contain kanuka woodland and grey shrubland communities that are representative of the original vegetation within dry lowland environments of the Upper Clutha where the remaining indigenous vegetation cover is less than 20%. The at risk 'declining' tree daisy (*Olearia lineata*) is present and the kanuka woodland and grey shrubland will provide habitat for a range of bird, lizard and invertebrate species including eastern falcon which is listed as at risk 'recovering'.

6.3 Mr Davis considers that the indigenous vegetation and habitat is consistent with the representativeness and rarity SNA criteria and the SNAs should be left as mapped in the SNA reports with the exception of SNA E30 A, where Mr Davis considers that some refinement of the eastern boundary is possible. To this matter, Mr Davis recommends reducing the SNA on the eastern boundary so that it is 'tighter' against the mature grey shrubland and kanuka woodland. It would therefore exclude the younger matagouri and briar (an exotic plant) community. Mr Davis has provided a plan with the amended SNA boundary in his statement of evidence.

6.4 Mr Davis also notes in his evidence that discussions were held with him, myself and representatives of LMS, including appreciating the key issues Lake McKay Station had with the SNAs. From these discussions Mr Davis records in his evidence LMS's concern is associated with the maintenance of existing roads/tracks within the SNAs.

6.5 Mr Davis' evidence is that the policy framework in Chapter 33 Indigenous Vegetation and Biodiversity, allows for the maintenance of existing roads/tracks as a permitted activity within the SNAs. However, it is most likely that any widening of roads/tracks would trigger resource consent for the clearance of vegetation within an SNA. Given the values of the SNAs Mr Davis considers the resource consent process is appropriate for the protection of the SNAs while providing a process to assess the merits and effects of clearance should it be required.

7. LAKE MCKAY STATION LTD - ONL BOUNDARIES (482)

7.1 LMS seek the following amendments to the location of the ONL:

- (a) that the ONL boundary follows the 600 metre contour on the Northern end of the Pisa Range;
- (b) exclude the ONL from the southern part of the Clutha River escarpment east of Wanaka Airport and the lower Clutha River terrace near Rekos Point; and
- (c) that the ONL boundary follows the 600 metre contour on the northern end of Pisa/Criffel Range from Luggate Creek gorge to Mount Barker.

Northern end of the Pisa Range

7.2 The submission requests that the ONL boundary is relocated upwards away from the base of the Pisa Range, to a higher elevation to follow the 600 metre contour. This would result in the removal of areas from the ONL that include areas of irrigated terraces that are

farmed intensively, referred to in the submission as a modified farm landscape.

7.3 Ms Mellsop considers that overall the landscape has a high level of natural character and is appreciated from a wide area of the Upper Clutha Basin.

7.4 Ms Mellsop prefers the ONL boundary as identified on the notified Planning Maps. I rely on Ms Mellsop's advice on this matter.

East of Wanaka Airport and near Rekos Point

7.5 The submission seeks that the ONL boundary for the Clutha River corridor follows the line of the lower terrace. The notified ONL boundary is located on an upper terrace.

7.6 Ms Mellsop does not oppose the submitter's request in the area immediately to the east of the escarpment at Wanaka Airport, and states the terrace here is too highly modified to be part of the ONL. Notwithstanding, Ms Mellsop supports the inclusion of the lower terrace adjacent to Rekos Point within the Clutha River ONL corridor. Ms Mellsop states the terrace here is separated from the upper terrace by a clear escarpment, which is similar to others included within the river corridor. I refer to Ms Mellsop's evidence and rely on her evidence on this matter.

Northern end of Pisa/Criffel Range from Luggate Creek gorge to Mount Barker

7.7 LMS has sought the change to the ONL boundary on the basis that indigenous vegetation clearance and pasture improvement has been undertaken on the slopes below 600 metres above sea level and that this part of the range has a modified farming character.

7.8 I refer to Ms Mellsop's evidence where she discusses in detail the various locations of the ONL boundary at this location undertaken as part of the assessment and reviews forming the evidence as part of the notified PDP.

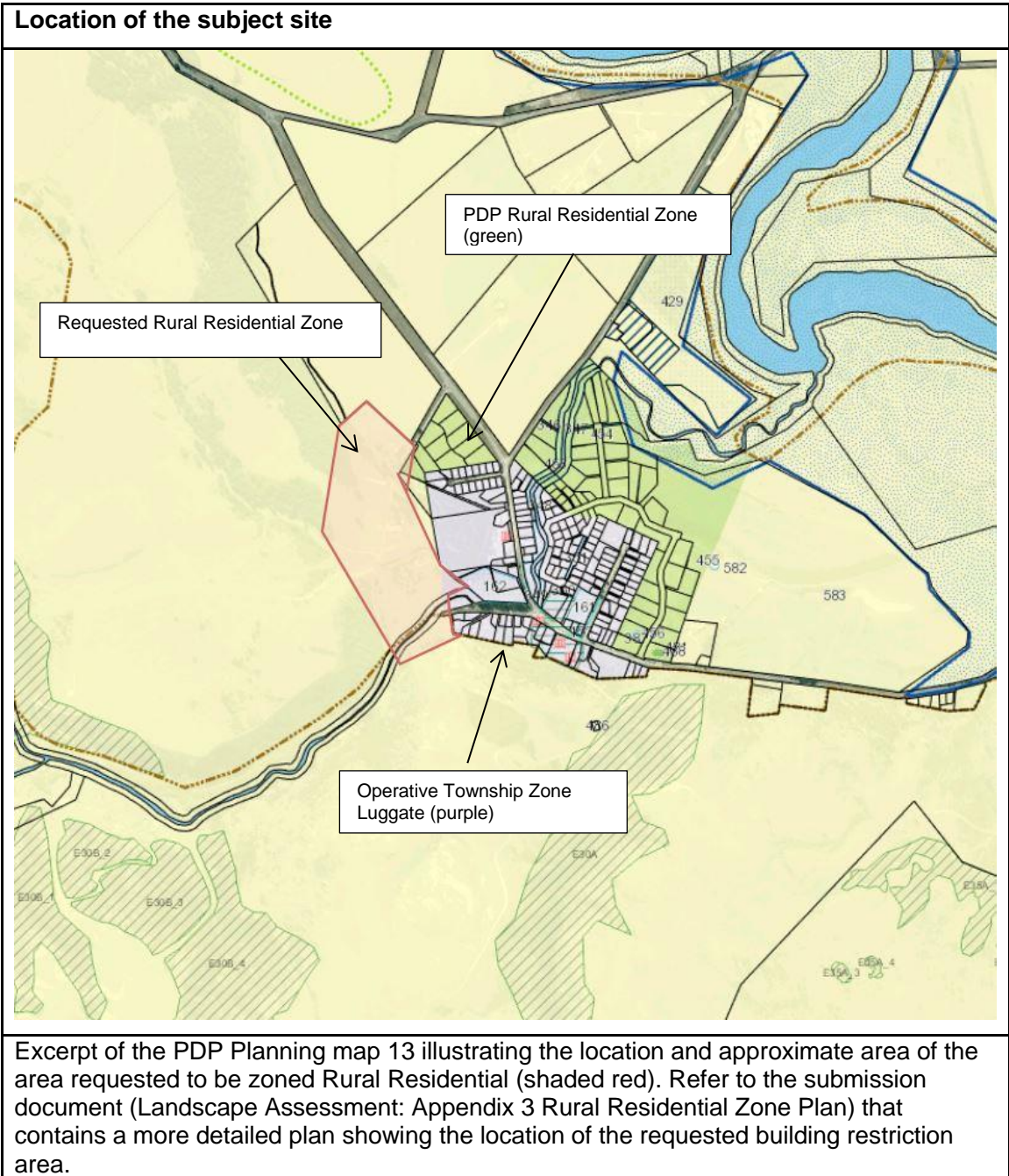
7.9 Ms Mellsop generally agrees with the location of the ONL boundary as notified, however has suggested minor modifications to the location of the ONL boundary at this location. I refer to Ms Mellsop's evidence and rely on her evidence on this matter.

8. LAKE MCKAY STATION LTD (483) (RURAL RESIDENTIAL ZONE)

Overall Recommendation	
Recommendation	Accept in part
Summary	The development would not be highly visible from public views and the rural character of the area would be upheld owing to the clustering of the zoning with an existing area of Rural Residential Zoning.

Property and submission information	
Further Submitters	FS1091 (Jeremy Bell Investments Limited): Neutral
Land area/request referred to as	Area 2
PDP Zone and Mapping annotations	Rural Zone Rural Landscape Classification
Zone requested and mapping annotations	Rural Residential Zone
Supporting technical Information or reports	Section 32 Evaluation Landscape Assessment Engineering Assessment
Legal Description	Part Section 6 SO 300466 held in CFR 18937
Area	17ha
QLDC Property ID	2304
QLDC Hazard Register	Liquefaction Risk: Susceptible Alluvial Fan: ORC – fan recently active Alluvial Fans: Regional Scale – floodwater dominate

Summary of Council assessments and recommendations	
Landscape	Not opposed
Indigenous vegetation	Not opposed
Infrastructure (wastewater and water supply)	Opposed
Traffic	Not opposed



8.1 The submission seeks to rezone an area of 17ha from Rural Zone to Rural Residential Zone. Building Restriction Areas (**BRA**) are proposed along the south near Luggate Creek and on a terrace

escarpment face along the western edge of the area. It is envisaged that 25 Rural Residential Zone, 4000m² allotments could be enabled. A description of the subject area and existing buildings and land uses is contained in Part 3.2 of the landscape assessment attached to the submission.

- 8.2** The BRA at the southern end of the requested zone appears to be volunteered on the basis of an alluvial fan and flooding hazard near Luggate Creek, and to provide a walkway and future reserve area. The hazard is discussed in the engineering report attached to the submission.
- 8.3** The BRA at the west is to avoid buildings on the terrace escarpment face.
- 8.4** It should be noted that there are some discrepancies in some of the details provided in the reports accompanying the submission. The engineering report for example states Area 2 is 16 hectares. There is also variation in the calculation of the number of residential units proposed for the area (25 according to the Section 32 Assessment & Landscape Assessment, and 30 according to the Engineering Report). The Council's assessment is based on the site being 17 hectares in area, and with potential for up to 29 units to be developed.

Landscape

- 8.5** In Ms Mellso's opinion, a Rural Residential zone on the western edge of the Luggate township could be absorbed within the landscape without significantly degrading the character of the township or surrounding rural environment or diminishing visual amenity values. Ms Mellso also agrees with the submission's landscape assessment that the development would appear as a logical extension of the existing residential areas of Luggate township.
- 8.6** Ms Mellso notes that although the proposed zone is close to the boundary of the Criffel/Pisa Range ONL, she does not consider it would degrade the landscape quality or visual coherence of this

landscape. Ms Mellsop also does not oppose the identified building restriction areas. In terms of the effects on the landscape overall, I rely on Ms Mellsop's opinion.

Indigenous Vegetation

- 8.7** Mr Davis states that the proposed Rural Residential zone is situated within an area of the farm that has had a long history of pastoral activity and indigenous vegetation has largely been removed. He does not oppose the Rural Residential zone from an ecological perspective.

Infrastructure

- 8.8** The engineering report notes that the subject site is close to the existing Luggate water supply scheme and recommends extending the water supply. Wastewater would be disposed of onsite because this would be more efficient than extending the Council wastewater scheme.
- 8.9** Mr Glasner opposes the request because the site is located adjacent to the Council's Luggate scheme boundary and there is not any capacity to upgrade.

Traffic

- 8.10** The engineering report attached to the submission states that the access from the site would be onto Atkins Road, and the intersection of Atkins Road and State Highway 6 is formed to an appropriate standard to cope with the additional development.
- 8.11** Ms Banks does not oppose the rezoning, but notes that it would be likely that Atkins Road would be required to be widened at the time of subdivision.

Analysis

- 8.12** While relying on Ms Mellsop's landscape expertise, I consider that locating Rural Residential zoned development on the northern side of Atkins Road, at the lowest terrace where the existing farm house is located would be inappropriate and give rise to sprawl effects because I consider that Atkins Road provides a logical boundary to the Luggate Township including the outlying Rural Residential Zone. I consider that the remaining areas would appear and integrate as part of the established Luggate Rural Residential Zone. I refer to the Assessment Principles in my Strategic Evidence that identifies that the spatial application of zoning boundaries should be located against defendable, clear edges. In this context I consider that Atkins Road forms the clear and defendable northern edge of Luggate, particularly when approaching Luggate on State Highway 6 in a southbound direction.
- 8.13** **Figure 2** below illustrates the area that I recommend is rezoned from Rural to Rural Residential. The area available for development, excluding the volunteered BRA is approximately 4.5ha. This has the potential to yield 10-11 allotments.

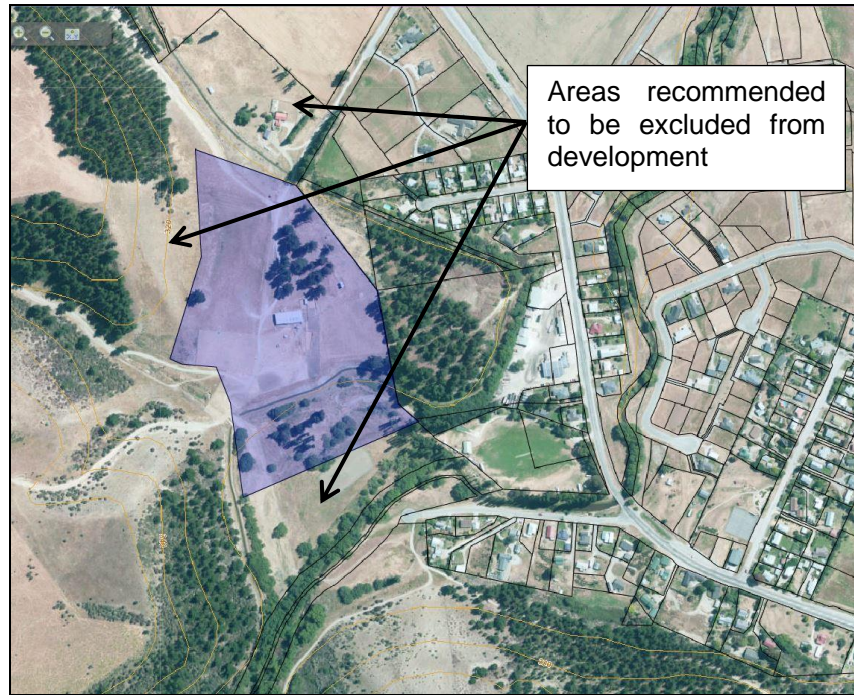


Figure 2. Annotated aerial photograph of the area I recommend is rezoned from Rural to Rural Residential. The area excludes the land on the northern side of Atkins Road, and also excludes the BRAs volunteered by the submitter. The contours indicate the location of the terrace face where the volunteered BRA is (contours at 20 metre intervals).

- 8.14** I also consider that where Rural Residential density of housing is appropriate from a landscape perspective, it could be at higher urban density to provide more efficient housing and capacity. I do not consider there is scope to do so. I also note Mr Glasner's concerns with regard to infrastructure, and that LDRZ zoning would require additional traffic assessments. However, I suggest that from an overall planning perspective that if the land identified in **Figure 2** is rezoned, the Low Density Residential zoning could be appropriate as an efficient land use.
- 8.15** I consider the terrace escarpment should be rezoned and the BRA applied to ensure no buildings or modifications are undertaken at this location. I recommend the area to the south is also rezoned and identified as a BRA, on the basis the full extent of zoned land is shown so that it can be secured as a reserve and walkway. I have not shown these areas on **Figure 2**, the intent of which is to identify the area that is suitable for Rural Residential zoning.

- 8.16** I make my recommendation to accept the reduced rezoning to Rural Residential on the basis that the development would be entirely self-reliant in terms of water and wastewater. I also foreshadow the Council's reluctance to inherit privately constructed pump stations and wastewater treatment systems.
- 8.17** It is considered that the development proposed in Area 2 would be compatible with Strategic Direction Objective 3.2.5.3, and Policy 3.2.5.3.1 **[CB3]**. The development would occur in an area that has the potential to absorb change without detracting from landscape and visual amenity values. In this case, the proposed development is located outside the UGB, but would appear as an extension of an existing area of Rural Residential development.
- 8.18** A Section 32AA evaluation is attached at **Appendix 2** to my strategic evidence. Overall it is considered that the benefits outweigh the costs in this particular circumstance, and the Rural Residential zone as recommended is the most appropriate zone.

