

**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 Stage 3b of the Proposed District Plan

**STATEMENT OF EVIDENCE OF SCOTT SNEDDON EDGAR
ON BEHALF OF THE FOLLOWING SUBMITTER:**

CORBRIDGE ESTATES LIMITED PARTNERSHIP (SUBMITTER #31021)

29th May 2020



Introduction

- 1 My name is Scott Sneddon Edgar. I am a Resource Management Planner and hold a Bachelor of Arts Degree (Honours) in Town and Country Planning from Strathclyde University in Glasgow, Scotland. I am an Associate Member of the New Zealand Planning Institute.
- 2 I am an independent planning consultant based in Wanaka. Prior to my current position I was employed by Southern Land Limited, a Wanaka based survey and planning consultancy, from October 2006 to November 2018. During my time at Southern Land I was involved principally with the preparation of resource consent applications and the presentation of planning evidence at Council hearings. I was also involved in the preparation of submissions and further submissions on Stage 1 of the Proposed District Plan, participation in the Stage 1 hearings and subsequent appeals and Environment Court proceedings.
- 3 Prior to relocating to New Zealand in 2005 I worked as a development control planner with various Scottish local authorities in both rural and urban regions.
- 4 Upon my arrival in New Zealand I was employed as a resource consents planner in the Wanaka office of Civic Corporation Limited before taking up a position with Southern Land Limited. I have a total of 20 years' planning experience, 14 of which have been gained in New Zealand.

Code of Conduct

- 5 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court of New Zealand Practice Note 2014 and I agree to comply with it. In that regard I confirm that this evidence is written within my expertise, except where I state that I am relying on the evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

Executive Summary

- 6 In this evidence I find that:
 - The RVZ should not be limited to ONL and/or remote locations and that some amendments to the provisions of the RVZ are necessary to provide for the location of RVZs outside of ONLs and/or remote locations;

- That structure plans are a useful tool for identifying areas of landscape sensitivity and directing the location and extent of development to occur within those area of the RVZ that can accommodate the change and that amendments should be made to the provisions of the RVZ to provide for the use;
- That the proposed RVZ at Corbridge will result in significant socioeconomic benefits for the District, will provide for high quality visitor and commercial recreation facilities while appropriately managing landscape effects, can be appropriately serviced and accessed, is not subject to any identified natural hazard, will not compromise the operations of any regionally significant infrastructure (i.e. Wanaka Airport) and will not adversely affect any identified sites of cultural significance or cultural values generally;
- That overall the relief sought by Corbridge Estates Limited Partnership is appropriate and meets the purpose of the Act and gives effect to the relevant Regional Policy Statement (PORPS 19) and the higher order provisions of the Proposed District Plan.

Scope of Evidence

- 7 I have been engaged by Corbridge Estates Limited Partnership (Submitter #31021)(Corbridge Estates) to provide expert planning evidence that sets out the extent to which the proposed Rural Visitor Zone at Corbridge aligns with the following:
- Statutory Framework
 - Higher Order Provisions of the Proposed District Plan
 - Provisions of the Rural Visitor Zone
- 8 In addition this evidence will address matters raised in Council's s42A report and associated evidence in so far as they relate to the overall strategic context.
- 9 As the proposed Corbridge Rural Visitor Zone is an amending proposal this evidence is intended to serve as an assessment under s32AA of the Resource Management Act and in this regard this evidence assesses whether the provisions and objectives of the amending proposal are the most appropriate way to achieve the objectives of the PDP including an assessment of the objectives of the existing proposal and taking into consideration alternative zoning that may be appropriate.

- 10 In this evidence I will both assess the notified objectives of the Rural Visitor Zone and the objective of the amending proposal (the addition of the proposed Corbridge Rural Visitor Zone). Being an amending proposal involving location specific rezoning through the application of a Proposed District Plan zone (i.e. the Rural Visitor Zone) the proposal does not in itself include objectives and therefore the objectives to be evaluated under s32(1)(a) are defined as being the purpose of the proposal¹. The purpose of the proposal is to provide for rural visitor activities, visitor accommodation, limited residential development, outdoor recreation and workers accommodation on the parts of the submission site where adverse landscape effects can be appropriately avoided, remedied or mitigated.
- 11 In preparing this evidence I have read the Corbridge Estates submission and Council's s42A report prepared by Ms. Grace, the evidence of Mr. Barr on the Strategic Overview for all of Stage 3 and the background s32 material. I have also been assisted by the evidence for the submitter².
- 12 My brief of evidence is set out as follows:
- Background
 - Statutory Framework
 - Appropriateness of the Notified Provisions
 - Resource Management Issues and Options
 - Costs / Benefits
 - Scale and Significance Evaluation
 - Evaluation under Section 32 (1)(a) and (b)
 - Part 2 Assessment
 - Conclusion

Background

¹ s32(6)(b) RMA

² Prepared by Messers Brandeburg, Botting, Colegrave, Curley, Espie, Falconer, Lane, Smith and Watkins

- 13 The submission site is located at 707 Wanaka - Luggate Highway. The site was zoned Rural General under the Operative District Plan and is zoned Rural under the Proposed District Plan with a Rural Character Landscape classification.
- 14 The land to which the submission relates (“the site”) comprises 322 hectares of land³ located approximately 500m to the north west of the PDP Airport Zone covering the Wanaka Airport and the ODP Windermere Rural Visitor Zone. The site and surrounding area is shown in **Figure 1** below.
- 15 The site lies immediately to the north of the Wanaka - Luggate Highway (State Highway 6) and has a 2.3km road frontage. The site is irregular in shape but is generally oriented north - south along its length. The northern boundary of the site adjoins the marginal strip on the true right bank of the Clutha River - Mata Au and extends part way down the escarpment face that rises from the river.
- 16 The site comprises rolling topography that is pastoral in character with scattered farm buildings, man-made ponds and shelterbelt planting.
- 17 An unformed section of Stevenson Road passes through the site from east to west and a second unformed (and unnamed) legal road passes through the site from south to north.
- 18 Access is provided to the site by way of a single formed vehicle crossing onto the Wanaka - Luggate Highway positioned roughly midway along the site’s road frontage. The vehicle crossing has been upgraded to NZTA standards⁴ as part of resource consent RM120572.
- 19 The Outer Control Boundary associated with the Wanaka Airport extends into the north eastern quarter of the site and, under the Rural Zone provisions, new building platforms and activities sensitive to aircraft noise within the outer control boundary are a prohibited activity.
- 20 Resource consent RM120572 approved the subdivision of the submission site to create 35 rural living allotments (each including a residential building platform) set amongst balance farm lots. In addition RM120572 approved the construction of communal buildings, a 7.9 hectare lake, a boatshed, jetties, utility buildings, earthworks and associated landscaping. RM120572 has a 10

³ Legally described as Sections 64 and 65 Block IV Lower Wanaka Survey District held on Record of Title OT17A/336 and Sections 66 and 67 Block IV and Section 1 Block II Lower Wanaka Survey District held on Record of Title OT14C/457.

⁴ With the exception of road markings that, as explained by Mr. Botting, are to be carried out by NZTA as and when they are required.

year duration and will expire on 23 July 2023. In addition RM150918 allowed for 65 events per year to be held in the woolshed, located in the southern corner of the site.

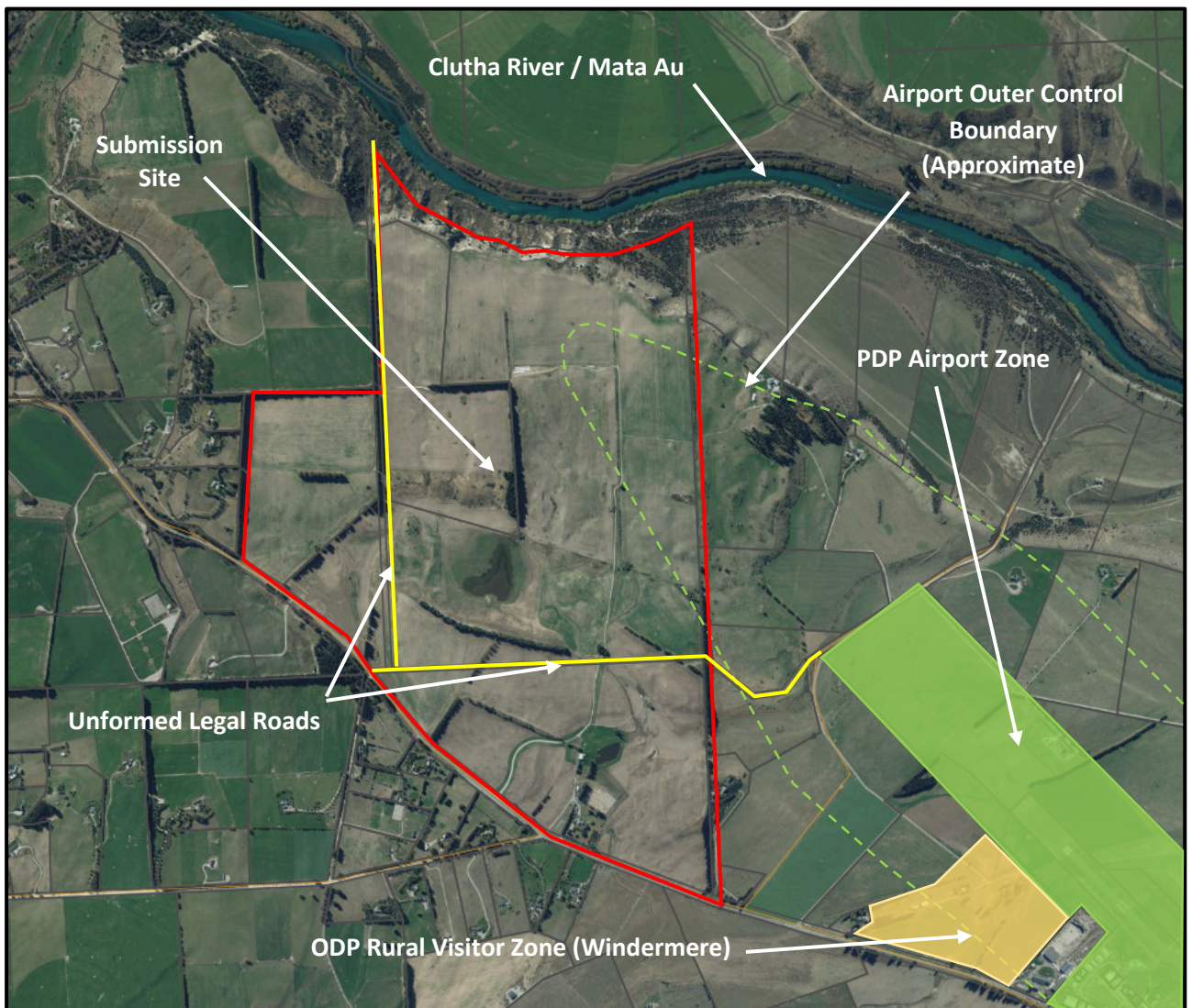


Figure 1 – Submission Site

- 21 The submission of Corbridge Estates Limited Partnership seeks the rezoning of the site from Rural to Rural Visitor Zone with associated amendments to the Rural Visitor Zone objectives, policies and rules and the inclusion of a Structure Plan specific to the proposed Corbridge Rural Visitor Zone. It is envisaged that the proposed Rural Visitor Zone would provide for a world class golf destination with a mix of visitor accommodation options, limited residential activity and workers accommodation.
- 22 As set out in the evidence of Mr. Espie and Mr. Curley an amended Corbridge Structure Plan is proposed along with a suite of rules specific to the Corbridge Rural Visitor Zone.

Statutory Framework

Resource Management Act 1991

- 23 Section 5 of the Act sets out the Act's purpose as the promotion of the sustainable management of natural and physical resources so as to enable people and communities to provide for their social, economic and cultural wellbeing and health and safety while sustaining the potential of natural and physical resources, safeguarding the life supporting capacity of air, water, soil and ecosystems and avoiding remedying or mitigating adverse effects on the environment.
- 24 Section 6 of the Act sets out matters of national importance that are to be provided for in achieving the purpose of the Act. The matters of national importance of relevance to the Corbridge submission are the preservation of the natural character of lakes and rivers and their margins and their protection from inappropriate subdivision, use and development (*s6(a)*) and the maintenance and enhancement of public access to and along lakes and rivers (*s6(d)*). In addition, while it is not directly relevant to the submission site the protection of ONLs and ONFs from inappropriate subdivision, use and development (*s6(b)*) is also of relevance to the consideration of the Rural Visitor Zone provisions in the wider context.
- 25 Section 7 of the Act sets out other matters that are to be had regard to in achieving the purpose of the Act including the efficient use and development of natural and physical resources (*s7(b)*), the efficient end use of energy (*s7(ba)*), the maintenance and enhancement of amenity values (*s7(c)*) and the quality of the environment (*s7(f)*) and the finite characteristics of natural and physical resources (*s7(g)*).
- 26 Section 8 of the Act requires that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) are taken into account in achieving the purpose of the Act.
- 27 Section 31 of the Act sets out the functions of Council including the establishment, implementation, and review of objectives, policies and methods that achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources (*s31(1)(a)*) and ensure that there is sufficient development capacity in respect of housing and business land to meet expected demand (*s31(1)(aa)*);

NPS-UDC

- 28 In preparing District Plans Councils must give effect to any relevant National Policy Statement. The national policy statement that may be of relevance to the consideration of the proposal is the National Policy Statement on Urban Development Capacity 2016 (NPS-UDC).
- 29 The NPS-UDC applies to urban environments that are expected to experience growth and requires Council to provide sufficient development capacity to meet demand for housing and business space. The development capacity to be provided must be supported by infrastructure and the mechanism to provide it is through the plan preparation process. QLDC has defined the urban environment as including the urban areas⁵ of Wanaka and Queenstown⁶ and the townships/settlements of Albert Town, Luggate and Lake Hāwea. In contrast the rural zones⁷ are excluded from the definition of the urban environment. Consequently the NPS-UDC is of little relevance to the consideration of the proposal given that the proposal seeks the application of the Rural Visitor Zone however the contribution the proposal could make to the economic base of the District is a valid consideration in the wider RMA context.

Regional Policy Statements

- 30 Section 75(3)(c) of the Act requires that a District Plan prepared by a territorial authority must “give effect to” any operative Regional Policy Statement. In addition Section 74(2)(a) of the Act requires that, in preparing a district plan, a territorial authority must “have regard to” any proposed Regional Policy Statement.
- 31 The Partially Operative Otago Regional Policy Statement 2019 (**PORPS 19**) and the Partially Operative Otago Regional Policy Statement 1998 (**PORPS 98**) are the relevant regional policy statements to be given effect to by the PDP.
- 32 The provisions of the PORPS 19 that are of particular relevance to the proposal, in broad terms, promote the sustainable management of Otago’s land resource by:
- Promoting the economic, social and cultural wellbeing and health and safety through the resilient and sustainable use of Otago’s resources and by recognising and providing for cultural values and the diverse needs of Otago’s people and communities, avoiding

⁵ i.e. land within Urban Growth Boundaries

⁶ Including Frankton, Arthurs Point, Kelvin Heights, Jacks Point, Arrowtown and such like.

⁷ Rural, Rural Residential, Rural Lifestyle, Wakatipu Basin and Gibbston Character Zones

- significant adverse effects on human health and promoting community resilience (Objective 1.1 and Policies 1.1.1 and 1.1.2);
- Promoting the integrated management of interconnected natural and physical resources and ecosystems (Objective 1.2 and Policy 1.2.1);
 - Promoting awareness and understanding of the principles of the Treaty of Waitangi and Kāi Tahu values and ensuring that those values are recognised and provided for (Objective 2.1 and Policies 2.1.1 and 2.1.2 and Objective 2.2 and Policies 2.2.1 to 2.2.3);
 - Encouraging activities that contribute to the resilience and enhancement of the natural environment including through the improvement of access to rivers, lakes and their margins and requiring the identification and protection, enhancement or restoration of ONLs and ONFs and the identification and maintenance or enhancement of other highly valued natural features and landscapes (Objective 3.1 and Policy 3.1.13 and Objective 3.2 and Policies 3.2.3 to 3.2.6);
 - Identifying and minimising the risk posed to Otago's communities by natural hazards (Objective 4.1 and Policies 4.1.1 to 4.1.10);
 - Manage and develop infrastructure in a sustainable way including recognising and providing for regionally significant infrastructure (including airports) and protecting that infrastructure from incompatible activities that may result in reverse sensitivity (Objective 4.3 and Policies 4.3.1, 4.3.2, 4.3.3 and 4.3.5);
 - Maintaining or enhancing public access to areas of value (Objective 5.1 and Policy 5.1.1);
 - Managing and protecting sufficient land for economic production and recognising the social and economic value of outdoor recreation and tourism having access to and being located within ONLs and ONFs (Objective 5.3 and Policies 5.3.1 and 5.3.5).