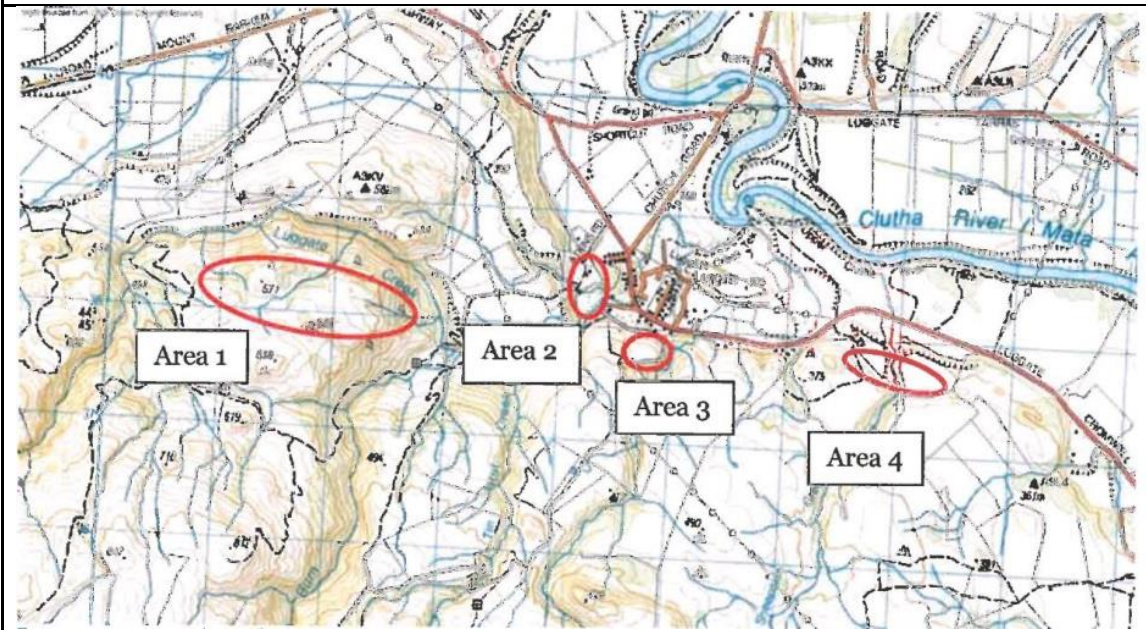
9. LAKE MCKAY STATION LTD (484) (RURAL LIFESTYLE ZONES)

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural Zone is more appropriate than the requested rezoning of Rural Lifestyle because the Rural Zone has the most appropriate provisions to manage the wide variety of effects that are possible from the requested rural living residential activities.

Property and submission information	
Further Submitters	FS1104 (Jeffrey Adrian Feint): Oppose 1091 (J Bell Investments Ltd): Oppose
Land area/request referred to as	<u>Area 1</u> <u>Area 3</u> <u>Area 4</u>
PDP Zone and Mapping annotations	Rural Zone ONL
Zone requested and mapping annotations	Area 1: Rural Lifestyle Area 3: Rural Lifestyle Area 4: Rural Lifestyle
Supporting technical Information or reports	Section 32 Evaluation Landscape Assessment Engineering Assessment
Legal Description	Area 1: Sec 1 SO 400466 Area 3: Lot 2 DP 342167 Area 4: Lot 2 DP 342167
Area	Area 1: 100Ha of 2180Ha Area 3: 6Ha of 2898Ha Area 4: 42Ha of 2898Ha
QLDC Property ID	Area 1: 2304 Area 3: 41980 Area 4: 41980
QLDC Hazard Register	Landslide – Unverified Fault line: Accurate, Concealed

Summary of Council assessments and recommendations	
Landscape	Opposed
Indigenous vegetation	Areas 1 and 4: Opposed Area 3: Not opposed
Infrastructure (wastewater and water supply)	Not Opposed
Traffic	Opposed

Aerial Photograph of the site



Excerpt from the submission document illustrating the location of the rezoning areas. Luggate Township is located between areas two and three.

9.1 The submitter seeks three rezonings:

- (a) the rezoning of Area 1 from Rural to Rural Lifestyle;
- (b) the rezoning of Area 3 from Rural to Rural Lifestyle; and
- (c) the rezoning of Area 4 from Rural to Rural Lifestyle.

9.2 The submission documents set out the location,³ development yield envisaged, roading, access and servicing⁴ and a landscape assessment.⁵

9.3 The submission documents contain communication with the Department of Conservation with regard to the potential for walking easements and gifting of 123 ha in the Luggate Gorge area. There is also communication from the QE II National Trust⁶ with regard to a potential open space covenant on a rocky bluff area near Areas 3 and 4.

³ Lake Mckay Station Plan Change. Rural Lifestyle Zone Section 32 Evaluation report.

⁴ Lake Mckay Station Plan Change. Rural Lifestyle Zone Section 32 Evaluation report. Appendix 2 Engineering Report.

⁵ Lake Mckay Station Plan Change. Rural Lifestyle Zone Section 32 Evaluation report. Appendix 3 Landscape and Visual Effects Report.

⁶ Lake Mckay Station Plan Change. Rural Lifestyle Zone Section 32 Evaluation report. Appendix 8 Conservation Land Consultation.

Further Submitter

- 9.4** Further Submitter 1104 (Jeffrey Adrian Feint) opposes the rezone request specifically with regard to "Option 2" of access to Area 1 as per the submitter's engineering report. The access for Option 2 would use the paper road passing through Criffel Deer Farm. FS1104 states that there would be several adverse effects on the further submitter's property as a result of utilising this option. FS1104 states negative effects on the visual amenity landscape; adverse nuisance effects related to the proximity of the road to the further submitter's property (the road would pass through the corner of the barn); the value of the further submitter's property; damage to paddock; traffic hazard at SH6 access point; and bridge construction across Luggate Creek.
- 9.5** Further Submitter 1091 (Jeremy Bell Investments Limited) opposes the rezoning request. FS1091 states that this land is traditionally used for agriculture, and therefore has a lack of infrastructure and services available to service residential development. FS1091 submits that lifestyle zoning is potentially viable, but that more information is required especially regarding infrastructure and access. FS1091 seeks that the request is disallowed until such time that further information demonstrates that rezoning and associated infrastructure and access can be achieved.

Infrastructure

- 9.6** All three areas (i.e. Areas 1, 3 and 4) are remote and would be serviced independently. Mr Glasner has no objections to the rezonings on this basis. Mr Ulrich would oppose extending the Council's infrastructure to these locations.

Area 1

- 9.7** Area 1 is a 100Ha area with potential for 34 units to be developed. The submission document contains a plan that identifies a possible layout with 17 allotments/building platforms.

- 9.8** According to the submission documents there are three options available to access the site: (1) from Kingan Road; (2) off SH6 via an unformed legal road and farm track; and (3) via Mt Barker and Smith Road and a farm track.
- 9.9** Water supply according to the submitter's engineering report, could be from a stream fed gravity supply from a Luggate Creek tributary, or pumped from Luggate Creek to holding tanks, while wastewater would most likely be in the form of individual on site disposal.
- 9.10** Page 12 of the landscape assessment⁷ states that because of the location of the proposed Rural Lifestyle Zone on a plateau, development can be established without being visible to the public viewing places in the Upper Clutha Basin and would have negligible adverse effects on the landscape.

Landscape

- 9.11** I refer to and rely on Ms Mellsop's expert opinion. Ms Mellsop states the area has "...a high level of natural character and expressiveness", and acknowledges that development, including access roads could be undertaken so that it is not visible from the basin below. However, Ms Mellsop also states that a Rural Lifestyle zone here could not ensure this would be the case. Ms Mellsop also considers that rural lifestyle development would inappropriately degrade the character of the area.

Ecology

- 9.12** Mr Davis states in his evidence that proposed Rural Lifestyle Areas 1 and 4 contain ecological values including kanuka woodland and grey shrubland that are likely to be disturbed by Rural Lifestyle activities such as the building of roads and establishing house building platforms. Mr Davis' view is Rural Lifestyle Activity could be achieved with a minor effect on the ecology of the site. However, a detailed application setting out the required area of vegetation clearance and ecological enhancement/restoration activities would need to be

⁷ Lake McKay Station Plan Change. Rural Lifestyle Zone Section 32 Evaluation report. Appendix 3 Landscape and Visual Effects Report.

provided to allow an accurate assessment of the ecological effects. On this basis Mr Davis opposes the request for Rural Lifestyle zoning in Areas 1 and 4.

Traffic

- 9.13** Ms Banks has considered the three access options to the site presented by LMS in the submission documents, as there are currently no formed roads to the site. Ms Banks considers the accesses are constrained by the existing landscape and the options presented are high costs as bridge crossings will be required, and should the newly formed roads be vested to QLDC, it would be an ongoing liability for QLDC due to the maintenance costs.. Ms Banks therefore opposes the rezoning request.

Analysis

- 9.14** I do not consider the Rural Lifestyle Zone to be appropriate at this location. While there could be areas within the identified Rural Lifestyle zone that have capacity to absorb development, any rural living development in this location would require a high level of certainty of the effects in terms of access, night lighting and planting of boundaries and curtilage areas. For these reasons I consider the Rural Zone is most appropriate because the assessment matters in Part 21.7 **[CB15]** and landscape assessment matters coupled with a discretionary activity status provide the most appropriate framework to ensure any rural living development is appropriate.
- 9.15** The retention of this land as Rural Zone will allow the ability of the Landscape and Rural Zone chapters to be applied without limitation. As set out in my Strategic Report these objectives and provisions will ensure that the management of the rural and landscape resource is appropriately managed, in particular regarding sections 6 and 7 of the RMA.
- 9.16** I consider there is a lack of certainty associated with the access and in terms of visual effects of the future road, and also in terms of construction and maintenance of that road on an ongoing basis.

9.17 In summary I recommend the rezoning of Area 1 to Rural Lifestyle Zone be rejected.

Area 3

Description

9.18 Area 3 is a 6ha area, and the rezoning would enable two to three units. Access is via a track off Kingan Road. Submission documents identify that water supply could be through a connection to Council's reticulation from one of two identified connection points. An alternative option outlined is through a water take from Dead Horse Creek. Wastewater would most likely be in the form of individual on site disposal.

Landscape

9.19 I refer to and rely on Ms Mellsop's expert opinion in relation to landscape matters. In Ms Mellsop's opinion, some limited development could be absorbed in Area 3 if it was not visible from the wider basin, but site specific controls would be required to ensure no degradation of the values of the surrounding ONL. Overall, Ms Mellsop opposes the rezoning request.

Ecology

9.20 Mr Davis identifies that Area 3 is situated on land that has been developed for pasture and indigenous vegetation has been removed. Mr Davis does not oppose the proposed Rural Lifestyle zone.

Traffic

9.21 Ms Banks notes that the access would be via a track off Kingan Road in Luggate. As described in the engineering report the track is restricted to single lane only due to land constraints. From a transport safety perspective the Rural Lifestyle zoning is not considered appropriate, given that widening the track to allow for two

lanes of traffic would incur substantial costs and even then, there is risk of erosion. Ms Banks opposes the rezoning sought.

Analysis

9.22 Similar to the finding of Area 1, I consider the most appropriate zone for Area 3 is the Rural zone. While there are areas that could absorb development, a high level of certainty would be required as to whether any development would be appropriate. I consider the Rural Zone assessment matters, and the objectives and policies in the Landscape Chapter are the most appropriate provisions to manage rural living in this location.

9.23 I recommend the Rural zoning for this land be retained and the submission is rejected.

Area 4

9.24 Area 4 is 42ha in area and the submission documents state that 14 units are possible in this area from a landscape perspective. Access is proposed off SH6 onto an existing farm track. Water supply could be from a gravity feed from Dead Horse Creek, or from groundwater from the flats adjacent to SH6. Wastewater would most likely be in the form of individual on site disposal.

9.25 The landscape assessment⁸ identifies that development from Area 4 would potentially be visible from several locations from the Hawea Basin.

Landscape

9.26 I refer to and rely on Ms Mellsop's opinion. According to Ms Mellsop, Area 4 would be visible from the Upper Clutha Basin to the north, including Kane Road, the Luggate Tarras Highway (State Highway 8) and the Wanaka Luggate Highway (State Highway 6) as it descends from Wanaka Airport. Even with the submitted mitigation measures, Ms Mellsop contends the rural lifestyle development would

⁸ Ibid at 12-13.

significantly detract from public views towards the mountains. Ms Mellsop opposes the rezoning request.

Ecology

- 9.27** As set out for Area 1 above, Mr Davis opposes the rezoning on the basis that there are not enough details on the potential effects of Rural Lifestyle development.

Traffic

- 9.28** Ms Banks notes that as identified in the engineering report, the sight distances at the SH6 intersection are substandard. Future development and subdivision will require NZTA approval for the intensification of the access and the subdivider would need to present mitigation measures for the substandard sight distance. Ms Banks opposes the rezoning sought on the basis that intensification of the land will result in safety issues in the transport network. She considers that the PDP Rural Zoning is appropriate.

Analysis

- 9.29** The visual prominence of future development from the site, if not carefully managed is likely to be significant. I consider that any development in this location should be subject to the Rural Zone assessment matters in Part 21.7 **[CB15]** and the full ambit of the ONL landscape policies in Chapter 6 **[CB6]**. The Rural Lifestyle Zone as proposed in Area 4 from a landscape perspective therefore is not considered appropriate.
- 9.30** While the zone change request would provide for rural living opportunities, it is considered that the proposed location is not appropriate, including because of the lack of certainty that any future development would be appropriately managed.
- 9.31** In acknowledgement of the landscape values of Areas 3 and 4, it is recommended by the submission that the following would be included to assist with mitigation of the development:

- (a) built form established at the rear of the terraces;
- (b) built form to be further concealed by mounding;
- (c) a building restriction on the terrace risers;
- (d) provisions to reduce exotic weed species and maintain and increase native species on the terrace risers; and
- (e) access roads to be constructed only on the flat terrace areas.

9.32 While these mitigation measures could have merit, there is a lack of information on how these would translate into the provisions of the Rural Lifestyle Zone and how these would be designed and completed to a degree that is appropriate for a rural living development within the ONL.

9.33 I consider that the best method to integrate these types of mitigation and design issues in these circumstances is through the resource consent process, detailed design and imposition of conditions.

9.34 Overall, I recommend the requested Rural Lifestyle Zone in Areas 1, 3 and 4 are rejected.

10. JAMES COOPER (400)

10.1 The submission requests that all ONL and ONF classifications are removed from the submitter's land and to remove the SNA E 18B.

10.2 The subject site covers approximately 2700 hectares of the Upper Clutha Valley floor, on the northern side of the Clutha River between Albert Town to the west, and Hawea Flat to the north east. Large parts of the site have been developed for intensive farming.

10.3 Ms Mellsop discusses the formative processes of the Upper Clutha that are retained as strong determinants of the landscape character in this area. Ms Mellsop considers that the Upper Clutha ONF river feature is within a larger ONL that extends to the top of the terrace escarpments. Ms Mellsop recommends therefore, that the planning

maps are modified so that the Clutha River ONL boundary at this location is generally retained as set out in the notified PDP.

10.4 With regard to the removal of SNA E18B. I refer to the evidence of Mr Davis who, noting that the submission contains no justification nor reasons for such action, considers that the site contains ecological values that are consistent with the significance criteria. In particular Mr Davis considers the SNA E 18A meets the following:

- (a) **Rarity and Distinctiveness** – The threatened environment classification identifies that the cushionfield and short tussock grassland is located within a Threatened Environment Classification with 2.7% indigenous vegetation cover remaining and only 0.8% protected. In addition, the SNA supports a population of the 'At Risk' cushion Pimelea (*Pimelea sericeovillosa* subsp. *pulvinaris*);
- (b) **Representativeness** – The pre-European settlement vegetation representative of this environment is understood to have consisted of grasslands with assemblages of shrubland and sub shrubs. The vegetation within E18A remains as one of the few modified examples of the original vegetation cover;
- (c) **Diversity and Pattern** – While the area has been modified over time (e.g. fire, rabbits, and pastoral activity), the vegetation still has a notable range of indigenous species;
- (d) **The Ecological Context of the Area** - The short tussock grassland and cushion field is connected to modified indigenous vegetation communities located adjacent to the upper reaches of the Clutha River, as well as being in close proximity to the 'South Hawea Flat Recommended Area for Protection', which consists of a similar short tussock grassland ecological community; and
- (e) **Future Ecological Value of the Area** – The site has the resilience to maintain its ecological value depending on the land management regime.

10.5 I rely on Mr Davis' opinion on this matter and recommend the submission is rejected.

10.6 Overall, I recommend the submission is rejected with the exception of the amendment to the ONL boundary as recommended by Ms Mellsop.

11. LESLEY AND JERRY BURDON (581)

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural Zone is more appropriate than the requested rezoning of Rural Lifestyle over the area because the Rural Zone has the most appropriate provisions to manage the wide variety of effects that are possible from rural living.

Property and submission information	
Further Submitters	FS1032.2 (Marjorie Goodger): Support FS1033.2(Sheila and Brian McCaughan): Support FS1037.2 (Dan Pinckney) Support FS1177.2 (D M Cochrane) Support FS1183.2 (Richard and Sarah Burdon) Support
Land area/request referred to as	The Dene Rural Lifestyle Zone
PDP Zone and Mapping annotations	Rural Zone Outstanding Natural Landscape
Zone requested and mapping annotations	Rural Lifestyle Zone with No Build Areas
Supporting technical Information or reports	Section 32 Evaluation Landscape and Visual Effects Assessment NZTA correspondence Servicing Feasibility Report Geotechnical Report
Legal Description	Lot 1 DP 396356
Area	38.24 Ha
QLDC Property ID	26023
QLDC Hazard Register	None

Summary of Council assessments and recommendations	
Landscape	Opposed
Indigenous vegetation	Not Opposed with conditions
Infrastructure (wastewater and water supply)	Not Opposed
Traffic	Not Opposed

Aerial Photograph of the site



Aerial photograph of the subject site outlined blue. Lake Hawea Township is visible to the south of the image.