33 The provisions of the PORPS 98 that are of relevance to the proposal seek to promote the sustainable management of Otago's land resource by:

- Maintaining and enhancing the primary productive capacity and life supporting capacity of land resources (Objective 5.4.1 and Policy 5.5.2 and 5.5.4);

- Avoiding, remedying or mitigating degradation of Otago’s natural and physical resources resulting from activities utilising the land resource (Objective 5.4.2 and Policy 5.5.2 and 5.5.4);
- Protecting outstanding natural features and landscapes from inappropriate subdivision, use and development (Objective 5.4.3 and Policy 5.5.6);
- Promoting diversification and use of land resources to achieve sustainable land use and management systems for future generations (Policy 5.4.4); and
- Recognising and providing for the protection of Otago’s outstanding natural features and landscapes (Policy 5.5.6).

34 I understand that the remaining appeals on the PORPS 19 are close to being, or have been, settled with consent orders being issued by the Environment Court on the remaining appealed Chapter 3 provisions. Consequently I understand that, upon resolution of all outstanding appeals, the PORPS 19 will become fully operative and the PORPS 98 will become inoperative.

Proposed District Plan

35 The higher order provisions of the Proposed District Plan⁸ are appended to Mr. Barr’s evidence. The provisions that are of particular relevance to the consideration of the proposal are contained in Chapter 3 - Strategic Direction and Chapter 6 - Landscapes and Rural Character.

Chapter 3 - Strategic Direction

36 Chapter 3 sets out the over-arching strategic direction for the sustainable management of growth, land use and development within the District and seeks to address identified strategic issues (S.I.) facing the District including (but not limited to) the necessity to achieve economic prosperity and equity through the diversification of the District’s economic base (S.I.1), the management of growth pressures in such a way that avoids detracting from rural landscapes (S.I.2) and the identification and protection of natural resources and in particular the ONLs and ONFs of the District (S.I.4).

⁸ As amended by Topic 1 and 2 Interim Decisions

37 Chapter 3 goes on to set out Strategic Objectives (SOs) and Strategic Policies (SPs) as a means of addressing the identified strategic issues. The following SOs and SPs are of particular relevance to the consideration of the proposal⁹:

3.2.1 *The development of a prosperous, resilient and equitable economy in the District (addresses Issue 1)*

3.2.1.1 The significant socioeconomic benefits of well designed and appropriately located visitor industry places, facilities and services are realised across the District.

3.2.1.2 The Queenstown and Wanaka town centres are the hubs of New Zealand's premier alpine visitor resorts and the District's economy.

3.2.1.6 Diversification of the District's economic base and creation of employment opportunities through the development of innovative and sustainable enterprises.

3.2.1.8 Diversification of land use in rural areas beyond traditional activities, including farming is enabled provided that:

- a. the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are protected;*
- b. the landscape character of Rural Character Landscapes is maintained and their visual amenity values are maintained or enhanced; and*
- c. significant nature conservation values and Ngāi Tahu values, interests and customary resources, are maintained.*

3.2.5 *The retention of the District's distinctive landscapes (addresses Issues 2 and 4)*

Outstanding Natural Features and Outstanding Natural Landscapes

3.2.5.x The District's Outstanding Natural Features and Outstanding Natural Landscapes and their landscape values and landscape capacity are identified.

⁹ With amendments adopted for conciseness and ease of reference

3.2.5.xxx *In locations other than in the Rural Zone, the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are protected from inappropriate subdivision, use and development.*

Rural Character Landscapes

3.2.5.2 *Within Rural Character Landscapes, adverse effects on landscape character and visual amenity values from subdivision or development are anticipated and effectively managed, through policies and rules, so that:*

- a. *landscape character is maintained; and*
- b. *visual amenity values are maintained or enhanced.*

3.2.5iv *In Rural Character Landscapes, new subdivision, use and development in proximity to any Outstanding Natural Feature or Outstanding Natural Landscape does not compromise the landscape values of that Feature or Landscape.*

3.2.5v *In Rural Character Landscapes of the Upper Clutha Basin:*

- a. *Priority Areas of Rural Zoned Rural Character Landscapes are identified, including by mapping; and*
- b. *associated landscape character and visual amenity values are identified.*

3.2.6 *The District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety. (addresses Issues 1 and 6)*

3.3 Strategic Policies

Visitor Industry

3.3.1A *In Rural areas, provide for commercial recreation and tourism related activities that enable people to access and appreciate the district's landscapes provided that those activities are located and designed and are of a nature that:*

- a. *protects the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes; and*
- b. *maintains the landscape character and maintains or enhances the visual amenity values of Rural Character Landscapes.*

Town Centres and other Commercial and Industrial Areas

3.3.3 *Avoid new commercial zoning of land that is likely to undermine the role of the Queenstown and Wanaka town centres as the primary focus for the District's economic activity.*

Rural Activities

3.3.22 *Provide for rural living opportunities in areas identified on the District Plan maps as appropriate for rural living development.*

3.3.24 *Ensure that the effects of cumulative subdivision and development for the purposes of Rural Living does not compromise:*

- a. *the protection of the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes;*
- b. *the maintenance of the landscape character of Rural Character Landscapes; and*
- c. *the maintenance or enhancement of the visual amenity values of Rural Character Landscapes.*

3.3.25 *Provide for non-residential development with a functional need to located in the rural environment, through a planning framework that recognises its locational constraints, while ensuring maintenance and enhancement of the rural environment.*

Landscapes

3.3.29 *Identify the District's Outstanding Natural Features and Outstanding Natural Landscapes on the District Plan maps.*

3.3.29x For Outstanding Natural Features and Outstanding Natural Landscapes, identify landscape values and landscape capacity:

- a. in Schedule 21.22 where applicable and otherwise through assessment processes; and*
- b. in accordance with the landscape assessment matters in SP[x.x.x.y] and sound landscape assessment methodology.*

3.3.30 Protect the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes.

3.3.30x Avoid adverse effects on the landscape values of the District's Outstanding Natural Features and Outstanding Natural Landscapes from residential subdivision, use and development where there is little capacity to absorb change.

3.3.31 Identify the District's Rural Character Landscapes on the District Plan maps.

3.3.31X For Rural Character Landscapes, identify landscape character to be maintained and visual amenity values to be maintained or enhanced and related landscape capacity:

- a. in Schedule 21.22 where applicable and otherwise through assessment processes;*
- b. in accordance with the landscape assessment matters in SP x.x.x.x and sound landscape assessment methodology; and*
- c. through associated District Plan rules setting measurable spatial or other limits, and related assessment matters, as to cumulative subdivision and development including as to location, quantity, density and design.*

3.3.32x. In any Priority Area of any Rural Character Landscape where landscape character and visual amenity values are identified in Schedule 21.22, ensure that new subdivision and development for the purposes of Rural Living:

- a. maintains that landscape character;*

- b. *enhances any visual amenity values that Schedule 21.22 specifies to be enhanced; and*
- c. *otherwise maintains those identified visual amenity values.*

3.3.32y *In any Rural Character Landscape that is not a Priority Area, or is a Priority Area that has not achieved all of the requirements of SP 3.3.32X, do not allow new subdivision or development for the purposes of Rural Living except where:*

- a. *according to the methodology in SP [x.x]:*
 - i. *a landscape character area for assessment purposes is identified at an appropriate scale including mapping;*
 - ii. *the landscape character and visual amenity values of that landscape character area are identified; and*
 - iii. *the landscape capacity of that landscape character area is assessed so as to soundly inform a determination that the requirements of SP 3.3.24 are met; and*
- b. *the approval of new subdivision or development for the purposes of Rural Living maintains the landscape character and maintains or enhances the visual amenity values so identified in relation to that landscape character area.*

Regionally Significant Infrastructure

3.3.37 *Protect regionally significant infrastructure by managing the adverse effects of incompatible activities.*

Chapter 6 - Landscapes and Rural Character

38 Chapter 6 - Landscapes and Rural Character elaborates upon the Chapter 3 Strategic Objectives and Policies. Policy 6.3.1.1 sets out the requirement to categorise the Rural Zoned landscapes of the District as Outstanding Natural Feature, Outstanding Natural Landscape or Rural Character Landscape. Policy 6.3.1.3 clarifies that, unless otherwise stated, the landscape categories and associated provisions do not apply beyond the Rural Zone as follows:

6.3.1.3 Provide a separate regulatory regime for the Gibbston Valley (identified as the Gibbston Character Zone), Rural Residential Zone, Rural Lifestyle Zone, Resort Zones and the Special Zones within which the Outstanding Natural Feature, Outstanding Natural Landscape and Rural Character Landscape categories and the policies of this chapter related to those categories do not apply unless otherwise stated.

39 Chapter 46 - Rural Visitor Zone is contained in Part 6 - Special Zones of the Proposed District Plan and as such is a Special Zone and exempt from landscape classification and the associated policies of Chapter 6. The protection/maintenance/enhancement of landscape values is instead managed through the objectives and policies of the applicable zone.

Appropriateness of the Notified Provisions

40 Before assessing whether the application of the Rural Visitor Zone to the submission site is appropriate it is necessary to consider the appropriateness of the notified provisions of the Rural Visitor Zone in terms of how they align with the higher order provisions of the Proposed District Plan and achieve the purpose of the Act.

41 As set out above the higher order provisions of the Proposed District Plan seek to achieve a prosperous and resilient economy, acknowledging the significant socioeconomic benefits brought by the visitor industry and the need to diversify the District's economic base. This sits alongside the need to manage development so as to protect the values of ONFs and ONLs and maintain the landscape character and maintain or enhance the visual amenity values of the RCL.

Zone Purpose

42 The purpose of the RVZ as notified is to provide for visitor industry activities in remote locations within the ONLs of the District with the scale and intensity of development being limited to the extent that adverse effects can be accommodated within each RVZ location. The purpose of the zone informs the objectives, policies and rules of the zone with the language used in the zone purpose flowing down to the provisions.

43 The purpose of the RVZ does not make mention of the ONFs on the basis that they are unlikely to be able to accommodate rural visitor development without compromising their landscape values. The RVZ purpose also does not refer to RCLs as being potentially suitable locations for the RVZ. RCLs are therefore excluded, along with ONFs, and as such the purpose of the zone

as notified directs rural visitor activities to locate only within ONLs. I consider that while the notified provisions do provide for some visitor industry development they do not adequately provide for the necessary level of protection the ONLs of the District.

44 Fundamentally I consider that the limitation of the Rural Visitor Zone to the remote Outstanding Natural Landscapes of the District is inconsistent with the higher order policy direction that generally seeks to direct development towards the less sensitive landscapes of the District. Instead the provisions of the notified RVZ directs development to occur in the ONLs of the District which, as Mr. Espie notes¹⁰, are the highest valued landscape of the District and require protection from inappropriate subdivision, use and development as a matter of national importance as set out in s6(b) of the Act.

45 Mr. Espie finds that there is no logical landscape planning reason to direct rural visitor industry development to occur only in the more sensitive areas of the District. I adopt and agree with Mr. Espie's opinion in this regard.

46 The RCLs of the District, while still highly valued and sensitive in their own right, are generally less sensitive than ONLs and require a lower degree of safeguarding (maintenance or enhancement rather than protection) as directed by the provisions of the PORPS 19¹¹ and the higher order provisions of the PDP¹².

47 I therefore consider that the higher order provisions of the Proposed District Plan could be better given effect to by opening up the RVZ to the wider rural areas in terms of potential zone locations. In this regard Ms. Grace and I are in agreement.

48 The purpose of the RVZ also includes remoteness as a key characteristic of the zone. While the purpose of the RVZ accurately describes the notified RVZs as remote I do not consider that remoteness should be a prerequisite for the application of the RVZ in the same way that I do not consider it appropriate to limit the RVZ to ONLs.

49 'Remote' is not a particularly helpful descriptor in terms of assessing potential locations for the RVZ. It is somewhat vague and is undefined in the PDP. It is unclear whether remoteness refers to geographical remoteness or a sense of remoteness or both.

¹⁰ Paragraph 4.5

¹¹ Policy 3.2.6

¹² Strategic Objective 3.2.5.2 and Strategic Policy 3.3.1A

- 50 While the notified RVZs could all be described as remote I do not consider that necessarily means that RVZs in less remote locations could not achieve the intent and purpose of the zone which is to deliver a rural, rather than necessarily a remote, visitor experience.
- 51 Ms. Grace and I agree that the RVZ need not be limited to ONLs and could be appropriately located within the RCL. While not of national importance RCLs are still highly valued and could still provide an attractive rural experience for visitors.
- 52 I note that the majority of the District's RCLs are located within the Upper Clutha Basin and, I would estimate, they are generally within 10 to 15 minutes driving distance from the urban areas of Wanaka, Albert Town, Hāwea or Luggate. I therefore consider that none of the RCLs within the District are particularly remote and if it is found that the RVZ need not be confined to ONLs then it would follow that it also need not be confined to remote locations within the District. That being said I consider it important that the zone purpose acknowledges that the RVZ does include remote locations within the ONLs but not that it necessarily must be limited to remote locations.
- 53 On this basis I consider that the higher order provisions of the PDP could be better given effect to by amending the first paragraph of the purpose of the RVZ as follows (for ease of reference the recommended changes set out in Ms. Grace's report have been adopted and further proposed amendments are shown with deletions being ~~struck through~~ and additions shown underlined):

46.1 Purpose

The Rural Visitor Zone provides for visitor industry activities to occur at a limited scale and intensity in ~~generally remote~~ locations, often remote and including within Outstanding Natural Landscapes, that have been identified as being able to absorb the effects of development without compromising the landscape values of the District. The Zone is not anticipated to be located on Outstanding Natural Features. By providing for visitor industry activities, the Zone recognises the contribution visitor industry places, services and facilities make to the economic and recreational values of the District.

- 54 Further amendments to the zone purpose that may be necessary to provide for the relief sought (e.g. construction worker accommodation and limited residential development) will be discussed later in this evidence when I turn to the appropriateness of the amending proposal.

Objectives and Policies

55 The objectives and policies of the RVZ set out how the zone purpose is to be achieved and how the higher order provisions of the PDP are to be given effect to.

56 I agree with Ms. Grace that the notified provisions of the RVZ do not align with the higher order provisions of the PDP or the matters of national importance set out in Section 6 of the Act in terms of the level of protection that is to be afforded to the ONLs of the District. Specifically the notified wording of Objective 46.2.1, Policy 46.2.1.1, Objective 46.2.2 and Policies 46.2.2.1 and 46.2.2.2 reflects the level of safeguarding (i.e. maintain/enhance rather than protect) to be applied to the RCLs rather than the ONLs of the District.

57 I consider that Ms. Grace's recommended amendments to the wording of Objective 46.2.1, Policy 46.2.1.1 and Objective 46.2.2 and Policies 46.2.2.1 and 46.2.2.2 better achieves the purpose of the Act and gives effect to the PORPS 19 and the higher order provisions of the PDP. I consider however that Objective 46.2.1 could be further improved/clarified with the following amendments:

46.2.1 Objective - Visitor accommodation, commercial recreation and ancillary commercial activities are provided for through a Rural Visitor Zone location only in areas of landscape sensitivity ~~that~~ where:

- a. ~~protect~~ the landscape values of the Outstanding Natural Landscape can be protected, and
- b. in Rural Character Landscapes ~~maintain the~~ landscape character can be maintained, ~~and maintain or enhance the~~ visual amenity values can be maintained or enhanced of Rural Character Landscapes.