- 11.1 The submission seeks to rezone a 38ha area of land from Rural to Rural Lifestyle, with the imposition of a BRA. The submission also seeks an objective, policies and rules to manage the effects of building in the zone.

- 11.2 The rules sought would restrict the number of building platforms in the rezoned area to five, and that the maximum height of all buildings would be five metres. Non-compliance with these rules would be a non-

complying activity. One of the identified building platform areas covers the existing dwelling and curtilage area. Therefore the rezone request would effectively allow four Rural Lifestyle Zone allotments, notwithstanding the comparatively large size of the area sought to be rezoned.

11.3 The section 32 evaluation attached to the submission⁹ concludes that the proposed rezoning would be appropriate because:

- (a) it would enable rural living development in an appropriate location;
- (b) it would protect vast areas of the area sought to be rezoned through the BRA; and
- (c) it would encourage the protection and regeneration of indigenous vegetation throughout the site, enhancing natural character.

Landscape

11.4 Ms Mellsoy opposes the proposal and her view is that the addition of four new dwellings on the site, with associated accesses, letterboxes, domestication of the sites, would considerably alter the landscape character, which would result in moderate adverse effects on the quality of the landscape.

11.5 While Ms Mellsoy agrees that the revegetation of the BRA could benefit the natural character and ecological value of the site, she considers that the extent of this would be relatively small. Moreover, in Ms Mellsoy's opinion the adverse effects of residential development would be greater than the benefit of the revegetation, and overall the rezoning would result in moderate degradation of the landscape.

11.6 Ms Mellsoy considers that locations 1 and 3 would be briefly visible from the highway. Ms Mellsoy explains that visible buildings may not be visually prominent, but visible development would still detract from the natural character of views and visual coherence of the landscape.

9 Section 32 Evaluation Report 'The Dene' October 2015. Southern Planning Group.

- 11.7** Ms Mellsop also considers that adverse effects would be cumulative when taking into account the existing development at the Glen Dene Homestead and the Burdon dwelling, located to the immediate north of the subject area.
- 11.8** Ms Mellsop also contends that the additional development along the highway, could also be perceived as a sprawl of domestication.
- 11.9** Ms Mellsop does consider there is scope for additional sensitive development at the southern end of the site, but the requested zoning would not protect the ONL from the adverse effects of inappropriate development.

Indigenous Vegetation

- 11.10** Mr Davis notes the area has ecological values with a reasonable cover of bracken fern and other native plant species, and that a relatively small southern section of the proposed zone change is located within a chronically threatened environment.
- 11.11** Mr Davis does not oppose the Rural Lifestyle zone from an ecological perspective, on the proviso that the no build area was enforced, and an appropriate ecological management plan was developed.

Infrastructure

- 11.12** Mr Glasner gives a detailed description of the current status of the site in terms of infrastructure.
- 11.13** On the basis that the proposed rezone would be self reliant and would not extend the Council's water or wastewater, Mr Glasner does not object to the rezoning request stating that there would be no increase to infrastructure requirements.

Traffic

- 11.14** Ms Banks does not object to the proposed rezoning on the basis it would create 4 new allotments and the access location would be controlled by the New Zealand Transport Agency, because of the location of the sites adjacent to SH6.

Analysis

- 11.15** From an overall planning perspective I consider that the proposal has merit in so far that it has carefully considered the constraints, and identified opportunities for indigenous biodiversity enhancement.
- 11.16** However, it is considered that while some areas of the site could have capacity to absorb development, to ensure that any development was appropriate, a 'belt and braces' approach to management would be required to ensure an appropriate outcome and I do not consider the Rural Lifestyle Zone framework to be the most appropriate zone.
- 11.17** In this regard, I disagree with the section 32 evaluation provided by the submitter at page 9, where it dismisses the retention of the Rural Zone as an option on the basis it would not have certainty of development outcomes. On the contrary, I consider that the Assessment Matters in part 21.7 of the PDP and the policies in Chapter 6, in conjunction with the discretionary activity status all require that development proposals are subject to the appropriate level of scrutiny.
- 11.18** I also consider that the level of detail required to manage the effects of buildings and to ensure any environmental management plan would be effective are best administered through conditions of a resource consent, rather than relayed as policies in the chapter text. The mitigation required to ensure an appropriate outcome is commensurate to the scale and intensity, and architectural merit of a specific development in this sensitive location, I do not consider the Rural Lifestyle Zone framework to provide this degree of certainty. Nor do I consider the requested objective, policy and rules to achieve this.

11.19 Elements of the development that would be able to be more appropriately managed by the Rural Zone provisions include:

- (a) the ability to provide a detailed vegetation management plan, that takes into account mitigation as well as biodiversity matters, including screening associated with driveways and accesses;
- (b) the ability to ensure night lighting is assessed and managed
- (c) the ability to ensure that the driveways and accesses onto SH6 associated with the development are appropriately managed;
- (d) earthworks;
- (e) whether any covenants are necessary; and
- (f) whether any opportunities for public access or walking are considered.

11.20 I do not consider that the rezoning request accords with Strategic Direction Objective 3.2.5.1, or Landscape Objective 6.3.3 and associated policies where the Council aims to protect ONLs from inappropriate development. Despite the volunteering of building restrictions, in this case, the zone change request is considered to have adverse effects that would not guarantee the protection of the ONL at this location.

11.21 While the zone change request would provide for rural living opportunities, it is considered that the proposed location is not appropriate. Any development here would result in cumulative effects with the existing development on the site, and additional development along the highway could also be perceived as a sprawl of domestication and degrade the attributes of the area that qualify as an ONL. In my opinion, development here would not be mitigated to a degree that would protect the quality of the landscape which could degrade the rural character of the area. The request is not compatible therefore with Strategic Direction Objective 3.2.5.4 and Policies 3.2.5.4.1 and 3.2.5.4.2 **[CB3]**, and Landscape Objective 6.3.2 **[CB6]**.

11.22 The request is not compatible with Rural Residential and Lifestyle Objective 22.2.1 and associated policies **[CB15]**, which aim to maintain and enhance the District's landscape quality, character and visual amenity. While the request would enable rural living opportunities, there is not enough certainty that the area can absorb development without detracting from those landscapes. As discussed in Ms Mellsop's evidence, while visible buildings may not be visually prominent, they would still detract from the natural character of views and visual coherence of the landscape.

11.23 Overall, I recommend the submission is rejected.

12. ROYAL FOREST AND BIRD PROTECTION SOCIETY (706) EVAN ALTY (339)

Overall Recommendation	
Recommendation	Accept
Summary	Retaining the Rural Residential Zone would be inappropriate. The land is an ONL and the Rural Zone is the most appropriate zoning

Property and submission information	
Further Submitters	FS1162.112 (James Wilson Cooper): Oppose
Land area/request referred to as	Reko's Point Rural Residential Zone
PDP Zone and Mapping annotations	Rural Residential Zone
Zone requested and mapping annotations	Rural Zone
Supporting technical Information or reports	None
Legal Description	Lot 4 DP 20242 held in CT 666550
Area	27.35Ha (area sought to be rezoned)
QLDC Property ID	33040
QLDC Hazard Register	Alluvial Fan: regional Scale – floodwaters Flooding: Rainfall and dam burst

Summary of Council assessments and recommendations

Landscape	Not Opposed
Indigenous Vegetation	Not Opposed

Aerial Photograph of the site



Aerial photograph of the land subject to submissions 706, and 339, approximate boundaries of Rekos Point Rural Residential Zone (red). Refer to submission for more detailed information.

- 12.1** The submitter seeks that the Rural Residential Zone at this location is rezoned Rural from Rural Residential Zone.

- 12.2** Rekos Point Rural Residential Zone is located on the northern side of the Clutha River and accessed from Kane Road. The Rural Residential Zone at Rekos Point is an isolated spot zone that has not been developed. It is an approximately 27 hectare area of land within the wider ONF/L of the Clutha River corridor.

- 12.3** Further submitter FS1162 (James Wilson Cooper), who is also the landowner, opposes the relief sought in the submission because it does not make for sound resource management planning.

Site History

- 12.4** The planning history of the site includes the following:
- (a) A rezone request was made for 27.35 hectares to be Rural Residential Zone on the 1995 Proposed District Plan. As part of the evidence an outline plan of potential subdivision was submitted, showing 25 allotments on the site. The Council decision on submissions to the 1995 Proposed District Plan, made in August 1998 rejected the submission. The decision was appealed and it appears as though the rezoning was accepted by way of a consent order;
 - (b) In 2001 the then owner of the land (Black Bag Limited) gave a covenant over the land "*...restricting rights to subdivide such land to the creation of no more than three separate allotments with further restriction of one dwelling per such lot*";
 - (c) In 2004 a resource consent¹⁰ was granted to allow for 52 leasehold properties with leases to endure for no longer than 30 years (avoiding the proposal qualifying as a "subdivision" under the RMA). The application was publicly notified on 7 August 2007 and received 40 submissions, all of which were opposed to the application. The consent was granted in 2005;
 - (d) The decision to grant consent was appealed to the Environment Court and the appeal was dismissed; and
 - (e) The decision was appealed to the High Court, and upheld. The resource consent was quashed and there has been no development (except for pastoral farming) on this site since.

Landscape

- 12.5** Ms Mellsop does not oppose the submitter's request. Ms Mellsop states that development of this zone would "...*significantly degrade the natural character, intactness, scenic quality and recreational values of the Clutha River corridor ONL*". Ms Mellsop also states that any development here would be highly visible from tracks on both sides of the Clutha River, and would be inappropriate and sporadic.

Indigenous Vegetation

- 12.6** Mr Davis states the site is located with an acutely threatened environment and had previously identified significant ecological values on the site.¹¹ Mr Davis explains however, that disturbance to the land has since occurred and the remaining values are unknown. It is likely the land has been developed and is in improved pasture. Mr Davis opposes the rezoning. In his view, the Rural General zone would be appropriate from an ecological perspective until the remaining values are determined.

Infrastructure and Traffic

- 12.7** Mr Glasner gives a description of the current status of the site in terms of infrastructure in his evidence.
- 12.8** Mr Glasner does not oppose the rezoning request stating that there would be no increase to infrastructure requirements. Likewise Ms Banks does not oppose the rezoning from a traffic perspective.

Analysis

- 12.9** While the zone change request would eliminate the enabled/as of right rural living opportunities that are currently available, these

¹¹ The site was identified in 2012 as containing hard tussock cushion field plants that qualified as an SNA. However the Operative District Plan Rural Residential Zone rules do not have any rules that limit the clearance of indigenous vegetation. Notwithstanding the value of any indigenous vegetation that may have been present on the site, it is a permitted activity under the Operative District Plan. Conversely, Chapter 33 Indigenous Vegetation and Biodiversity of the PDP applies District Wide.

appear limited owing to the covenant that restricts Rural Residential Zone style subdivision on this site.

12.10 I consider that the Rural Zone provisions would be more appropriate because they go further to ensuring the quality of the landscape be protected. The request is compatible therefore with Strategic Direction Objective 3.2.5.4 and Policies 3.2.5.4.1 and 3.2.5.4.2 **[CB3]**.

12.11 I consider the request accords with Landscape Objective 6.3.1, where it is intended that landscapes are managed and protected from the adverse effects of development. It is noted that the associated policies identify that development is unsuitable in many locations in the rural landscape, and that urban types of subdivisions and development are to be discouraged. The importance of protecting the landscape character and visual amenity values, particularly as viewed from public places is also to be recognised. As stated in the evidence from Ms Mellsop, the subject site would be easily viewed from several public points. As such, rezoning of Rekos Point to Rural would certainly support these provisions.

12.12 Overall, I recommend that the submission is accepted.

13. GLENDHU BAY TRUSTEES LIMITED (583)

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural zone is more appropriate than the Glendhu Station zone as requested by the submitter. This is because the Rural zone more appropriately manages effects in this area when compared with the activities that would be allowed if the land was rezoned to be in the submitter's proposed Glendhu Station zone.

Property and submission information	
Further Submitters	FS1094.7 (John Johannes May): Oppose FS1034.239 (Upper Clutha Environmental Society (Inc.)): Oppose FS 1053 Tui Advisors : Oppose

	FS 1125 NZ Fire Service: Oppose FS 1149 Noel Williams: Oppose
Land area/request referred to as	Glendhu Station Zone
PDP Zone and Mapping annotations	Rural Zone Outstanding Natural Landscape
Zone requested and mapping annotations	Glendhu Station Zone with several activity areas
Supporting technical Information or reports	Section 32 Evaluation Chapter text Structure Plan / modified Planning Map
Legal Description	Lot 2, 9-11 Deposited Plan 457489, being 187.64ha Lot 1, 3 Deposited Plan 457489, being 15.57ha Lot 4-5 Deposited Plan 457489, being 44.21ha Lot 6-8 Deposited Plan 457489 and Section 1-2, 19, 18, 22-23 SO Plan 347712, being 2588.56ha
Area	2834Ha
QLDC Property ID	25672
QLDC Hazard Register	Liquefaction Risk: Susceptible Landslide: Non verified Flooding due to Rainfall Fault line: Accurate, concealed Alluvial Fan: stabilised Alluvial Fan: ORC river terrace Alluvial Fan: Regional Scale flood water dominate Alluvial Fan: ORC river active bed Alluvial Fan: ORC beach ridge stabilised

Summary of Council assessments and recommendations	
Landscape	Opposed
Indigenous vegetation	Opposed
Infrastructure (wastewater and water supply)	Not Opposed
Traffic	Opposed

Aerial Photograph of the site – Glendhu Bay



Aerial photograph of the land subject to submission 583 outlined in blue. Refer to the submission for more detailed information and the activity. Wanaka and Roys Bay are located to the east.

- 13.1** The submitter seeks that the identified sites are rezoned from Rural to the 'Glendhu Station Special Zone'. This zone is proposed by the submitter and was not included in the notified PDP.
- 13.2** The subject site is located to the west of Wanaka Township and located on both sides of the road at Glendhu Bay. Numerous "Activity Areas" within the zone are proposed, in which pockets of defined activities are proposed. These areas are discussed below.
- 13.3** The Lake Shore Activity Area (LS) includes:
- (a) a series of buildings, including 12 visitor accommodation units;
 - (b) functions and events;
 - (c) a jetty (public access to the activity area from Lake Wanaka); and
 - (d) the golf course club house with restaurant and café (with associated vehicle access and parking).
- 13.4** The Residences Activity Area (R) includes:

- (a) 50 residences and/or visitor accommodation units; and
- (b) areas of native revegetation.

13.5 The Lodge Activity Area (L) includes:

- (a) visitor and residential accommodation activities (lodge and a small number of detached accommodation villas, and areas of native revegetation).

13.6 The Campground Activity Area (C) includes:

- (a) expansion of the Glendhu Bay campground across the Mount Aspiring Road;
- (b) new road access alignment; and
- (c) visitor accommodation activities.

13.7 The Farm Homestead Activity Area (FH) includes:

- (a) small scale commercial activities (to complement and support the campground); and
- (b) visitor accommodation (farm stays, conferences, events and functions (e.g. weddings), farm tours, staff accommodation, small scale abattoir, butcher, packing shed, craft brewery and tannery).

13.8 The Open Space Farm Preserve Activity Area (OS/F) includes:

- (a) farming activities;
- (b) recreation activities:
 - (i) public access trails;
 - (ii) areas of ecological enhancement;
 - (iii) small scale eco-themed visitor accommodation;
 - (iv) an airstrip; and
 - (v) residential accommodation.

13.9 Additional design features shown on the structure plan, include:

- (a) public access trails and two Golf underpasses;

- (b) primary access connection to the golf course, residences and lodge; and
- (c) Landscape Protection Areas.

13.10 The submission documents provide a complete chapter, containing objectives, policies, rules and amended planning maps.

Consented Environment

13.11 The site is subject to a resource consent¹² that includes a golf resort including a course and associated buildings, residential dwellings and a range of covenants and requirements for public access. These appear to have been enveloped into the subject rezone request. **Table 1** below summarises the differences in the consented environment and activities contemplated in the new zone requested by the submitter.

13.12 Development activities have commenced including the construction of the golf course on the eastern side of Glendhu Bay Road, and on the western side of Dublin Bay Road, landscaping, earthworks and roading associated with the residential component. **Figure 3** below shows the consented building platforms.

¹² Parkins Bay Preserve Limited RM120558 and *Upper Clutha Tracks Trust v Queenstown Lakes District Council* [2012] NZEnvC 79 (**third Parkins Bay decision**) and subsequent resource consents (RM140959 – amendments to staging of RM120558, and RM150567 – golf course layout).