58 In addition I consider that amendments are necessary to Policies 46.2.1.a¹³ and 46.2.1.4 to adjust how reference is made to remote locations. The amendments I consider necessary are as follows:

46.2.1.a Areas identified as a Rural Visitor Zone shall be ~~generally remote in location,~~ difficult to see from public places, and largely comprised of areas of lower

¹³ New policy recommended by Ms. Grace

landscape sensitivity, with any areas of Moderate - High and High Landscape Sensitivity specifically identified.

46.2.1.4 Recognise ~~the generally remote location of that~~ Rural Visitor Zones are often remotely located and the need for visitor industry activities to be self-reliant by providing for services or facilities that are directly associated with, and ancillary to visitor accommodation activities, including onsite staff accommodation.

59 As with the zone purpose further amendments to the objectives and policies that may be necessary to provide for the relief sought will be discussed later in this evidence when I turn to the appropriateness of the amending proposal.

Resource Management Issues and Options

60 The resource management issues that the amending proposal seeks to address are whether the existing consented use¹⁴ is the most efficient use of the land resource and whether an alternative zoning that provides for visitor accommodation, commercial recreation, ancillary commercial activities and limited residential development would better give effect to the higher order provisions of the PDP.

61 The options considered in addressing the identified resource management issues are as follows:

Option 1 - Status Quo

62 The status quo would involve the implementation of the 35 lot subdivision, the continued operation of events from the woolshed and the ongoing farming of the balance land.

Option 2 - Rural Visitor Zone

63 As outlined in the evidence of Mr. Curley the application of the Rural Visitor Zone to the submission site was identified as an option that could provide for the type of visitor industry development and activities envisaged for the site.

Option 3 - Resort Zone

¹⁴ 35 lot subdivision and events

64 As has been suggested in Ms. Grace’s s42A report the application of a resort zoning to the submission site is an option that may achieve a similar outcome as the Rural Visitor Zoning and may provide for a wider range of activities.

Option 4 - Resource Consenting

65 An alternative option mooted by Ms. Grace in her s42A report is to leave the submission site zoned Rural and progress visitor industry development and activities through resource consent processes.

Costs / Benefits

66 A cost / benefit analysis of the identified options is set out in Table 1 below.

	Costs	Benefits	Rank
Option 1: Status quo / No change	<ul style="list-style-type: none"> • Inefficient use of the land resource compared to the application of a more enabling zone. • Risks limiting the sites potential to 35 lots as any further development of the commonly held balance lots would require the cooperation of all parties. • Opportunity to provide high quality visitor industry and outdoor recreation facilities is not realised. • More significant economic benefits are not realised. • Limits potential to respond to economic crisis. 	<ul style="list-style-type: none"> • Attractive properties would be created for a limited number of private owners. • Some economic benefits would result through the land development and subdivision implementation process and the construction of dwellings on the lots to be created. • The productive potential of the balance land may be retained. 	3
Option 2: Rezone as Rural Visitor Zone (Preferred Option)	<ul style="list-style-type: none"> • Would result in the loss of land for productive purposes. • May not realise the range of activities that could be achieved under a resort zoning. • Would result in a more intensive use of the site which may result in greater effects in terms of landscape, infrastructure and traffic. 	<ul style="list-style-type: none"> • More efficient use of the land resource when compared to the consented development (RM120572). • Diversification of the economic base and significant economic benefits would be realised. • Extent of Rural Visitor Zone could be defined so as to avoid the more sensitive parts of the landscape. 	1

		<ul style="list-style-type: none"> • Opportunities to contribute to the District’s housing stock and rural living opportunities would be realised. • Would contribute to the availability of workers accommodation in the District. • Provides for an efficient plan preparation process and avoid unnecessary additional costs for the submitter, Council and the community. • Allows potential for quicker response to economic crises and recovery planning. • Would contribute to economic resilience and diversity. • Would provide opportunities to develop more sustainable forms of tourism (lower numbers, longer stay, higher spend and year round). 	
<p>Option 3: Rezone as Resort Zone</p>	<ul style="list-style-type: none"> • Not within scope of Stage 3 of the Proposed District Plan. • Would require further changes to the Proposed District Plan with associated costs and uncertainty for the submitter, Council and the community. • Would require the development of a bespoke Special Zone chapter (similar to Chapter 41 - Jacks Point Zone or Chapter 43 - Millbrook). • Would need to form part of a future stage of the PDP or a standalone variation or plan change. • Would result in the loss of land for productive purposes. • Would provide for a slower response to the economic crisis and recovery planning. • Would delay development lead times. 	<ul style="list-style-type: none"> • Special Zone chapter could be developed to enable a wider range of activities than the Rural Visitor Zone (or Rural Zone) provides for. • More efficient use of the land resource when compared to the consented development (RM120572). • Diversification of the economic base and significant economic benefits would be realised. • Extents of Special Zone could be defined so as to avoid the more sensitive parts of the landscape. • Opportunities to contribute to the District’s housing stock and rural living opportunities would be realised. 	<p>2</p>

	<ul style="list-style-type: none"> • Would result in a more intensive use of the site which may result in greater effects in terms of landscape, infrastructure and traffic. 		
Option 4: Resource Consenting	<ul style="list-style-type: none"> • Increased cost and uncertainty. • Would encourage ad hoc development within the rural zone. • Would reduce certainty that envisaged outcomes can be achieved. • Would delay implementation of development. • Extent of economic benefits may be significantly reduced. 	<ul style="list-style-type: none"> • Would not require an additional District Plan chapter or plan change processes. 	3

Table 1 - Cost / Benefit Analysis

67 Based on the above cost / benefit analysis I consider Option 2 to be the preferred option as it represents the most efficient means of realising the substantial socioeconomic benefits that the visitor industry could generate while including scope to appropriately manage the associated costs and environmental effects.

68 Option 3 is identified as the second preference as it would provide for similar outcomes albeit through a less efficient process that would add a further chapter to the PDP and result in additional costs, uncertainty and delay.

69 Options 1 and 4 are ranked third equal in terms of preference.

Scale and Significance Evaluation

70 The level of detailed analysis undertaken for the evaluation of this proposal has been determined by an assessment of the scale and significance of the implementation of the proposed provisions in the District Plan. In making this assessment, regard has been had to whether the proposal will:

- Result in significant variance from the existing baseline in the Rural Chapter.
- Have effects on matters of national importance.
- Adversely affect those with specific interests.

- Involve effects that have been considered implicitly or explicitly by higher order documents.
- Impose increased costs or restrictions on individuals, communities or businesses.
- Are more appropriate than the existing.

71 The proposed rezoning of the submission site from Rural to Rural Visitor Zone will result in a significant change from the baseline of the existing Rural Chapter and as such a significant level of assessment has been undertaken and is set out in the various briefs of evidence for the submitter.

72 The proposal will not in itself result in effects on matters of national importance however I consider the recommended amendments to the RVZ purpose, objectives and policies will better provide for the protection of outstanding natural landscapes (s6(b)) in the wider District.

73 I am not aware of any specific parties that have an interest in the submission site that would be adversely affected by the proposal. I note that the outer control boundary of Wanaka Airport extends into the submission site and that QAC have lodged a further submission opposing the proposed rezoning. The provisions of the proposal, which as outlined by Mr. Curley, include a structure plan and an associated suite of site specific controls, acknowledges the presence of the outer control boundary and avoids the location activities sensitive to aircraft noise within it. In addition the controls of the Rural Zone that apply to activities within the outer control boundary and that would otherwise apply to the site have been replicated in the proposed provisions and informal airports have been restricted.

74 In addition the submission site has not been identified as forming part of any wāhi tūpuna area in Stage 3 of the PDP and there are no known archaeological, cultural or heritage features on the site.

75 In terms of effects considered in higher order documents the various expert witnesses for the submitter have stated that:

- the proposal will make a significant contribution to the economy of the District and the wider Region and will assist people and communities to provide for their social, cultural and economic wellbeing;
- the proposal will add to the resilience and diversity of the District's economic base;

- the development that the proposal provides for can be managed so as to maintain the landscape character and maintain or enhance the visual amenity values of the Rural Character Landscape;
- the development that the proposal provides for can be appropriately accessed and serviced;
- the proposal will not compromise or undermine the vitality and function of the Wanaka Town Centre or Three Parks commercial areas;
- the proposal will provide for activities that are not incompatible with airports (being regionally significant infrastructure) and will not result in significant adverse reverse sensitivity effects on the airport or compromise its operational safety.

76 In addition the submission site is not identified as being subject to any specific natural hazard and does not appear to include any sites of significance to Māori or any features of cultural, archaeological or heritage significance. There is also scope, through the subdivision and development process (which is likely to require the stopping of the unformed legal roads that pass through the site), to maintain and/or enhance public access to areas of value (i.e. the Clutha River).

77 I do not consider that the proposal will impose increased costs or restrictions on individuals, the community or businesses.

78 Based on the evidence of Mr. Colegrave I consider that the proposal will result in significant economic benefits for the District and the wider Region and as such I consider that the proposal will provide for the social, economic and cultural wellbeing of District's people and communities to a far greater extent than the current Rural zoning (and the consented 35 lot subdivision) is likely to achieve. In addition I consider that the landscape effects of the development that the proposal enables can be appropriately managed in line with the higher order provisions of the PDP and on balance I consider that the proposal is more appropriate than the existing zoning in terms of the extent to which it gives effect to the higher order documents and provisions.

Evaluation under Section 32(1)(a) and (b)

79 Section 32(1)(a) requires that the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the Act. For the reasons

set out above I consider that the objectives of the proposal (being the rezoning of the submission site as RVZ) is the most appropriate way to achieve the purpose of the Act.

80 Section 32(1)(b) requires that the provisions of a proposal are assessed in terms of whether the provisions are the most appropriate way of achieving the objectives of the proposal.

Structure Plan

81 As set out in the evidence of Mr. Curley the provisions of the proposed RVZ at Corbridge include the incorporation of a detailed structure plan and associated suite of rules into the RVZ Chapter. As described by Mr. Espie the structure plan is based on an assessment of the landscape sensitivity of the site. Areas of high landscape sensitivity have been identified along with areas of lower landscape sensitivity. The structure plan directs where development can occur within the site and avoids development on the highly sensitive parts of the site (to a greater extent than the consented 35 lot subdivision). The suite of proposed rules, that are specific to the Corbridge RVZ, control the location, bulk, density and appearance of development within the various activity areas and avoid the location of buildings and other development that may compromise landscape character and amenity within the areas of high landscape sensitivity.

82 The concept of including structure plans within the RVZ has been discussed by Council's landscape experts and in Ms. Grace's s42A report. While Council's landscape experts consider that structure plans may be a useful tool in the identification of landscape sensitivity areas and the control of development within those areas Ms. Grace prefers the methodology that informed the notified provisions, being the identification of high and medium sensitivity areas on the PDP maps and the application of a relatively simple set of rules that directs what can occur within those landscape sensitivity areas.

83 The notified provisions were prepared on the basis of the Operative RVZs that were deemed appropriate to carry over to the PDP. Those existing RVZs are all within remote ONLs and this is reflected in the notified zone purpose and provisions. The existing RVZs are also relatively small in scale and include limited land area that could accommodate development (due to landscape sensitivity).

84 While the notified provisions may adequately provide for and manage rural visitor development in the existing remote ONL locations I consider that the provisions do not translate so well to less sensitive RCL locations where RVZs may be able to accommodate more

development while appropriately maintaining landscape character and maintaining or enhancing visual amenity. Given the extent of development that RVZs in the RCL could potentially accommodate (as illustrated by the proposal) I consider that more detailed and directive provisions are required to guide and shape the distribution of development within the zone and ensure that areas of high landscape sensitivity are avoided.

85 I consider that the structure plan approach is generally consistent with the overall methodology for identifying the extents of RVZs and the sensitive landscape areas within them and would be a useful tool in managing development. I do not consider it inappropriate for the RVZ Chapter to include different approaches to ONL and RCL land and I consider that this is reflected in the significance and level of safeguarding afforded these landscape categories in the higher order documents and the higher order provisions of the PDP.

86 Of particular relevance in my opinion is Strategic Policy 3.3.31X which was inserted into the PDP as part of the interim decision on Topic 2 - Landscapes. Strategic Policy 3.3.31X is as follows:

3.3.31X For Rural Character Landscapes, identify landscape character to be maintained and visual amenity values to be maintained or enhanced and related landscape capacity:

- a. in Schedule 21.22 where applicable and otherwise through assessment processes;*
- b. in accordance with the landscape assessment matters in SP x.x.x.x and sound landscape assessment methodology; and*
- c. through associated District Plan rules setting measurable spatial or other limits, and related assessment matters, as to cumulative subdivision and development including as to location, quantity, density and design.*

87 While Schedule 21.22 and the landscape assessment matters in SP x.x.x.x are yet to be determined the landscape character to be maintained and the visual amenity values to be maintained or enhanced have been identified, along with the landscape sensitivity within the site, by Mr. Espie in accordance with sound landscape methodology. The assessment of landscape character, visual amenity values and landscape sensitivity has informed the proposed structure plan which sets spatial limits for development and through the proposed accompanying rule suite controls the location, quantity, density and design of subdivision and

development. I therefore consider that the inclusion of the proposed structure plan is consistent with and supported by Strategic Policy 3.3.31X.

88 Further I note that the equivalent strategic policies relating to ONLs (being SPs 3.3.29x, 3.3.30 and 3.3.30x) take a different approach directing the identification and protection of landscape values and avoiding adverse effects on landscape values of ONLs where there is little capacity to absorb change.

89 I consider that the strategic policies relating to RCLs are more enabling than the equivalent ONL/ONF strategic policies and therefore I consider that including different approaches to the management of subdivision, use and development within those landscape classifications is warranted and appropriate. On this basis I consider that the addition of the proposed Corbridge Structure Plan to the RVZ Chapter better gives effect to the higher order provisions of the PDP when compared to the notified methodology that appears to be more suited to addressing landscape sensitivity in the ONL or where no structure plan is proposed.

Proposed Rules

90 The proposed Corbridge RVZ rule suite has been set out and explained in detail in the evidence of Mr. Curley. I consider that the proposed rules are appropriate and will effectively manage development within the proposed RVZ and will ensure that landscape character is maintained and that visual amenity values are maintained or enhanced.

91 The proposed rules of the Corbridge RVZ provide for workers accommodation to be used during the construction phase of development as well as during the operational phase. The rules also provide for a limited amount of residential activity. These are activities that are not otherwise provided for in the notified provisions of the RVZ.

92 On site workers accommodation is not explicitly provided for in the notified provisions of the RVZ however it could be argued that such accommodation is “ancillary to commercial recreation and visitor accommodation activities”¹⁵ in that it would support the development of the enabled commercial recreation and visitor accommodation activities while remaining subordinate to the purpose of the zone. In addition the corresponding rule (Rule 46.4.3) is somewhat open in that it provides for “onsite staff accommodation” (that arguably could include staff engaged in the construction of the facilities) as a permitted activity.

¹⁵ Third paragraph of notified Zone Purpose and Policy 46.2.1.7

- 93 I understand that it is envisaged that workers accommodation (to the extent required to accommodate the construction team) would be constructed early on in the development and would then be occupied by the construction team while development progresses. As the phases of development are complete and onsite staff are required the workers accommodation would transition from the construction team to the onsite staff with additional accommodation being constructed if and when required.
- 94 I consider the provision for the workers accommodation to be used during the construction phases would be a practical and efficient use of resources and would support the development of the zone.
- 95 Further the zone purpose excludes more general residential activity. I understand that the restriction on residential activities has been brought about as a result of the purpose of some of the ODP Rural Visitor Zones¹⁶ being compromised by unrestricted residential development. I agree that unfettered residential development could undermine the intent of the zone and should be avoided. However I do not consider that residential development needs to be removed from the zone entirely. If the extent of residential development is appropriately controlled to ensure that the zone remains predominated by visitor industry activities I see no reason why a residential component could not be incorporated into the zone and it may add to the resilience and vibrancy of the zone. The evidence of Mr Brandeburg and Mr Watkins discusses the role of residential components associated with golf developments and the contribution they make to the viability and vibrancy of those developments.
- 96 I consider that the proposed structure plan and rule suite could be inserted into the RVZ Chapter relatively easily without the necessity for significant restructuring of the notified Chapter however, in order to accommodate the proposed structure plan and rule suite, I recommend some amendments to the zone purpose, objectives and policies (in addition to the amendments recommended under paragraphs 53, 57 and 58 above).
- 97 In order to provide for limited residential development and clarify that workers accommodation can include staff engaged in the construction phases of development I recommend that the third paragraph of the zone purpose is amended as follows:

The principal activities in the Zone are visitor accommodation and related ancillary commercial activities, commercial recreation and recreation activities. Residential activity ~~is not~~

¹⁶ Arthurs Point and Cardrona

~~anticipated in~~ within the Zone ~~with the exception being for~~ is limited to onsite staff accommodation ancillary to the construction and operation of commercial recreation and visitor accommodation activities and permanent residential development only where it can be assured that the predominant use of the zone will remain as visitor industry activities.