Figure 3. Aerial photograph illustrating the location of the building platforms approved by the resource consent (yellow squares). The Glendhu Bay campground is located to the east.

Table 1. Summary of identified differences between the resource consents and the activities contemplated through the requested zone.

Consented	Glendhu Station Zone
18 hole golf course	<i>Golf Activity Area</i> <ul style="list-style-type: none"> 18 hole golf course and underpass
<i>Lakeside buildings, including:</i> <ul style="list-style-type: none"> Clubhouse (restaurant/café) Jetty 12 VA units in 3 buildings 	<i>Lakeside Activity Area</i> <ul style="list-style-type: none"> Club house (restaurant/café functions and events) Jetty 12 VA units in 3 buildings
42 residential/VA units (max 8 VA) site size between 3,525m ² and 8719m ²	<i>Residential Activity Area</i> <ul style="list-style-type: none"> 50 Residential/VA units Allow area for natural revegetation
There does not appear to be an equivalent activity consented	<i>Lodge Activity Area</i> <ul style="list-style-type: none"> Lodge 10 residential/VA units as detached villas
<i>Ecological enhancement</i> 65ha and revegetation strategy around golf course and residential units	Matter of control associated buildings (Rule 44.5.2) and obliged through Rule 44.5.4.
There does not appear to be an equivalent activity consented	<i>Campground Activity Area</i> Expansion of the Glendhu Campground across the road and VA activities
There does not appear to be an equivalent activity consented	<i>Farm Homestead Activity Area, including:</i> <ul style="list-style-type: none"> Small scale commercial (support campground) VA activities <ul style="list-style-type: none"> farmstays conferences

Consented	Glendhu Station Zone
	<ul style="list-style-type: none"> ○ events/functions ○ farm tours ○ staff accommodation ○ abattoir ○ butcher ○ packing shed ○ tannery
<p>There does not appear to be an equivalent activity consented. The balance land of the site is zone Rural.</p>	<p><i>Open Space Activity Area</i></p> <ul style="list-style-type: none"> ● Farming activities ● Recreation activities ● Public access trails ● Ecological enhancement ● Small-scale eco-themed VA ● Airstrip
<p><i>Covenants</i></p> <ul style="list-style-type: none"> ● stock excluded to allow natural revegetation 	<p>No covenants appear to be proposed or in the policy framework.</p>
<p><i>Public access</i></p> <ul style="list-style-type: none"> ● Formed access from Mt Aspiring Road to Parkins Bay foreshore ● Formed access from Glendhu Bay to Parkins Bay 	<p>Public access is included on the structure plan and provided for by Standards (Rule 44.6.1) and obliged via Rule 44.6.6.</p>
<p><i>Further public access tracks</i></p> <ul style="list-style-type: none"> ● Fern Burn to Motatapu Track ● Mountain bike access to Motatapu Track ● New track to top of Glendhu Hill ● New track from Rocky Mountain to Matukituki River 	<p>Public access is included on the structure plan and provided for by Standards (Rule 44.6.1) and obliged via Rule 44.6.6.</p>
<p>Staging:</p> <p>The development is to occur in three stages each of which is to occur within 24 months of the completion of the previous stage.</p> <p>The first stage entails the golf course, lakeside developments and ten dwellings plus all earthworks for the full number of house sites. Revegetation planting is also required.</p> <p>Stage 2 requires further revegetation planting and provides for the construction of 20 more dwellings.</p> <p>Stage three requires the remaining revegetation planting to be completed and the balance of the dwellings constructed. The exclusion of stock from several covenanted areas is to occur at this stage also. Wilding plants are to be removed on an ongoing basis.</p>	<p>No staging or deferral appears to be proposed in policy framework.</p>

Consented	Glendhu Station Zone
<p data-bbox="300 255 432 284">Covenants</p> <p data-bbox="300 320 802 409">The consent conditions require extensive covenants to be registered prior to the construction of any buildings.</p> <p data-bbox="300 441 802 530">These covenants seek to restrict further development for varying periods in varying locations.</p> <p data-bbox="300 562 802 683">All areas are to be covenanted from the date of the grant of consent and the limited periods end at the specified time past the completion of Stage 3.</p> <p data-bbox="300 714 802 775">This potentially adds more than six years to the periods of the covenants.</p>	<p data-bbox="825 255 1404 315">No covenants appear to be proposed or in the policy framework.</p>

Landscape

- 13.13** Dr Read confirms that the entire site is within the ONL, consistent with the notified PDP ONL boundaries. Dr Read opposes the rezoning on the basis that the objective, policies and rules of the 'Glendhu Station Zone' would enable development in the ONL without the necessary level of scrutiny to determine whether it is appropriate.
- 13.14** Dr Read is also uncomfortable with the proposed objective of the zone from a landscape perspective where it emphasises tourism and the development of residential and visitor accommodation, '*...within a framework of rural open space while providing conservation and recreation benefits*'.
- 13.15** Dr Read considers that there is not any acknowledgement of the quality or importance of the landscape in the objective, and resultant policies. Dr Read considers that the degree of liberalisation of future development which the proposed zone would provide is far and beyond, the ability of the landscape of the vicinity to absorb.
- 13.16** Dr Read considers that that the level of consented development can only be appropriately absorbed into this landscape because of the

particular design features volunteered and the environmental compensation required.

13.17 From the perspective of managing the effects of development on the landscape, Dr Read considers that the fully discretionary regime of the Rural Zone Chapter 21 **[CB15]** is the appropriate means to manage further development on this site and in this landscape. With respect to the matters relating to landscape I rely on Dr Read's assessment of the subject site and opinion relating to the potential effects on landscape through the requested rezoning.

Indigenous Vegetation

13.18 Mr Davis explains areas of the proposed zone have ecological values with a reasonable cover of bracken fern which acts as a native nursery crop for successional progress towards native shrubland and ultimately native forest. There are a range of other native plant communities present, including grey shrubland and wetlands, which provide habitat for threatened flora and fauna.

13.19 Mr Davis states the submission does not provide enough ecological information based on the following reasons::

- (a) a revegetation strategy is mentioned but not provided, and is only indicated as required for the Residential Activity Area;
- (b) the percentage of each activity area currently covered by native vegetation, and/or what percentage will be retained and expanded is not included;
- (c) there is no justification for the inclusion or exclusion of areas from the Conservation Landscape Protection Areas, Glendhu Hill Wetland Landscape Protection Areas, and the Southern Tributary and Moraine Slope Landscape Protection Areas. Without an assessment, there could be significant ecological values located outside any proposed protected areas;
- (d) proposed Rule 44.5.4 (iv) refers to a 'Gully Revegetation Area identified on the Structure Plan', but this is not shown on the Structure Plan (44.8);

- (e) proposed Rule 44.6.1 (b) does not protect indigenous biodiversity values nor include indigenous biodiversity values under matters for Council discretion; and
- (f) proposed Rule 44.6.2 does not include effects on indigenous biodiversity under the matters for Council's discretion.

13.20 In Mr Davis' view, due to the lack of ecological assessment and protection provided in the submission to support a new site specific special zone, he opposes the rezoning and considers that the Rural Zone is more appropriate from an ecological perspective. I agree and rely on Mr Davis's opinion on this matter.

Infrastructure

13.21 Mr Glasner gives a description of the current status of the site in terms of infrastructure in his evidence.

13.22 Mr Glasner states that it would be expected this area would be serviced on site, and not part of Council's scheme, and that any development would be at the cost of the developer. On this basis, Mr Glasner does not object to the rezoning request stating that there would be no increase to infrastructure requirements.

Traffic

13.23 The rezoning contains no information on traffic. Ms Banks considers that it is difficult to determine the impacts on the transport network as potentially the zoning sought could be significant. Glendhu Bay can only be accessed via Wanaka Mount Aspiring Road, and the road is known to have safety issues particularly with the narrow road widths. The area within Glendhu Bay has been recognised as a black spot for vehicle crashes.

13.24 Ms Banks opposes the requested zoning sought from a transport perspective. I agree and rely on Ms Banks' opinion on this matter.

Analysis

- 13.25** The site is located in an ONL and has significant natural and rural character values, and is located adjacent to the access road to Mt Aspiring National Park. The requested rezoning would allow significant development beyond that consented by the Environment Court,¹³ and without the level of scrutiny and certainty that is provided by the resource consent approved under the ODP, Rural General Zone regime.
- 13.26** The proposed zoning does not achieve certainty regarding mitigation and environmental compensation to address the adverse effects of the various activities proposed, which were critical in allowing the Environment Court to reach its decision to grant the consent.
- 13.27** FS1094 considers that the section 32AA analysis undertaken by the submitter is inadequate and not supported with any evidence, and contains conclusions that are inconsistent with substantive findings of the Environment Court.
- 13.28** Further submissions from John May (FS1094) and the Upper Clutha Environment Society (**UCES**) (FS1034) oppose the requested rezone on the basis it would not achieve the objectives and policies of the PDP and is inconsistent with the purpose of the RMA.
- 13.29** The USES considers that the threshold of development on this site has already been exceeded with the granting of the Parkins Bay consent, and that accepting the rezone request would result in cumulative effects well above those that can be absorbed in this ONL landscape. However, the UCES also states that that there is potential for controlled development in the less elevated area of land behind the camping ground, and that development here would be positive for the local tourist industry.
- 13.30** In assessing this submission, I am mindful of the unique consenting history of the site, and the principles guiding Council's decision making regarding the consented environment, particularly that zoning

13 *Upper Clutha Tracks Trust v Queenstown Lakes District Council* [2012] NZEnvC 79.

is not determined by existing resource consents, but they will be taken into account.

- 13.31** The request does not align with Strategic Direction Objective 3.2.5.1, where the Council aims to protect ONLs and ONFs from inappropriate development. While the submission relies on findings from the "Corridor Resource Study" referred to in the submitters' s32, and concludes that the ONL can be appropriately protected, I do not consider the rule framework currently proposed would achieve this.
- 13.32** While the zone change request would provide for rural living, resort and commercial recreation opportunities, I consider the requested planning framework does not provide the necessary level of protection for this high quality landscape (in accordance with section 6(b) of the RMA), or the adequate amount of certainty in the provisions, particularly when compared to those of the Rural Zone (Chapter 21) **[CB15]**.
- 13.33** The request does not accord with Landscape Objective 6.3.3 and associated policies **[CB6]** which aim to protect, maintain or enhance the District's ONFs and ONLs from the adverse effects of inappropriate development. I consider this on the basis that the policy framework, rules and assessment matters proposed by the submitter are weighted too heavily toward the enablement of activities and do not sufficiently protect the landscape and environment from inappropriate activities.
- 13.34** The comments in **Table 2** below also identify components of the submission that do not appear to align with the requested Glendhu Station Zone provisions.

Table 2 Components of the submission that do not appear to align with the requested Glendhu Station Zone provisions

Rationale for zone change as set out in the submitter's section 32 report	Comments
<i>The structure plan enables limited development in area where there is capability and protects areas where there are higher values.</i>	<p>The policy framework and activity status does not make a clear distinction between the areas of higher landscape value/sensitivity.</p> <p>The zone change would lessen the effectiveness of existing conditions of consent, for example the covenants to protect open space areas that are required to be implemented.</p>
<i>The zone provides for a range of tourism, recreation and visitor related facilities within an area valued for that purpose.</i>	<p>The requested zone rules do not appropriately manage the adverse effects of these buildings and infrastructure within an ONL, and the interface with public areas and lake margins.</p>
<i>The proposed zone provides additional low density rural living opportunities in an area where such development would be consistent with the dominant character, and there is capacity to absorb visual change without degrading landscape character or visual amenity values.</i>	<p>The dominant character is not defined or clearly expressed in the proposed zone provisions. The activities espoused in the policy framework do not resemble the dominant character of the site.</p> <p>The resource consent allows a range of activities but it does not dominate the environment to the extent of what is sought in the zone change.</p>
<i>The zone will reduce pressure for such development in other areas of the rural environment where there is finite capacity for residential activity.</i>	<p>The submitter cannot prevent other landowners from making applications for resource consent or plan changes in other areas of the rural environment.</p> <p>Conversely, the special zone would set a precedent for accepting other special zones or resource consents in the wider subject site and Rural Zoned area of the Upper Clutha.</p>
<i>The zone will recognise and provide for the use, development and consolidation of commercial activities on the land that is an important part of the tourist infrastructure and will provide for the economic well being of the District.</i>	<p>Possibly, but the requested planning framework does not provide any certainty that this would be achieved.</p>
<i>Provides employment.</i>	<p>This statement has not been qualified.</p>
<i>Creates outdoor recreation opportunities.</i>	<p>The requested planning framework does not provide any certainty that this would be achieved. It also appears to diminish the certainty currently provided</p>

Rationale for zone change as set out in the submitter's section 32 report	Comments
	by the resource consent and public walkways.
<i>Low density housing opportunities.</i>	Wanaka has ample urban development capacity and consented rural living opportunities in the wider Wanaka and Clutha Basins. The statement has not been qualified.
<i>Loss of rural productive land compensated by reducing development pressure in the wider area.</i>	This statement is not qualified, nor is the type of development pressure explained. Whether it relates to intensive farming or pressure for rural living, or resort and commercial recreation opportunities.

13.35 The requested rezoning covers a large area, provides inadequate reference to locations and features and it currently does not provide any certainty as to the exact location of activities. I consider that to provide more clarity the structure plan should:

- (a) be overlain with an aerial photograph;
- (b) be geographically referenced; and
- (c) contain more detail to assist with a fuller understanding of the location of the various activity areas, and to assist with future administration if the request is accepted.

13.36 Overall, I recommend that the submission is rejected.

14. CROSSHILL FARMS LIMITED (531)

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural Zone is more appropriate than the requested rezoning of Rural Lifestyle over the area because the Rural Zone has the most appropriate provisions to manage the wide variety of effects that are possible from rural living.

Property and submission information	
Further Submitters	None
Land area/request referred to as	Crosshill Farms Limited
PDP Zone and Mapping annotations	Rural Zone ONL ONF SNA E39A
Zone requested and mapping annotations	Rural Lifestyle Zone Amendment of ONL and ONF boundaries Removal of SNA E39A
Supporting technical Information or reports	None
Legal Description	Lots 1 – 3 DP 26282, and Lot 3 DP 27742
Area	Approximately 330Ha
QLDC Property ID	27474
QLDC Hazard Register	Concealed Fault Line Liquefaction Risk: Probably Low (yellow) Liquefaction Risk: Possibly Moderate (orange) – south western corner.

Summary of Council assessments and recommendations	
Landscape	Opposed
Indigenous vegetation	Opposed
Infrastructure (wastewater and water supply)	Not opposed
Traffic	Opposed

Aerial Photograph of the site



Aerial photograph of the subject site outlined in blue.

14.1 The submitter seeks three outcomes:

- (a) the amendment to the ONL and ONF lines on the Submitter's land so that parts of it are not ONL;
- (b) the rezoning of part of the site that is not considered to be ONL, from Rural Zone to Rural Lifestyle Zone; and
- (c) remove SNA E39A.

14.2 The subject site is located between the Lake Wanaka Outlet and Clutha River, and Dublin Bay Road.

Landscape

14.3 With regard to the location of the ONF/L boundary, Ms Mellsoy states in her evidence that the boundaries of the Lake Wanaka ONL and Clutha River outlet ONF (located on the Crosshill Farms and other sites) were determined in an Environment Court decision. Ms Mellsoy

concur with the determination and states that the ONL and ONF lines in the PDP are appropriately depicted in these locations.

- 14.4** Ms Mellsop recommends a modified landscape line because the western wall of the Dublin Bay meltwater channel and the outwash terraces in the eastern part of the Crosshill Farms site are sufficiently rare, distinctive or unusually legible to be classified as outstanding natural features or landscapes. I refer to Ms Mellsop's evidence and rely on her opinion on this matter.
- 14.5** Ms Mellsop does not support the rezoning of the site that is not ONL to Rural Lifestyle. Ms Mellsop states that such a development would substantially alter the rural character of the rural landscape on this site.
- 14.6** Ms Mellsop explains that not only would development mean the introduction of residential units, but also associated roads, accessory buildings, gardens, fences, shelter planting and domestic tree planting, which would be visible from various public view points (Fisherman's Track on the adjoining DoC reserve, from SH6, from Dublin Bay Road, from elevated points south of the Clutha River, including Mt Iron, Aubrey Road, and SH6 as it approaches Albert Town).
- 14.7** Ms Mellsop is of the view that the rezoning would substantially detract from the legibility, openness, pastoral and indigenous vegetated character of the area (moraines and outwash plains). She also contends the development would result in the spread of rural living beyond the natural boundary of the Clutha River.
- 14.8** Ms Mellsop concludes that the Rural Lifestyle zoning here could not be undertaken without degrading the values derived from open rural landscapes, and from a landscape perspective, would be inappropriate.

Indigenous Vegetation

SNA E18A

- 14.9** In Mr Davis' view, SNA should remain because the site is located within acutely and chronically threatened land environment, and contains stands of kanuka and the 'at risk' cushion plant *Pimelea sericeovillosa* subsp. *pulvinaris*. Mr Davis considers the area to contain high ecological values. I rely on Mr Davis' evidence on this matter.

Rezoning

- 14.10** Mr Davis states the site is located across threatened environments, and that Crosshill Farms property contains high ecological values.
- 14.11** The proposed Rural Lifestyle zone would allow a greater clearance area of indigenous vegetation. Mr Davis opposes the rezoning. In his view, the Rural Lifestyle zone would not be appropriate from an ecological perspective without further consideration of the protection and enhancement of ecological values present.

Infrastructure

- 14.12** Mr Glasner states the site is not currently connected to water and wastewater supplies, and because the site is located outside the UGB it is not anticipated to be serviced. On the basis that future development would be serviced by landowners Mr Glasner does not oppose the rezoning request stating that there would be no increase to infrastructure requirements.

Traffic

- 14.13** Ms Banks has assessed the submission on the basis that access to the Rural Lifestyle development would be off Dublin Bay Road via SH6 (Lake Hawea – Albert Town Road). The potential trips generated may warrant the need for a right turn bay into Dublin Bay

Road combined with the horizontal curvature of SH6 that may fall short of sight distance requirements.

14.14 Ms Banks opposes the zoning sought over the large parcel of land because it can potentially yield a substantial amount of lots and SH6 will most likely be affected and will likely require improvements to make it safer for turning movements into and out of Dublin Bay Road.

14.15 I rely on Ms Banks' assessment on this matter.

Analysis

14.16 While the rezoning request would provide for rural living opportunities outside of the ONF/L, I consider that the area sought is too vast and would have cumulative effects. The site has high rural character values and rural living development in this location at the extent proposed would degrade these values.

14.17 The request is not compatible with Landscape Objective 6.3.1, Landscape Objective 6.3.4 and related policies **[CB6]** where it is intended that landscapes are managed and protected from the adverse effects of development. Development should be allowed only in locations where the landscape character and visual amenity would not be degraded. In this case I believe that development as a result of the rezone request would degrade the landscape quality, character, and openness of the rural landscape at Crosshill Farms. The request therefore does not align with Landscape Objective 6.3.2

14.18 The request is not compatible with Rural Residential & Lifestyle Objective 22.2.1 and associated policies **[CB15]**, which aim to maintain and enhance the District's landscape quality, character and visual amenity. While the request would enable rural living opportunities, there is not enough certainty that the area can absorb development without detracting from those landscapes.

14.19 From a planning perspective, I consider the submission does not provide adequate certainty that the area of the rezoning request could

be consistent with the relevant objectives and policies of the PDP identified in my Strategic section 42A report.

14.20 The assessment matters provided in section 21.7.2 of the PDP **[CB15]** encourage well thought out developments with a focus on design and layout, which result in minimal adverse visual effects on the rural character and amenity values of the area. In my view, this site is too sensitive for Rural Lifestyle zoning and the development contemplated under that framework, compared to that of the Rural Zone. Any development should be applied against the Rural Zone assessment matters.

14.21 With the exception of the amendments to the ONL boundary identified in Ms Mellsop's evidence I recommend the submission is rejected.

15. JEREMY BELL INVESTMENTS LIMITED (782)

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural Zone is more appropriate than the requested rezoning of Wanaka Airport Mixed Use Zone over the area because the Rural Zone has the most appropriate provisions to manage the wide variety of effects that are possible from the proposed mixed use zone.

Property and submission information	
Further Submitters	FS1340.165 (Queenstown Airport Corporation): Oppose
Land area/request referred to as	Wanaka Airport Mixed Use Zone
PDP Zone and Mapping annotations	Rural Zone Rural Landscape Classification
Zone requested and mapping annotations	Wanaka Airport Mixed Use Zone
Supporting technical Information or reports	None
Legal Description	Sec 36 Blk VIII Lower Hawea SD, Lots 2-3 DP 300397 Pt Lot 1 DP 300397 Sec 32 Blk VI Tarras SD
Area	14.54Ha
QLDC Property ID	2281, 13965
QLDC Hazard Register	None

Summary of Council assessments and recommendations	
Landscape	Opposed
Indigenous vegetation	Not opposed
Infrastructure (wastewater and water supply)	Opposed
Traffic	Opposed

Aerial Photograph of the site



Aerial photograph of the area subject to the submission is shaded blue. Wanaka Airport is located to the north. The site adjoins State Highway 6 and Mt Barker Road.

- 15.1** The submitter seeks that the site is rezoned from Rural Zone to an airport mixed use zone. The types of activities are not specified in the submission.
- 15.2** The subject site is located on the corner of the Wanaka Luggate Highway and Mount Barker Road. It is proposed to rezone 14.54 hectares of the land located adjacent to SH 6, directly opposite Wanaka Airport.
- 15.3** The submitter seeks that the requested zone is similar to the Airport Mixed Use Zone (Chapter 17) and also to include non-aviation related activities. No details have been provided in the submission.
- 15.4** A further submission from the Queenstown Airport Corporation (**QAC**) (FS1340) opposes the submission because the rezoning may potentially result in significant adverse effects on Wanaka Airport.

Landscape

- 15.5** Ms Mellsop states the area of the site immediately opposite the existing built form at Wanaka Airport, has capacity to absorb sensitively designed commercial or recreational tourism development without significant degradation of the landscape quality or character, or without the loss of visual amenity from the highway.
- 15.6** However, Ms Mellsop states development beyond the Airport buildings would detract from the openness, pleasantness, and rural views, especially for people travelling on the highway eastwards.

Indigenous Vegetation

- 15.7** Mr Davis identifies that the site is likely to be dominated by exotic pasture grass and he is not opposed to the rezoning.

Infrastructure

- 15.8** Mr Glasner states the site is not currently connected to water and wastewater supplies, but it is noted that Wanaka Airport has water supply and waste water is managed onsite by individual buildings. Wanaka Airport has been investigated in terms of servicing wastewater, and should this happen, Mr Glasner states a connection could be extended from the subject site depending on the load and capacity.
- 15.9** Mr Glasner states it may be feasible that the subject site could connect to Wanaka Airport water and wastewater supply, however this would depend on the scale and intensity of the development and whether upgrades are necessary to the network infrastructure. On the basis that the rezoning would be likely to require servicing outside area that is anticipated to be serviced, and due to the dearth of information, Mr Glasner opposes the rezone request.

Traffic

- 15.10** Ms Banks does not support the rezoning based on the potential development that would be enabled. The site is located on the other side of SH6 (Wanaka-Luggate Highway) to the Wanaka airport. The airport mixed use zone is intended for airport and airport-related activities, the site would require crossing SH6 and the traffic issues relating to this have not been considered in the submission.

Analysis

- 15.11** Through submissions on the PDP, the section 42A report for Chapter 17 **[CB64]** and the Council's Right of Reply for Chapter 17 **[CB65]**, a specific zone for Wanaka Airport is recommended.
- 15.12** Of note is that the recommended policy framework and rules for Wanaka Airport seeks to ensure that legitimate airport activities and activities ancillary to airport activities prevail. While the development of Wanaka Airport is generally viewed as a positive effect in terms social and economic wellbeing, the proliferation of commercial, retail or trade related activities locating outside of the Wanaka Urban Growth Boundary could undermine the hierarchy afforded to Wanaka Town Centre and Three Parks, the Business Mixed Use Zone at Anderson Heights and the Operative Industrial Zones.
- 15.13** While the requested area to be rezoned is not within an ONL, it is considered that the potential development on the land could be undertaken in a manner that degrades the landscape character or diminish the visual amenity of the Rural Landscape. As per the evidence provided by Ms Mellsop, any development on the subject site would be highly visible, and there is no certainty that this could be avoided, remedied or mitigated. For these reasons, it is considered that the request does not align with Landscape Objective 6.3.4 and related policies **[CB6]**.
- 15.14** The submission has not addressed the issue of overcoming the physical barrier of SH6 between the subject site and Wanaka Airport. There are not any details as to how the zone and future development

could function as a airport mixed use zone if aircraft are required to cross SH6. If it is not anticipated that aircraft, including helicopters would not be expected to land or be located in this area, then the merits of the use of the land for an airport zone is questioned. In particular this is because there would not seem to be a close enough connection between the use of the land and the Wanaka Airport.

15.15 I consider that any commercial activities at this location that are not associated with airport activities would not accord with the objectives and policies of the Strategic and Urban Development Chapters **[CB3 and 4]**.

15.16 Overall, I recommend that the submission is rejected.

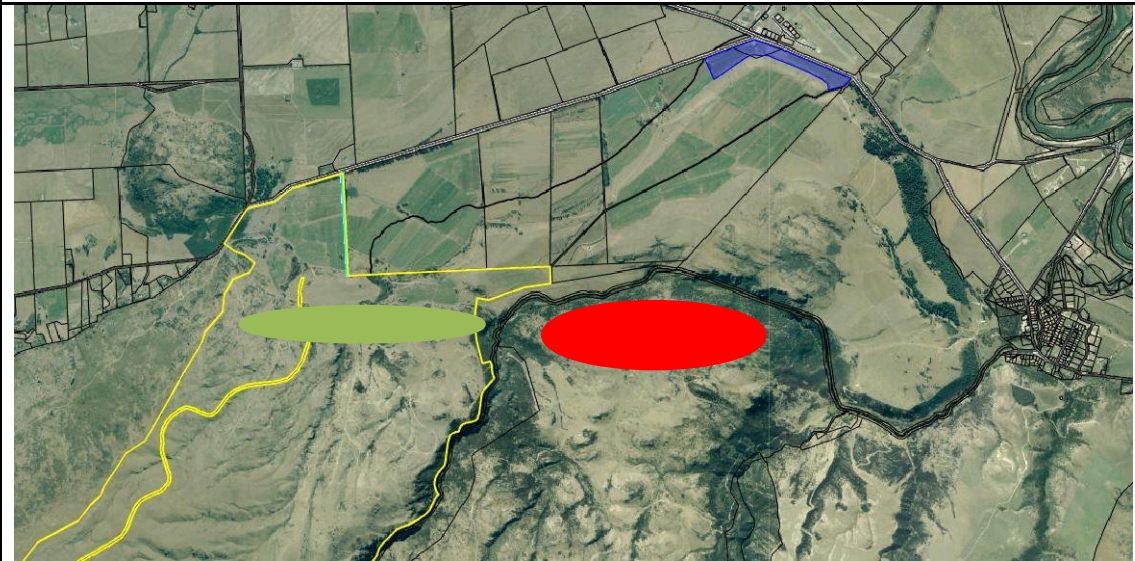
16. JEREMY BELL INVESTMENTS (820)

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural Zone is more appropriate than the requested rezoning of Rural Lifestyle over the area because the Rural Zone has the most appropriate provisions to manage the wide variety of effects that are possible from rural living.

Property and submission information	
Further Submitters	FS1034.147 (Upper Clutha Environmental Society (Inc.)): Oppose
PDP Zone and Mapping annotations	Rural Zone ONL RLC
Zone requested and mapping annotations	Rural Lifestyle Zone Building Restriction Area
Supporting technical Information or reports	Landscape and Visual Effects Report Hazard Risk Report, Servicing Feasibility Report
Legal Description	Lots 1-3 DP 300397, and Section 32 BLK VI Tarras SD held in Computer Freehold Register 2455
Area	71ha
QLDC Property ID	2281
QLDC Hazard Register	None

Summary of Council assessments and recommendations	
Landscape	Not supported
Indigenous vegetation	Conditional Support
Infrastructure (wastewater and water supply)	Supported
Traffic	Supported

Aerial Photograph of the site



Aerial photograph of the subject site outlined yellow, and the general area sought to be rezoned is outlined by the green shaded area. The J Bell Investments submission (782) is the area shaded in blue, located to the north east. Lake Mckay Station Ltd (484) Rural Lifestyle Zone 'Area 1' is located to the south east, as indicated by the red shaded area.

- 16.1** The submission seeks to rezone 71.2ha from Rural Zone to Rural Lifestyle Zone, with an additional 22ha area of no build zone to be rezoned from Rural Zone to Rural Lifestyle Zone.
- 16.2** The 'net developable' area would be 49.2ha and has been assessed within the submission documents as capable of yielding 25 Rural Lifestyle allotments.
- 16.3** The site is located between Mt Barker Road to the north, and the Criffel Range to the south. The site is within an ONL. The submission states 25 units would be able to be developed on the site, and a zone standard is proposed to be introduced to the Rural Lifestyle rules, stating there shall be a maximum of 25 building platforms.
- 16.4** It is proposed to access the site from Mount Barker Road and Smith Road. The Council's reticulated services are not available to the site and it will be necessary to establish a private water scheme, either from a bore, or surface take from the Luggate Creek. It would also be necessary to establish a private wastewater scheme, with individual on site waste water disposal feasible, or a private community scheme.

- 16.5** The UCES (FS1034) opposes the request stating that the Rural Zone is the appropriate zoning for this sensitive landscape, and that subdivision and development of the site would result in significant and adverse effects on landscape values.

Landscape

- 16.6** In Ms Mellsop's opinion, the proposed Rural Lifestyle zone in this location would detract from the landscape quality, natural character and visual integrity of the adjacent ONL, and the adverse effects of the rezoning would be cumulative with the existing rural lifestyle zone.
- 16.7** It is noted that the submitter's accompanying report from Vivian Espie relies on future growth of vegetation to mitigate adverse effects on views, both public and private. However, in Ms Mellsop's opinion, such landscaping could have domesticating effects, which could further draw attention to the proposed rural lifestyle development.
- 16.8** Overall, Ms Mellsop concludes that while there is some capacity to absorb development in this area, the development as proposed would be inappropriate from a landscape perspective.

Indigenous Vegetation

- 16.9** Mr Davis observes the site is located across acutely and chronically threatened land environments, and notes that the ecological environment has been largely disregarded in the submission documents.
- 16.10** However, Mr Davis does concede that any remaining ecological values are likely largely located with the proposed No Build Zone. Mr Davis states that with an ecological restoration plan indigenous biodiversity values could be protected and enhanced.
- 16.11** In Mr Davis' view, the Rural Lifestyle zone would not be likely to cause issues from an ecological perspective.

Infrastructure

16.12 Mr Glasner refers to the infrastructure feasibility assessment in the submission which states that it would be feasible to service the site with an independent supply. On the basis that future development in the rezoned area would be self-reliant in terms of water and wastewater, Mr Glasner does not oppose the request.

Traffic

16.13 Ms Banks identifies that the western section of Mount Barker Road is not sealed. However, based on a maximum of 25 residential developments the impacts would be minimal on the transport network. I rely on Ms Banks' opinion on this matter.

Analysis

16.14 I do not consider the requested zone change to be appropriate for this area. As Ms Mellsop states in her evidence, while the area proposed for rezoning is largely outside of the ONL, it is immediately adjacent to the Criffel/Pisa Range ONL, and development as proposed would detract from the landscape quality, natural character and visual integrity of the adjacent ONL here. The request therefore does not align with Strategic Direction Objectives 3.2.5.1 and 3.2.5.4 and Policies 3.2.5.4.1 and 3.2.5.4.2 **[CB3]**, Landscape Objectives 6.3.2, 6.3.3 and 6.3.4, and related policies **[CB6]**.

16.15 As stated in the evidence from Ms Mellsop, while development here would have moderate adverse effects on:

- (a) natural character;
- (b) open pastoral character; and
- (c) visual amenity of the rural landscape.

16.16 Buildings and domestic plantings would also be visible from public views, such as the Wanaka Luggate Highway (SH6), and Mt Barker Road, disputing the evidence as submitted which states that visual effects would be more confined.

16.17 In summary, I consider that the landscape in this location is too sensitive for Rural Lifestyle zoning, and any development here would require a design led approach and careful mitigation. It is considered therefore that Rural Zone has more appropriate provisions that can better assess and control such proposals. As such, it is recommended that the Rural Zone is retained. I recommend the rezone request is rejected.

17. ANDREW AND ZUZANA MILLSON (242)

17.1 The submitter seeks that the ONF boundary that encloses Mt Barker is amended. The submission states it is not possible to comprehend a true boundary between the ONF boundary and recommends an amended ONF line which follows the exact contours of the mountain. The submitter does not believe that alluvial fans are part of the ONF area.

17.2 Ms Mellsop's view is that the gradient of the debris fans in this location of Mt Barker, and the schist slopes above are similar, and should be included within the ONF.

17.3 I rely on Ms Mellsop's opinion on this matter and recommend the submission is rejected.

18. DAVE SHERWIN (388) GRAHAM BALLANTYNE (245)

18.1 The submitters seek that the boundary of the Lake Hawea ONL between Muir Road in Lake Hawea township and the 'Gladstone Gap' be relocated north to the boundary of the Hydro Generation Area. Refer to **Figure 4** which is an excerpt of the submission from Mr Sherwin.



Figure 4. Excerpt of submission 245 (Dave Sherwin) that illustrates the requested location of the ONL boundary (blue line). The location of the notified ONL boundary is the red line.