98 In addition I recommend that Policy 46.2.1.7 is amended as follows:

46.2.1.7 *Avoid residential activity within the Rural Visitor Zone with the exception of enabling onsite staff accommodation ancillary to the construction and operation of commercial recreation and visitor accommodation activities and providing for other residential activities only where they are at a scale and intensity that does not undermine the primary purpose of the zone.*

99 In order to provide for structure plans to be incorporated into the zone chapter I consider that Policy 46.2.2.1 should be amended as follows:

46.2.2.1 *Protect the landscape values of the Zone and the surrounding rural landscapes by:*

- a. *enabling and consolidating buildings within the Rural Visitor Zone in areas that are not identified on the District Plan maps as a High Landscape Sensitivity Area, not within an area of Moderate - High Landscape Sensitivity;*
- b. *restricting buildings within areas identified on the District Plan maps as Moderate - High Landscape Sensitivity unless they are located and designed, and adverse effects are mitigated, to ensure landscape values of the Outstanding Natural Landscapes are protected, and landscape character of Rural Character Landscapes is maintained and visual amenity values of Rural Character Landscapes are maintained or enhanced; and*
- c. *avoiding buildings within areas identified on the District Plan maps as High Landscape Sensitivity Areas.*
- d. *providing for the use of structure plans and associated rules as an appropriate means of achieving a., b. and c. above.*

- 100 Subject to my recommended amendments I consider that the objectives and policies of the Rural Visitor Zone appropriately give effect to the higher order provisions of the PDP. A full set of the RVZ objectives and policies, based on Ms Grace's recommended set and incorporating the further amendments that I recommend, is attached as **Appendix A** to this evidence.
- 101 Mr Curley has, in his evidence, described in detail the proposed Corbridge Structure Plan and the associated suite of rules. I consider that the proposed structure plan and rules specific to the Corbridge RVZ will effectively and efficiently achieve the purpose, objectives and policies of the zone.
- 102 In conclusion and turning to the Rezoning Assessment Principles set out at paragraph 8.7 of Mr. Barr's evidence, I consider as follows:
- (a) whether the change is consistent with the objectives and policies of the proposed zone.*
This applies to both the type of zone in addition to the location of the zone boundary;
- 103 I consider that the proposal is generally consistent with the objectives and policies of the proposed zone, however I consider that the objectives and policies of the proposed zone require some modification to reflect the potential for the zone to be applied in both the ONL and the RCL and the varying landscape outcomes sought for those landscape types.
- 104 I consider that the amendments I suggest are necessary to better give effect to the higher order provisions of the Proposed District Plan. The proposed amendments provide for the RVZ to be located in the ONL and the RCL and in remote and not so remote locations. The amendments also introduce Structure Plans as a suitable tool for identifying landscape sensitivity areas and directing how and where development may occur.
- 105 I consider that Structure Plans would be a useful and suitable tool for the control of development within the RVZ in RCL and that the greater detail they provide (when compared to the notified mapping of landscape sensitivity areas) reflects the potential for RCL locations to accommodate a greater degree of development than the more sensitive ONLs. In addition the amended provisions provide scope for a limited degree of residential development (in addition to workers accommodation) while ensuring that the overall intent of the zone is achieved.

(b) whether the change is consistent with the PDP Strategic Directions chapters (Chapters 3 - 6);

106 I consider that the proposed rezoning is consistent with the provisions of Chapter 3 - Strategic Direction and Chapter 6 - Landscapes and Rural Character in that the proposal:

- will make a significant contribution to the District's economy while diversifying the tourism market in the Wanaka area (which presently includes very little golf tourism opportunities);
- will not compromise or undermine the role and vitality of the Wanaka Town Centre of the commercial areas of Three Parks;
- will enable people and communities to provide for their social, cultural and economic wellbeing and their health and safety;
- will provide commercial recreation and tourism activities in the rural area that enable people to appreciate landscape values;
- will not compromise the operational safety of regionally significant infrastructure (i.e. Wanaka Airport) or generate significant reverse sensitivity effects; and
- will appropriately maintain the landscape character and maintain or enhance the visual amenity values of the RCL.

(c) the overall impact of the rezoning gives effect to the PRPS and PORPS;

107 I consider that the proposed rezoning assists in giving effect to the PORPS 19.

(d) relevant issues debated in recent plan changes are considered;

108 I am not aware of any relevant issues debated in recent plan changes.

(e) changes to zone boundaries are consistent/considered alongside PDP maps that indicate additional overlays or constraints (e.g. Airport Obstacle Limitation Surfaces, SNAs, Building Restriction Areas, ONF/ONL);

109 The proposed structure plan acknowledges and incorporates the Outer Control Boundary of the Wanaka Airport.

(f) changes should take into account the location and environmental features of the site (e.g. the existing and consented environment, existing buildings, significant features and infrastructure);

110 The location and environmental features of the site have been carefully considered and taken into account through the formulation of the proposed structure plan and associated rules.

(g) zone changes recognise the availability or lack of major infrastructure (e.g. water, wastewater, roads), and that changes to zoning does not result in unmeetable expectations from landowners to the Council for provision of infrastructure and/or management of natural hazards;

111 The submission site can be appropriately accessed in accordance with NZTA standards and services can be provided with a mix of onsite and reticulated services. The proposed rezoning will therefore not create unmeetable expectations with regard to infrastructure and/or the management of natural hazards.

(h) zone changes take into account effects on the wider network water, wastewater and roading capacity, and are not just limited to the matter of providing infrastructure to that particular site;

112 There is scope for the site to be serviced through existing and planned infrastructure and any necessary service upgrades can be assessed and provided for at subdivision and development stage.

(i) there is adequate separation and/or management between incompatible land uses;

113 The proposed structure plan and rules have been prepared to ensure that activities sensitive to aircraft noise do not locate within the outer control boundary of the Wanaka Airport in order that reverse sensitivity effects do not arise.

(j) rezoning in lieu of resource consent approvals, where a portion of a site has capacity to absorb development does not necessarily mean another zone is more appropriate; and

114 The scale of development contemplated, and that can be accommodated within the site, warrants rezoning and could not be better provided for through ad hoc resource consent processes.

(k) zoning is not determined by existing resource consents and existing use rights, but these will be taken into account.

115 The proposed rezoning does not rely on the existing resource consents attached to the site however proposal does take them into account and has incorporated the consented lake and 35 residential properties into the structure plan and associated rules.

116 Overall I consider that the proposal aligns well with Council's rezoning assessment principles.

Part 2 Assessment

117 Under Section 32 of the RMA the extent to which the objectives of a proposed plan are the most appropriate way to achieve the purpose of the Act, and whether the provisions of the proposed plan are the most appropriate way of achieving those objectives, must be examined.

118 I consider that the objectives and policies of the Proposed District Plan, as they relate to Strategic Direction and Landscapes and Rural Character are an appropriate means of achieving the purpose of the Act. In addition I consider that, subject to the recommended amendments that I set out in this evidence, the objectives and policies of the Rural Visitor Zone appropriately give effect to the higher order provisions of the Proposed District Plan.

119 I consider that the relief sought, when compared to alternative options for the site, is the most appropriate means of achieving the objectives of the Proposed District Plan.

120 I consider that the relief sought will be consistent with Section 5 of the Act in that it will provide for the use, development, and protection of natural and physical resources in a way, or at a rate, that enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while safeguarding the life-supporting capacity or air, water, soil and ecosystems.

121 Through the provisions of the Proposed District Plan the development enabled by the proposed rezoning will be appropriately controlled and managed to ensure that the environmental effects arising are appropriately avoided, remedied or mitigated.