- 18.2** Mr Sherwin relies on his interpretation of a previous Environment Court decision relating to this land. Ms Mellsop acknowledges the Environment Court decision¹⁴ which specifically discusses the rural classification of this area, which concluded that no landscape classification of the area was made, but Ms Mellsop notes in her evidence that the decision stated that it could be possible to make a case to classify the area as an ONL.
- 18.3** Ms Mellsop discusses the geomorphological and scientific values of the subject area in her evidence. Ms Mellsop considers that owing to the rare relatively unmodified landform, that the area subject to this submission be included in the ONL as notified in the PDP.
- 18.4** I rely on Ms Mellsop's opinion on this matter and recommend the submission is rejected.

14 *Sutherland v Queenstown Lakes District Council* EnvC Christchurch RMA898/03, 11 February 2005.

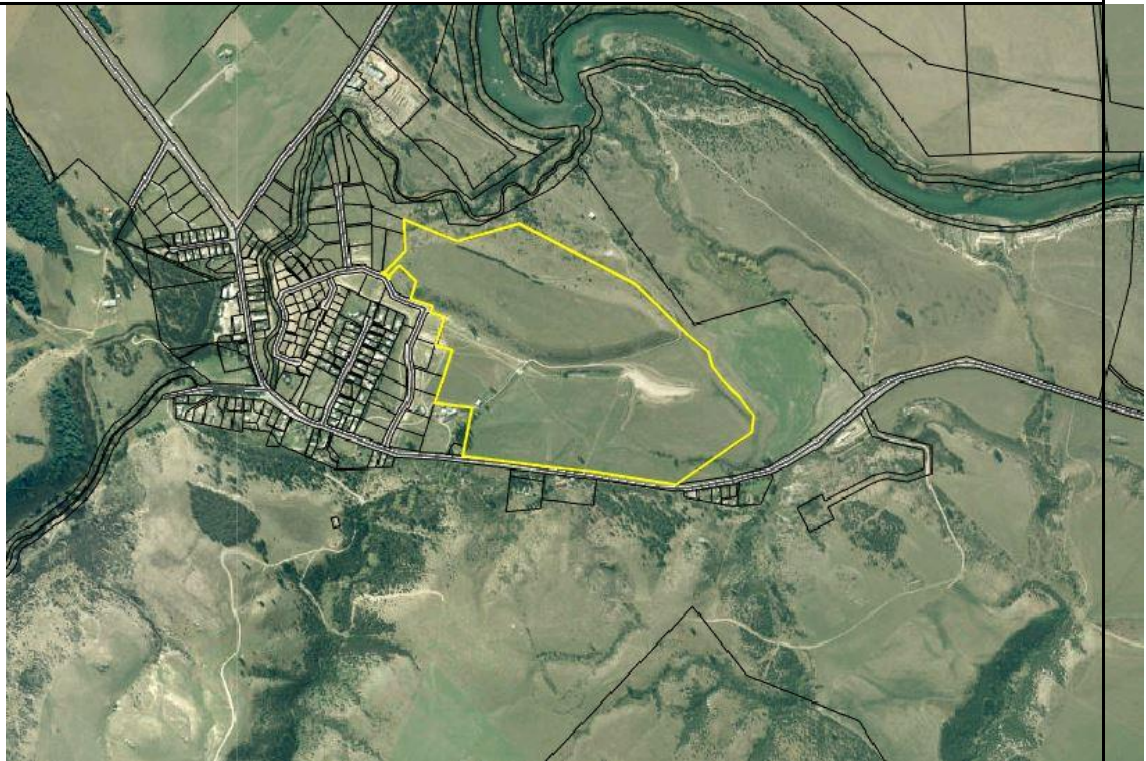
19. WILLOWRIDGE DEVELOPMENTS LIMITED (249)

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural Zone is more appropriate than the requested rezoning of Rural Residential and Low Density Residential over the area because the Rural Zone has the most appropriate provisions to manage the wide variety of effects that are possible from residential activity, and the approved resource consents provides certainty as to an approved design and density of the areas.

Property and submission information	
Further Submitters	None
Land area/request referred to as	Luggate Park Stage 2A and Stage 2B
PDP Zone and Mapping annotations	Rural Zone RLC
Zone requested and mapping annotations	Low Density Residential and Rural Residential
Supporting technical Information or reports	None
Legal Description	Lot 1 DP 462959 and Lot 501 DP 375230
Area	50.6Ha
QLDC Property ID	28389
QLDC Hazard Register	None

Summary of Council assessments and recommendations	
Landscape	Opposed
Indigenous vegetation	Conditional Support
Infrastructure (wastewater and water supply)	Not opposed
Traffic	Opposed

Aerial Photograph of the site



Aerial photograph of the location of the subject site, outlined in yellow.

- 19.1** The submission seeks that the site be rezoned to Low Density Residential, with the exception of an area atop a terrace on the northern part of the site that is requested to be rezoned Rural Residential.

Site/Planning History

- 19.2** A resource consent has been approved¹⁵ for 138 urban allotments (800m² in area) to be created over a 30ha area of the site. Conditions of consent emulate the Operative Low Density Residential Zone provisions.
- 19.3** A separate resource consent¹⁶ was sought for a 22 lot subdivision and land use for the construction of dwellings at a density akin to the Rural Residential Zone. The conditions of the resource consent require an open space area, and controls including the location of residential building platforms, design controls, for example colour and

15 RM060392.
16 RM060393.

materials, and each lot has specified maximum height limit, and floor level heights.

19.4 The submitter has sought that the land is rezoned from Rural to Low Density Residential and Rural Residential respectively in the PDP, to ensure consistency with the density approved under each of the resource consents.

19.5 It is difficult to calculate from the submission documents the areas sought to be rezoned Low Density Residential and Rural Residential. As such, a calculation of the yield has not been undertaken.

Landscape

19.6 Ms Mellsop acknowledges that although resource consent has been granted, the rezoning as requested could allow for more intensive development through density rules, and subdivision. Ms Mellsop considers the consented design and resource consent conditions as an important way to limit and mitigate the adverse effects of the development in these locations in terms of landscape perspective on the natural setting of the Luggate township, and on the visual amenity of the wider landscape.

19.7 Overall, Ms Mellsop opposes the rezoning because it would enable additional adverse effects on landscape over and above what is consented.

Indigenous Vegetation

19.8 Mr Davis considers there would be no ecological issues with this land being zoned Low Density Residential or Rural Residential because of the resource consents already in place for this type of development, including ecological enhancement of the terrace escarpment where the Rural Residential Zone would be.

Infrastructure

- 19.9** Mr Glasner notes in his evidence that the proposed zoning would anticipate additional residential lots to that already consented.
- 19.10** Mr Glasner notes that currently, the water supply operational capacity indicates there is not capacity for this additional development. However the Council is investigating this and upgrade options that could result in LTP projects.
- 19.11** Mr Glasner states that there is no additional capacity for this development to connect to the Luggate wastewater network. Investigations are being undertaken regarding the connection of the Luggate network to Project Pure, Wanaka's wastewater treatment plant. This would be added to the LTP and through this project there would be an ability to connect to the network, but this has not been confirmed.
- 19.12** Mr Glasner opposes the rezoning to Low Density Residential and Rural Residential zones from an infrastructure perspective because of the current lack of capacity and uncertainty of if and how upgrades will occur.

Traffic

- 19.13** Ms Banks opposes the rezoning on the basis that there is not enough information, the effects of the rezoning sought are uncertain, and the site is on a 100km/h high speed environment road.

Analysis

- 19.14** Low Density Residential zoning would result in a more intensive urban development that extends across the whole site, compared to what has been approved by the resource consent. Stage 2A has granted 138 dwellings, with controls over minimum lot size, and a condition of one dwelling per allotment.

- 19.15** The request does not align with Landscape Objective 6.3.2 **[CB6]** which seeks to protect landscapes from the adverse cumulative effects of development, where development should be allowed only in locations where the landscape character and visual amenity is not degraded. In my view, additional development here would constitute sprawl along the highway, and the landscape quality, character and openness would be degraded as a result of activities associated with mitigating the visual effects of the proposed development.
- 19.16** The Rural Residential zoning component (Stage 2B) is proposed to be located on an elevated terrace. I consider that the consented development is more appropriate than the Rural Residential Zone because the outcome is more sympathetic than what could be envisaged under the Rural Residential zone provisions. Notwithstanding the resource consents that exist, I consider that the elevated terrace would not be suitable to be rezoned to Rural Residential.
- 19.17** Should any future development in the Stage 1 component not comply with the consent notice conditions that emulate the Low Density Residential Zone, it would mean that resource consent as a discretionary activity resource consent would be required to vary the consent notice, and the rules breached would be that of the Rural Zone. While I acknowledge that this would be cumbersome, and could generate unnecessarily complex consenting requirements, I consider overall, that the consented environment is more appropriate than the requested Low Density Residential and Rural Residential zoning, therefore, the Rural Zone overall is more appropriate.
- 19.18** On this basis I recommend that the submission is rejected.

20. WAKATIPU HOLDINGS (314)

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural Zone is more appropriate than the requested rezoning of Rural Lifestyle over the area because the Rural Zone has the most appropriate provisions to manage the wide variety of effects that are possible from rural living.

Property and submission information	
Further Submitters	FS1309.2 (The Alpine Group): Oppose
Land area/request referred to as	Wakatipu Holdings Ltd
PDP Zone and Mapping annotations	Rural Zone Rural Landscape Classification
Zone requested and mapping annotations	Rural Lifestyle Zone
Supporting technical Information or reports	None
Legal Description	Lot 1 DP 300025
Area	10.4110Ha
QLDC Property ID	17534
QLDC Hazard Register	Adjacent site: Potentially Contaminated Site PCS28 – Central Otago Building Systems Potentially Contaminated Site LFL013 (Former Luggate Landfill)

Summary of Council assessments and recommendations	
Landscape	Opposed
Indigenous vegetation	Not opposed
Infrastructure (wastewater and water supply)	Not opposed
Traffic	Not opposed

Aerial Photograph of the site – Wakatipu Holdings



Location of the subject site outlined in yellow. The Luggate sawmill and Rural Industrial Subzone is located to the east.

- 20.1** The submission seeks that the subject land be rezoned from Rural Zone to Rural Lifestyle Zone and that the Hydro Generation overlay is removed.
- 20.2** The Operative Hydro Generation overlay is shown for information purposes only and is not part of Stage 1 of the District Plan Review. This part of the submission is beyond the scope of this hearing and has therefore not been evaluated.
- 20.3** The 10.41 ha area wraps around the southern side of a section of the Clutha River, between Church Road to the west, the Luggate township to the south, and the Luggate Creek to the east. Although not in an ONF or ONL, the site does adjoin the Clutha River ONL. Under the Rural Lifestyle Zone the site could accommodate five residential units.

- 20.4** Further submitter The Alpine Group (FS1309) opposes the rezoning, stating that it will result in adverse reverse sensitivity effects on the established rural industrial activities immediately adjoining the site.

Landscape

- 20.5** Ms Mellsop notes that the subject land is not within an ONF or ONL, but does adjoin the Clutha River corridor ONF, where the boundary of the ONF runs along the top of the river escarpment, just outside the site boundary.
- 20.6** Ms Mellsop considers that buildings in this area could be visible from public views (being Church Road, Clutha River corridor, and the Luggate Creek walkway), and would infill an area of rural character, resulting in the spread of domestication, blurring the distinction between the township and surrounding rural land.
- 20.7** Ms Mellsop also states that no views of the site would be available from the public walking track from the Red Bridge to Luggate Creek, but may be available from the track beyond Luggate Creek, in the vicinity of Devils Nook.
- 20.8** In Ms Mellsop's opinion, development of this area would be viewed as an extension of rural living development that would represent sprawl into the rural landscape, and adversely affect the visual amenity of the approach into Luggate from the Red Bridge.

Indigenous Vegetation

- 20.9** Mr Davis identifies that the site is located largely within acutely threatened environments, however most of the site is covered in pine trees and stonecrop.
- 20.10** Given the small area of indigenous vegetation present that would be impacted by any development activity Mr Davies does not oppose the rezoning.

Infrastructure

- 20.11** Mr Glasner identifies the site is not connected to water or wastewater supply. Mr Glasner states that three water servicing from Council infrastructure would be on site at the developer's cost.
- 20.12** Mr Glasner does not oppose to the rezoning request on the basis that the site would be self-reliant in terms of water and wastewater.

Traffic

- 20.13** Ms Banks does not oppose the rezoning on the basis that the yield of dwellings and traffic generation would be relatively low.

Analysis

- 20.14** While the requested area to be rezoned is not within an ONL, it is considered that the potential development on the land could be undertaken in a manner that degrades the landscape character or diminish the visual amenity of the Rural Landscape. As per the evidence provided by Ms Mellsop, any development on the subject site would be visible from public locations off site, adversely affecting visual amenity of the landscape in this location. For these reasons, it is considered that the request does not align with Landscape Objective 6.3.4 and related policies **[CB6]**.
- 20.15** The request is not compatible with Rural Residential & Lifestyle Objective 22.2.1 and associated policies **[CB22]**, which aim to maintain and enhance the District's landscape quality, character and visual amenity. While the request would enable rural living opportunities, there is not enough certainty that the area can absorb development without detracting from those landscapes. It is also considered to be spot zoning, which is generally discouraged.
- 20.16** The requested rezoning would allow for residential use of the site in an area surrounded by rural land where it is permitted to undertake and continue established processing and manufacturing activities. The rezoned area could lead to reverse sensitivity effects from the Rural Industrial subzone located to the east. The request is not

compatible with Rural Residential & Lifestyle Objective 22.2.5 and Policy 22.2.5.1 **[CB16]**.

20.17 Overall, I consider that rezoning the subject site to Rural Lifestyle Zone would disrupt the rural character and would be incompatible with the established and zoned Rural Industrial Subzone activities to the east.

20.18 I recommend that the submission is rejected.

21. TIM BURDON (791) AND LAKES LAND CARE (794)

21.1 The submitter has opposes the boundary of the ONL on the northern side of Maungawera Valley Road and Mt Brown and requests the Council review the landscape classification.

21.2 The submitter also agrees with the ONL boundary recommended by Anne Steven in the review of Dr Read's landscape boundaries **[CB70]**. Ms Mellsop considers that the line recommended by Ms Steven excludes several steep foothills and ridges that are clearly legible as part of the mountain range, which Ms Mellsop recommends are included in the ONL.

21.3 Ms Mellsop also identifies that the PDP ONL area includes part of the flatter downlands that are not part of the mountain range, and maintains that while the lower part of Quartz Creek has moderately high natural and aesthetic values, it is not part of the mountainous landscape that forms the ONL. Ms Mellsop therefore does not oppose the submitter in this circumstance and recommends the ONL boundary on the northern side of Maungawera Valley be amended so that it is located closer to the higher elevated areas.

21.4 With regard to Mt Brown, Ms Mellsop does not believe Mt Brown is sufficiently distinctive to classify it as an ONF. The northern slopes according to Ms Mellsop exhibit no clear boundary between the landscape character of the slopes and the Mangawera Valley flats. Ms Mellsop considers that Mt Brown is part of the ONL.

21.5 I rely on Ms Mellsop's opinion on this matter and recommend that the ONL boundary on the northern side of the Maungawera Valley follow the change in gradient between the flats and foothills and then the top of the Quartz Creek East escarpment to the confluence of the west and east branches. I also recommend the Mt Brown ONF classification is removed and it is part of the surrounding ONL.

22. F M A TAYLOR (800)

22.1 The submitter seeks that the Clutha River ONF is limited to the river itself and the adjoining marginal strip.

22.2 In Ms Mellsop's opinion, the margin of a river includes those landforms that are directly associated with a river and its dynamic processes. Ms Mellsop considers that in the case of the Clutha River, this includes banks, floodplains, first river terraces and enclosing escarpments, where these are experienced or viewed as part of the river environment.

22.3 In Ms Mellsop's assessment of the Cardrona/Clutha River confluence, the ONF boundary appropriately follows the crest of the escarpments, and includes flood plains.

22.4 I rely on Ms Mellsop's opinion on the matter and I recommend that the submission is rejected.

23. JEFF ROGERS (2)

Overall Recommendation	
Recommendation	Reject
Summary	The Rural Zone is considered more appropriate because it provides a greater level of certainty as to the likely effects of development at this location.

Property and submission information	
Further Submitters	None
Land area/request referred to as	Cardrona
PDP Zone and Mapping annotations	Rural Zone ONL
Zone requested and mapping annotations	Rural Visitor
Supporting technical Information or reports	None
Legal Description	Lot 1 DP 303093
Area	3580m ²
QLDC Property ID	16749
QLDC Hazard Register	Liquefaction Risk: Susceptible Alluvial Fan ORC fan recently active Flooding due to Rainfall

Summary of Council assessments and recommendations	
Landscape	Not opposed
Indigenous Vegetation	Not opposed
Infrastructure (wastewater and water supply)	Not opposed
Traffic	Not opposed

Aerial Photograph of the site



Aerial photograph of the subject land outlined in yellow.

- 23.1** The submitter seeks that the land is rezoned from Rural to Rural Visitor Zone. As there is no Rural Visitor Zone in the PDP I therefore, infer that the submitter requests the ODP Rural Visitor Zone.
- 23.2** The 3850m² triangular site is located near the centre of the Cardrona Village, and across the road from existing sites in the Rural Visitor Zone. Consent was previously granted for four visitor accommodation units but the consent has subsequently lapsed.
- 23.3** The provisions of the ODP Rural Visitor Zone, could allow as a controlled activity:

- (a) a visitor accommodation building of up to 12 metres in height at a minimum of 20 metres from the boundaries; or
- (b) commercial recreation and residential activities of up to 8 metres in height outside a 10-metre boundary setback.

23.4 The matters of control are coverage, location, external building appearance, earthworks, access and landscaping.

Landscape

23.5 Ms Mellsop considers that the rezoning area would be highly visible from vehicles travelling south on Cardrona Valley Road, and if developed would be the first part of Cardrona Village visible from the south.

23.6 Ms Mellsop has based her assessment of the potential landscape effects on what could be reasonably anticipated under the Operative Rural Visitor Zone. While Ms Mellsop has concerns with the potential development yield, overall this type of development would be appropriate from a landscape perspective.

Indigenous Vegetation

23.7 Mr Davis does not consider the site is likely to have ecological values therefore does not oppose a Rural Visitor zone for the site.

Infrastructure

23.8 Mr Glasner identifies the area is currently connected to the Cardrona water supply, but not the wastewater supply.

23.9 Mr Glasner notes that the water supply is currently private but Council is investigating managing this in the future. The wastewater supply is Council owned and is currently at capacity. Investigations into future upgrades of the wastewater supply are underway.

23.10 Mr Glasner opposes the rezoning to a Rural Visitor zone from an infrastructure perspective because of the current lack of capacity and uncertainty of the future management of the water infrastructure

Traffic

23.11 Ms Banks has undertaken her assessment on the basis that 980m² area of the site is 'developable' due to the triangular shape of the site and the ODP building set backs, and that the most likely development scenario is visitor accommodation. The traffic generation based on this type of development would be 68 trips per peak hour, assuming that 20 motel units would be built on site. Ms Banks does not oppose the submission on this basis.

23.12 Ms Banks also identifies that the location of the site is on a 50km/h speed limit zone, and recommends that one access to the site to be provided and no reversing movements out of the site be permitted.

23.13 I consider that the matter relating to the single access and restricting reversing from the site can be addressed at the time of subdivision.

Analysis

23.14 From a planning perspective, I consider the submission and overall relief sought to rezone the area to a Rural Visitor Zone does not provide adequate certainty that the wide range of activities and resultant increase in the scale of these activities could be appropriately managed.

23.15 The PDP does not have a Rural Visitor Zone chapter. I am relying on the provisions of the ODP Rural Visitor Zone to guide my assessment. I consider the Rural Visitor Zone to be quite loose because it only has rules for building height and building setback. There are not any controls on density.

23.16 While acknowledging the landscape comments of Ms Mellsop, I do not consider a Rural Visitor zoning to be appropriate from a resource management perspective because while development could be appropriate from a landscape perspective, in this circumstance, the

Rural Zone provisions are considered to provide the most certainty in my view that development would be sympathetic to wider Rural Zone.

23.17 From a resource management practice perspective, I do not consider the request to Rural Visitor Zone to be appropriate because there is no Rural Visitor Zone in the PDP and the submitter has not identified any provisions to support a the zone at this location.

23.18 Overall, I recommend that the submission is rejected

24. SOLOBIO LTD (325)

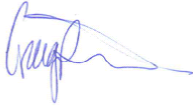
24.1 The submitter seeks the removal of the ONL line from the flats and downs of the Matukituki Station.

24.2 The Matukituki Station is a 6290 hectare property located in the Matukituki Valley, 30km west from the Wanaka Township. For a detailed site description refer to Dr Read's evidence.

24.3 Longview Environmental Trust (FS 1282) opposes the request to amend the ONL in this location stating that the Matukituki Valley is a well established ONL, and the flats and downs which lie between the River and mountain slopes should also be an ONL.

24.4 Dr Read provides a thorough description of the area and landscape, including land use attributes in the area in her evidence. Dr Read's opinion is that the Matukituki Valley is correctly classified as a part of an ONL.

24.5 I refer to and rely on Dr Read's assessment and opinion on this matter. I recommend the submission is rejected.



Craig Barr

17 March 2017

APPENDIX 1
PLANNING OVERVIEW AND CONSENTED AREAS OF THE MAKARORA RURAL
LIFESTYLE ZONE

1. The 1995 Proposed District Plan zoned Makarora Valley a mixture of Rural Uplands and Downlands, with overlay of areas of Landscape Importance. The three small townships were zoned 'Rural Township'. There was an area of Rural Residential zoning between Makarora East and West. The Rural Residential Zoning in the 1995 PDP had a minimum allotment size of 4000m².
2. In 1998 the Council released decisions on submissions. The hearing committee decided Makarora could absorb very low density rural residential activities, and determined that this could not be achieved under the Rural Residential Zoning, rather a Rural Lifestyle Zone was considered to be the most appropriate zoning. The committee considered that with a Rural Residential zoning development would be ad hoc with adverse visual amenity and rural character effects.
3. No appeals were received and the Makarora Rural Lifestyle Zone became operative.
4. In 2005 the Council initiated a review of the provisions of the Rural Lifestyle Zone throughout the District. In relation to its review of the Rural Lifestyle Zones at Makarora the Council sought to ensure development is enabled to the extent that it is undertaken in a location, form and density that maintains the outstanding natural landscape values of those areas.
5. The resultant plan change (Plan Change 14) section 32 evaluation identified the following three key issues:
 - a. the effects of development on the landscape and visual amenity values;
 - b. the effect of natural hazards on development in light of new hazard information from Otago Regional Council (**ORC**); and
 - c. consistency with outcomes sought within the Makarora Community Plan.
6. The section 32 evaluation for Plan Change 14 identified 5 options to address this issue:
 - a. Option 1: no change from the current Rural Lifestyle Zone;

- b. Option 2: Plan Change to alter Rural Lifestyle Zone subdivision provisions to promote cluster development in Makarora Valley (as per Community plan);
 - c. Option 3: Plan Change to natural hazard provisions as in Part 15 of the partially Operative Plan to strengthen controls as they relate to effects of natural hazards;
 - d. Option 4: Plan Change that deletes Rural Lifestyle Zone (in whole or part) and replaces it with Rural General Zone (development would require consent assessed as a discretionary activity); and
 - e. Option 5: Plan Change that deletes Rural Lifestyle Zoning (in whole or part) and replaces it with a Makarora Special Zone.
7. The section 32 report concluded and recommended that Council proceed with Options 2 and 3.
8. In July 2008 the decision on submissions to Plan Change 14 was released. Of relevance to this assessment and recommendation to rezone the land to Rural, the Hearings Panel considered that Option 4 'plan change that deletes the Rural Lifestyle Zone in whole or part and rezone Rural General Zone':

The Hearing Committee noted this had the effect of applying the District Wide Landscape objectives, policies and assessment criteria to all development within the valley (excluding Township Zones) under a discretionary regime. In this case, the Hearings Commission [sic] found this option addressed all the issues sought to achieve, but it was decided that this option would result in significantly wider changes than the plan change needed or anticipated to address (adding numerous activities and associated rules that are not required in the Rural Lifestyle zoning rules).

9. The decision on Plan Change 14 resulted in the following amendments to the ODP:
- a. provisions added to Part 4 (District Wide) – Natural hazards;
 - b. provision added to Part 8 (Rural lifestyle) – Issues, Objectives and Policies, Rules, Assessment Matters; and
 - c. provision added to Part 15 (Subdivision) - Issues, Rules, Assessment Matters.

10. The most significant changes as a result of the rezoning were:

- a. the inclusion of controlled activity status rule and matters of control directly addressing natural hazards; and
- b. the minimum lot size for Rural Lifestyle Zone in Makarora was deleted but a 2ha average was still required to encourage cluster development (and to avoid ribbon development).

11. These provisions are rolled over in the PDP Chapter 22 through Rule 22.4.4 and matters of control in Part 22.7, that relate to natural hazards in the Makarora Rural Lifestyle Zone. The PDP Subdivision Chapter does not require a minimum allotment size providing the average lot size is not less than 2ha (Rule 27.6.1).

Analysis

12. For ease of understanding I refer to locations within Makarora with regard to location of the three township zones, being Makarora West, Central and South (see **Figure 1** below).

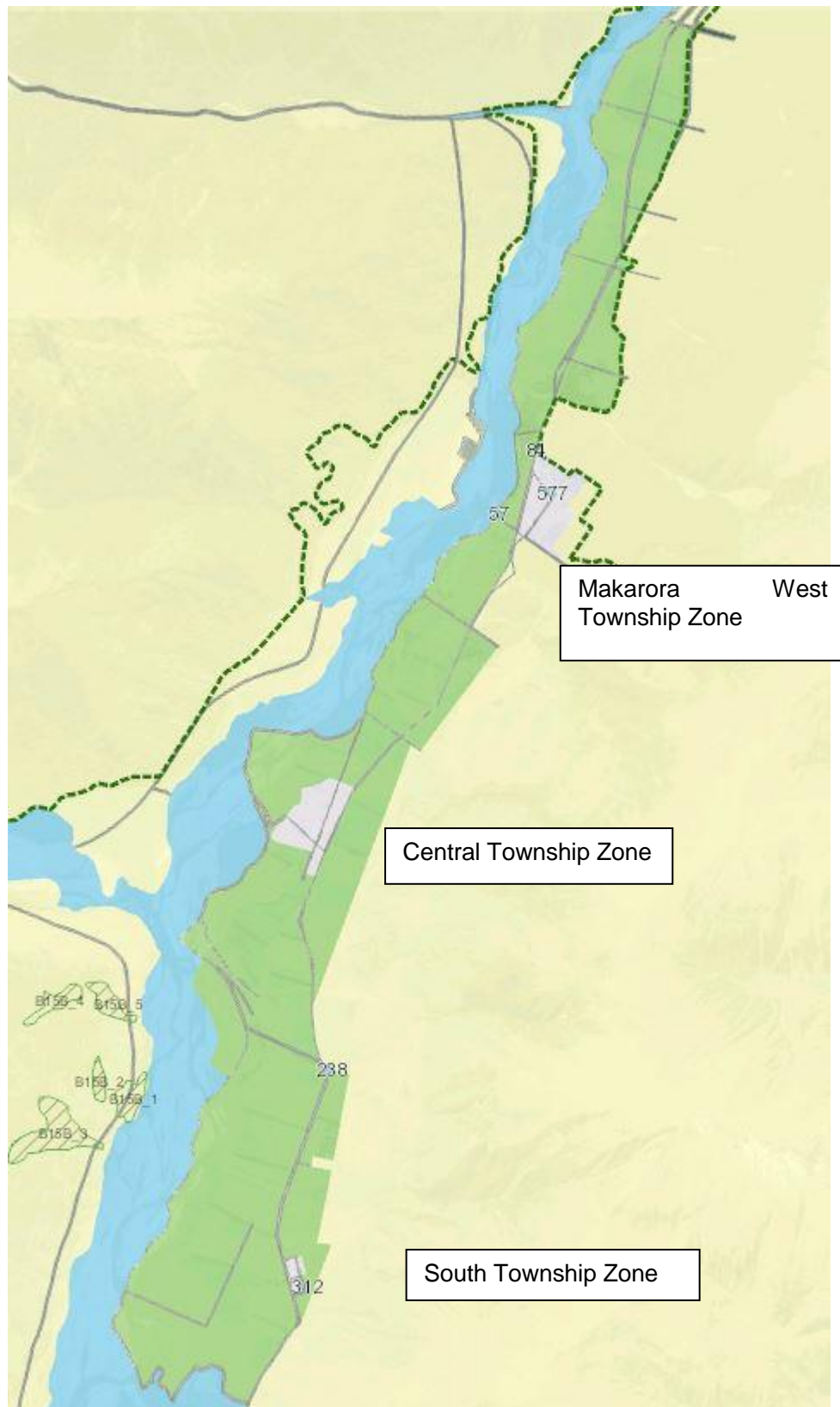


Figure 1 Aerial of Makarora showing the Rural Lifestyle Zoning (bright green) and Township Zones (pink).

Summary

13. The areas identified on **Figure 2** and the analysis in the following sections have had development that is commensurate to the Rural Lifestyle Zone, and in some case the Operative Township Zone. I consider that the most appropriate zone of these areas is a continuation of the Rural Lifestyle Zone, as shown in **Figure 2** below.

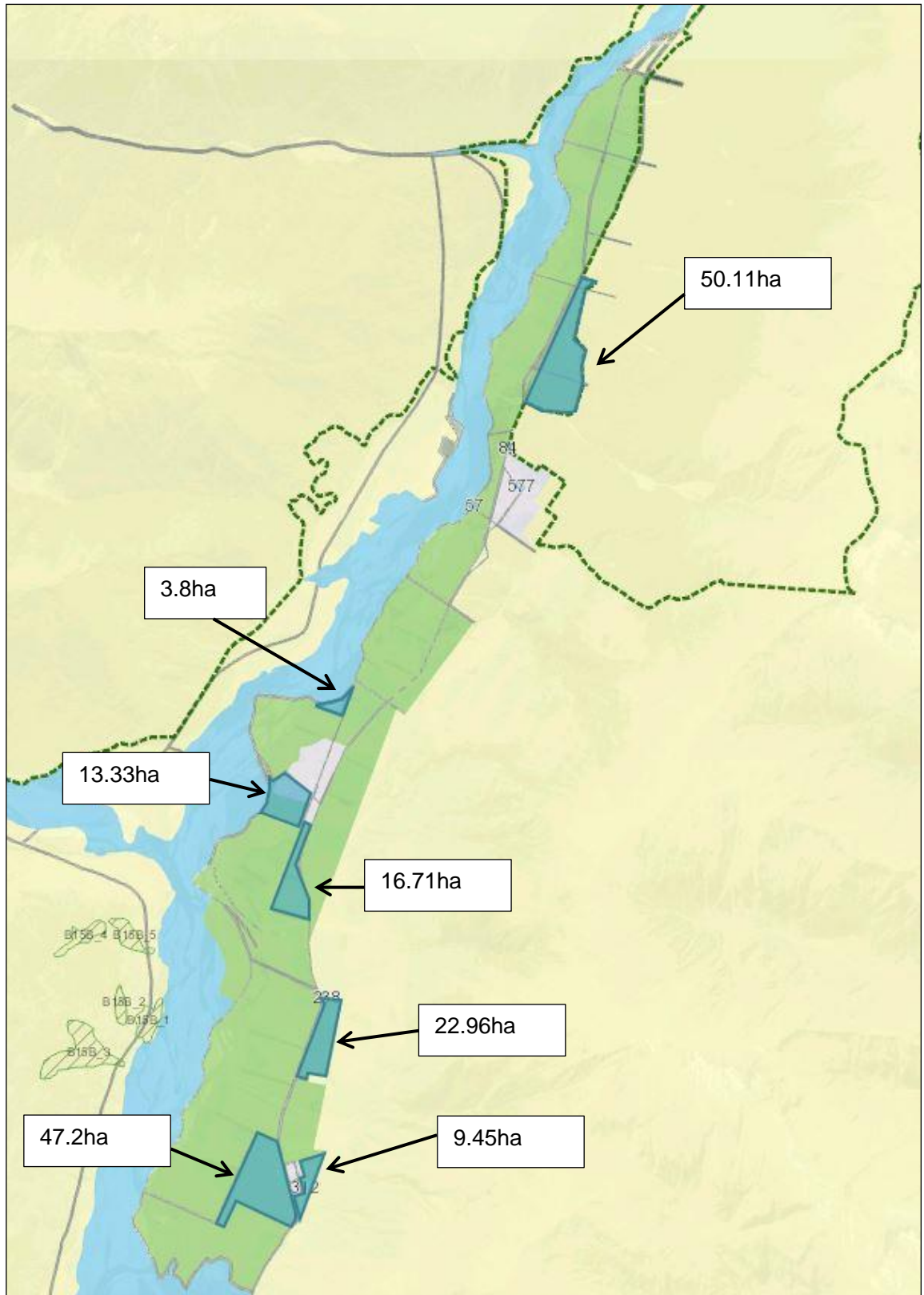


Figure 2. Overview of the Rural Lifestyle zoned areas in Makarora with established allotment sizes and land uses that are considered commensurate to the Rural Lifestyle Zone, rather than the Rural Zone (shaded blue). It is recommended that these areas are retained with a Rural Lifestyle Zoning. The total area recommended to be retained as Rural Lifestyle Zone is 165.3ha, of the notified 1,292ha (this would be an overall reduction of 1,126.7ha of Rural Lifestyle zoning).