122 I consider that the proposed rezoning adequately recognises and provides for the relevant matters of national importance set out in Section 6 of the Act and has appropriate regard to the relevant Section 7 matters.

123 With regard to Section 8 I am not aware of any treaty principles of particular relevance to the consideration of the proposal.

124 I therefore consider that the relief sought in the submission of Corbridge Estates Limited Partnership achieves the purpose of the RMA.

Conclusion

125 Overall, having carefully considered the matters set out in Section 32, I consider that the rezoning of the submission site to Rural Visitor Zone, the incorporation of my recommended amendments to the zone purpose, objectives and policies and the inclusion of the proposed Corbridge Structure Plan and associated rules into Chapter 46 - Rural Visitor Zone will meet the purpose of the RMA.

A handwritten signature in black ink, appearing to read 'Scott Sneddon Edgar', written in a cursive style.

Scott Sneddon Edgar

29th May 2020

Appendix A - Recommended Amendments to Rural Visitor Zone Objectives and Policies

The following zone purpose and objectives and policies are based on the recommended set of Rural Visitor Zone provisions appended to Ms. Grace's s42A Report. For ease of reference the recommended changes set out in Ms. Grace's report have been adopted and further proposed amendments are shown with deletions being ~~struck through~~ and additions shown underlined.

46 Rural Visitor Zone

46.1 Purpose

The Rural Visitor Zone provides for visitor industry activities to occur at a limited scale and intensity in ~~generally remote~~ locations, often remote and including within Outstanding Natural Landscapes, that have been identified as being able to absorb the effects of development without compromising the landscape values of the District. The Zone is not anticipated to be located on Outstanding Natural Features. By providing for visitor industry activities, the Zone recognises the contribution visitor industry places, services and facilities make to the economic and recreational values of the District.

The primary method of managing effects of land use and development on landscape will be location, directing sensitive and sympathetic development to where the landscape can accommodate change. This method is implemented firstly through limiting the extent of the zone itself to areas of predominantly lower landscape sensitivity, and then through the identification of any areas of higher landscape sensitivity within zoned areas where protection of landscape values is a priority. The nature and design of buildings and development are secondary factors in the role of landscape management that will contribute toward ensuring buildings are not visually dominant and are integrated into the landscape. Through these two methods, the planning framework requires the protection of the landscape values of Outstanding Natural Landscapes, and the maintenance of landscape character and the maintenance or enhancement of visual amenity values of Rural Character Landscapes.

The principal activities in the Zone are visitor accommodation and related ancillary commercial activities, commercial recreation and recreation activities. Residential activity ~~is not anticipated in~~ within the Zone ~~with the exception being for~~ is limited to onsite staff accommodation ancillary to the construction and operation of commercial recreation and

visitor accommodation activities and permanent residential development only where it can be assured that the predominant use of the zone will remain as visitor industry activities.

Pursuant to Section 86B(3)(a) of the Act Rules 46.4.8, 46.4.9 and 46.5.4 have immediate legal effect.

46.2 Objectives and Policies

46.2.1 Objective - Visitor accommodation, commercial recreation and ancillary commercial activities are provided for through a Rural Visitor Zone location only in areas of landscape sensitivity ~~that~~ where:

- a. ~~protect~~ the landscape values of the Outstanding Natural Landscape can be protected, and
- b. in Rural Character Landscapes maintain—the landscape character can be maintained, ~~and maintain or enhance the~~ visual amenity values can be maintained or enhanced of Rural Character Landscapes.

Policies

46.2.1.a Areas identified as a Rural Visitor Zone shall be ~~generally remote in location~~, difficult to see from public places, and largely comprised of areas of lower landscape sensitivity, with any areas of Moderate – High and High Landscape Sensitivity specifically identified.

46.2.1.1 Provide for innovative and appropriately located and designed visitor accommodation, including ancillary commercial activities and onsite staff accommodation, recreation and commercial recreation activities where the landscape values of the District's Outstanding Natural Landscapes are protected, and the landscape character of Rural Character Landscapes is maintained and the visual amenity values of Rural Character Landscapes are maintained or enhanced.

46.2.1.2 Provide for tourism related activities within appropriate locations in the Zone where they enable people to access and appreciate the District's landscapes, provided that landscape quality, character, visual amenity values and nature conservation values are maintained or enhanced.

- 46.2.1.3 *Encourage the enhancement of nature conservation values as part of the use and development of the Zone.*
- 46.2.1.4 *Recognise ~~the generally remote location of that~~ Rural Visitor Zones are often remotely located and the need for visitor industry activities to be self-reliant by providing for services or facilities that are directly associated with, and ancillary to visitor accommodation activities, including onsite staff accommodation.*
- 46.2.1.5 *Ensure that the group size, nature and scale of commercial recreation activities do not degrade the level of amenity in the surrounding environment.*
- 46.2.1.6 *Ensure that any land use or development not otherwise anticipated in the Zone, protects the landscape values of the District's Outstanding Natural Landscapes, and maintains the landscape character, or maintains or enhances the visual amenity values of Rural Character Landscapes, and enhances nature conservation values.*
- 46.2.1.7 *Avoid residential activity within the Rural Visitor Zone with the exception of enabling onsite staff accommodation ancillary to the construction and operation of commercial recreation and visitor accommodation activities and providing for other residential activities only where they are at a scale and intensity that does not undermine the primary purpose of the zone.*
- 46.2.2 *Objective – Buildings and development that have a visitor industry related use are enabled wwithin the Rural Visitor Zone in areas of lower landscape sensitivity and where necessary are restricted or avoided to:***
- a. protect the landscape values of Outstanding Natural Landscapes, and***
 - b. maintain the landscape character and maintain or enhance the visual amenity values of Rural Character Landscapes.***

Policies

- 46.2.2.1 *Protect the landscape values of the Zone and the surrounding rural landscapes by:*

- a. *enabling and consolidating buildings within the Rural Visitor Zone in areas that are not identified on the District Plan maps as a High Landscape Sensitivity Area, nor within an area of Moderate – High Landscape Sensitivity;*
- b. *restricting buildings within areas identified on the District Plan maps as Moderate – High Landscape Sensitivity unless they are located and designed, and adverse effects are mitigated, to ensure landscape values of Outstanding Natural Landscapes are protected, and landscape character of Rural Character Landscapes is maintained and visual amenity values of Rural Character Landscapes are maintained or enhanced; and*
- c. *avoiding buildings within areas identified on the District Plan maps as High Landscape Sensitivity Areas.*
- d. *Providing for the use of structure plans and associated rules as an appropriate means of achieving a., b. and c. above.*

46.2.2.2 *Land use and development, in particular buildings, shall protect, maintain or enhance the landscape character and visual amenity values of the Rural Visitor Zone and surrounding rural landscapes by:*

- a. *controlling the colour, scale, design, and height of buildings and associated infrastructure, vegetation and landscape elements; and*
- b. *in the immediate vicinity of the Homestead Area at Walter Peak, and the Homestead Area at Arcadia provide for a range of external building colours that are not as recessive as required generally for rural environments, but are sympathetic to existing development.*

46.2.2.3 *Within those areas identified on the District Plan maps as High Landscape Sensitivity or Moderate – High Landscape Sensitivity, maintain open landscape character where it is open at present.*

46.2.2.4 *Ensure that the location and direction of lights does not cause excessive glare and avoids unnecessary degradation of views of the night sky and of landscape character, including of the sense of remoteness where it is an important part of that character.*

46.2.2.5 *Within the Walter Peak Water Transport Infrastructure overlay, provide for a jetty or wharf, weather protection features and ancillary infrastructure at Beach Bay while:*

- a. maintaining as far as practicable natural character and landscape values of Beach Bay while recognising the functional need for water transport infrastructure to locate on the margin of and on Lake Wakatipu;*
- b. minimising the loss of public access to the lake margin; and*
- c. encouraging enhancement of nature conservation and natural character values.*

46.2.2.6 *Ensure development can be appropriately serviced through:*

- a. the method, capacity and design of wastewater treatment and disposal;*
- b. adequate and potable provision of water;*
- c. adequate firefighting water and regard taken in the design of development to fire risk from vegetation, both existing and proposed vegetation; and*
- d. provision of safe vehicle access or alternative water based transport and associated infrastructure.*