Makarora West

14. In 2001, north of the Makarora west Township Zone, five lots were created under resource consent RM010332, with building platforms identified on three of the lots (being Lots 3, 4, and 5), with Lots 1, 2 and 3 being amalgamated and held in the same title (see **Figure 3** below).
15. Lots 1, 2, and 3 are amalgamated and held in one Certificate of Title, with one building platform on Lot 3. The total area over three lots is 16.17Ha. Lots 4 and 5 are each held in separate titles and are 16.65Ha and 16.33Ha in size, respectively. Lots 3, 4, and 5 can be built on within the building platform as a controlled activity (provided the matters of control are met). In 2014 consent was granted for a barn with bathroom facilities outside the building platform on Lot 4.

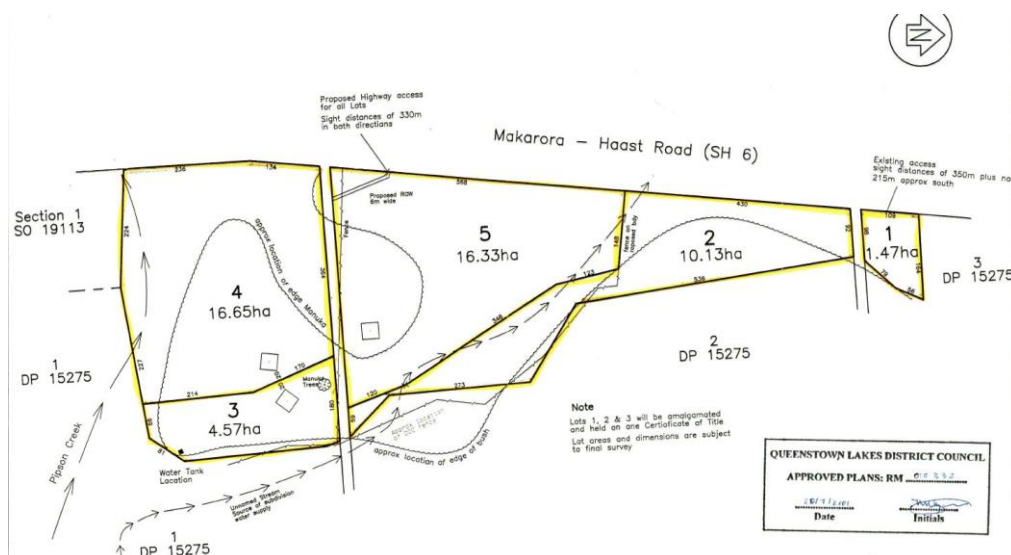


Figure 3. Subdivision as approved under RM010332 showing newly created Lots 1-5 and location of approved building platforms.

16. Further subdivision of the sites was sought in 2005, to create over 20 new lots, RM051149, RM051174 and RM050646, but none of these were granted consent, and remain incomplete in Council files. Looking into the files, it appears that owing to hazard related issues the consents were put on hold and never pursued. **Figure 4** shows the Rural Lifestyle area in relation to the Makarora West Township Zone that consented residential platforms under RM010332.

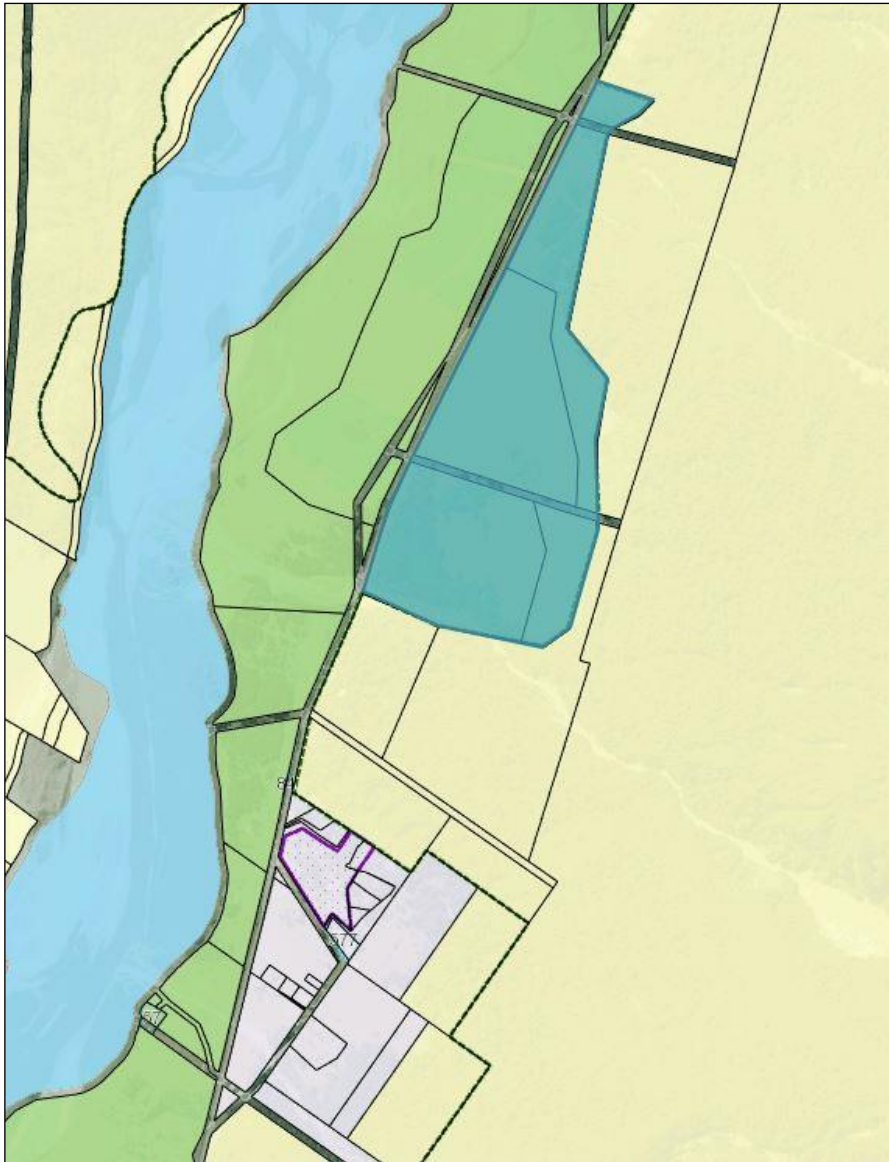


Figure 4 Picture of the Rural Lifestyle area (blue overlay) in relation to the Makarora West Township Zone that consented residential platforms under RM010332.

Central Makarora

17. In 2001, a resource consent was granted in relation to land directly to the south of the Central Township Zone (RM010161) to subdivide the parent lot into 12 lots:

- a. eight lots being Rural Lifestyle (Lots 1 – 8);
- b. one lot predominantly in the Township Zone but also partially within the Rural Lifestyle Zone (Lot 9); and
- c. the remaining three (Lots 10 – 12) being within the Township Zone.

18. All lots within the Rural Lifestyle zone were granted with building platforms. **Figure 5** below shows the Rural Lifestyle subdivision south of Makarora Central Township Zone, approved under RM010161.
19. In 2008 consent was granted to further subdivide Lot 1 into two lots (being 1.98Ha and 2Ha), with both new lots created with building platforms. Visitor accommodation has been granted on Lot 3 (RM160429).
20. In 2011, Lot 9 of this subdivision (which included land within the Township Zone) was granted a further subdivision consent to enable it to be subdivided into three lots under resource consent RM100717. No building platform is identified within the Rural Lifestyle part of the Lot, however, consent was granted to allow the administration of Township rules on the Rural Lifestyle portion of the site. It is understood that titles have not yet been issued for the newly created lots.



Figure 5. Rural Lifestyle subdivision south of Makarora Central Township Zone, approved under resource consent RM010161

21. In 2003, consent was granted under RM030005 for subdivision and building platform on part Section 36516 BLK VIII Wilkin SD (see **Figure 6** below). Lot 1 is within the Township Zone portion of the site, and Lot 2 is mostly (except for small portion being Township Zone) Rural Lifestyle with building platform. Consent was also granted concurrently for a dwelling to be constructed within the building platform.



Figure 6. Rural Lifestyle and Township zoned site (left picture), and same site with building platform created under RM030005 (yellow outline, right picture).

22. North of the Central Township Zone is an area of Rural Lifestyle Zoning comprising ten lots at School Road. The lot sizes are:

- a. 2 x 997m²;
- b. 6 x 1014m²;
- c. 1 x 1232m²;
- d. 1 x 5312m²; and
- e. the largest lot to the west being 2.3Ha which has a Visitor Subzone overlay (see Figure 5 below).

23. There is no consent history (building or resource consents) for the site, with an exception discussed in the paragraph below. However aerial pictures of the site indicate that these sites are largely built on, suggesting that the subdivision and development predated the Operative Rural Lifestyle zoning. **Figure 7** shows the Rural Lifestyle zone north of the Central Township Zone.

24. There are resource consents for alterations to dwellings located on two of the sites (RM950546 and RM120586). Resource consent RM120586 states that resource and building consents for the original dwelling on the site were obtained in 1986. Records under RM950546 show a Certificate of Title with title plan for this subdivision dated 1969. There is no further information immediately available about the history of the subdivision on Council records.

25. The visitor accommodation subzone site (the largest, western most lot within the blue area in **Figure 7** below) has consent to operate an airport (helicopter landings from Cedar Lodge (RM140704)). According to the applicant's report for this consent, Cedar Lodge was established on the site in the early to mid 1970's, with the existing lodge constructed in its current position in the 1980's. There is also a helicopter hangar on the site granted under RM051209.

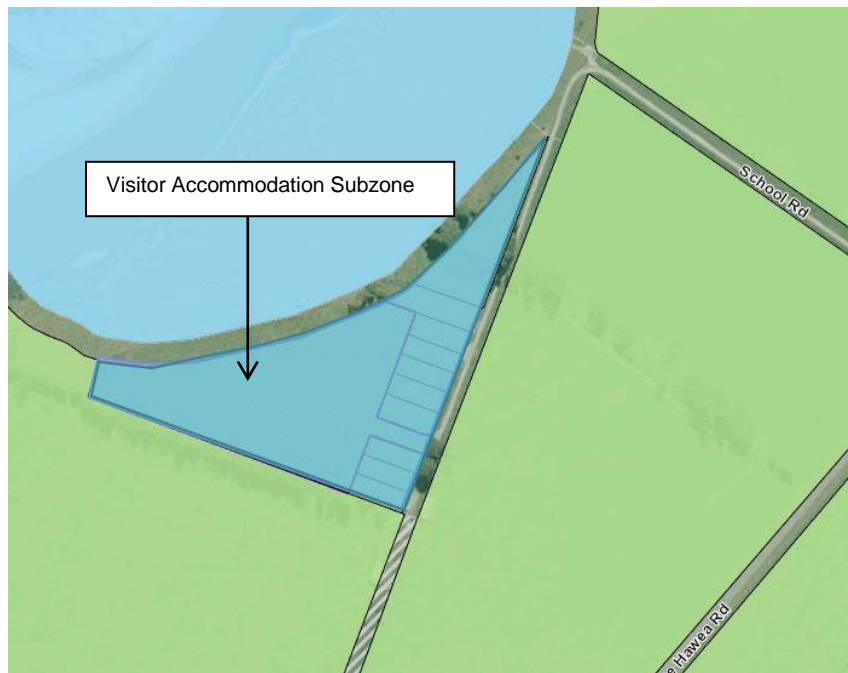


Figure 7. Rural Lifestyle zone north of Central Township Zone (blue overlay) located between the road and green Rural Lifestyle Zone area.

Makarora South

26. Resource consent was granted (RM930445) for a dwelling and alterations to that dwelling in 1995.
27. The site was subdivided into two lots in 1998 (RM980204 – notified consent) (see **Figure 8** below). It is stated in the decision that the two lots to be created were to be used as independent farming units. The rules at the time under the Transitional District Plan state that dwelling houses are permitted in the rural zone provided that the appropriate predominant use has already been established as an independent farming property and that the use is likely to continue.
28. The zoning of the site was Rural 2 under the then Transitional District Plan, and Rural Residential in the proposed District Plan.
29. In 2004, consent was granted under RM040028 for two dwellings outside the building platform on Lot 3 DP 303227 (the northern most site of those highlighted in **Figure 8** below).



Figure 8. Rural Lifestyle zone aerial photograph outlined in blue and PDP zoning maps (blue shading) located between discussed in the preceding section.

30. Consent was granted in 2002 for a 2 lot subdivision under RM020442. Lot 1 (1.6Ha) with building platform and Lot 2 (45ha) with existing dwelling (see **Figure 9** below).



Figure 9. Area of subdivision granted under RM020442 aerial photograph (outlined in blue) and PDP zoning map (shaded blue).

31. Consent was granted in 1997 under RM970081 to create six residential allotments, seven rural residential allotments and two allotments for the purpose of recreation reserve and community facility, in the area now know as the Rural Lifestyle section adjacent to the Southern Township Zone (see **Figure 10** below). The site was zoned Rural 2 and Residential in the Transitional District

Plan and Rural Residential in the Proposed District Plan. The zone is located within a flood hazard area.

32. The reserve located between two of the 'residential lots' on Kiwi Street is owned by QLDC and resource consent was granted to enable construction of a shed to house equipment associated with rural fire fighting on that site under RM060998. The other reserve is the access lot to the rural sites to the east.

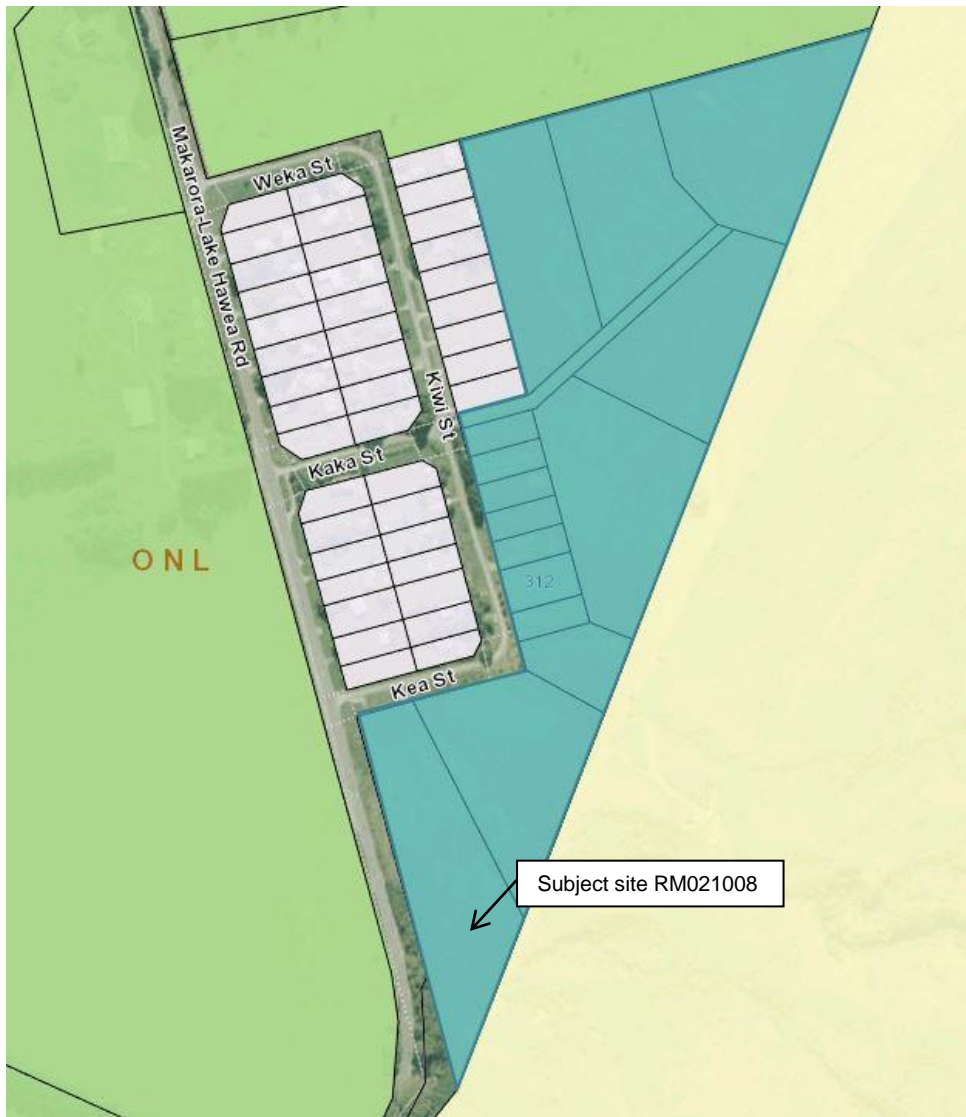


Figure 10. Location of sites created under RM970081 to the south and east of the township zone

33. RM021008 was granted for the construction of a building. In 2016 a consent was granted to allow for alterations to the dwelling constructed in accordance with RM021008. However, it was noted that the original dwelling was constructed over the boundary into the neighbouring site. RM161034 granted

consent for a 2 lot subdivision with amalgamation to resolve this. It is understood that titles have not yet been issued to reflect these changes as approved.