

Appendix B - A copy of the Appellants' submission

Submission on the Proposed Queenstown Lakes District Plan 2015 (Stage 1)

Pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

To: Queenstown Lakes District Council

Address: Sent via email to: services@qldc.govt.nz

Name of submitter: Cardrona Alpine Resort Limited

About the submitter:

Cardrona Alpine Resort caters for the broadest range of ski/board related activities in New Zealand and is a premier resort for snow sports in Australasia. The resort caters for guests of all abilities and disciplines making it the most diverse field in New Zealand. Recent development in the 2014 and 2015 summer has seen Cardrona grow into a summer resort offering lift accessible mountain biking, gravity karts, walking and adventure trails and night time sightseeing adventures. Cardrona Alpine Resort is focused on developing a year round activity base for summer and winter operation offering year round lift accessible terrain, on mountain accommodation, food and beverage service, retail, and mountain based tourism activities

As a winter resort, Cardrona caters for all abilities with a focus on families and beginners. Facilities range from ski school to a Ministry of Education certified pre-school and child care facilities. For the more advanced a "high performance centre" is provided which trains skiers and snowboarders, including top international skiers/snowboarders. Cardrona is regularly a venue for competitive ski and snowboard events and championships attracting competitors from around the globe.

The Cardrona Alpine Resort generates employment for about 560 (520 seasonal staff and 40 year round) people.

The operation of the Cardrona Alpine Resort relies on the ability to develop, operate, maintain and upgrade a considerable network of built infrastructure, primarily relating to the ski field, including a network of roads/trails, parking areas, buildings, energy generation, snow making, communication, accommodation, retail and cafe facilities.

Tourism activities at the Cardrona Alpine Resort were historically carried out during the ski season. However, the resort lends itself to the provision of four season tourism activities such as mountain biking, accommodation, tramping, sightseeing, and mountain adventure activities. Cardrona started summer activities as a trial in the summer of 2014 and is continuing investment and development with extended operations for the summer of 2015. Development of new buildings, supporting infrastructure, and land modification (earthworks) are required to grow the provision of tourism services at Cardrona Alpine Resort.

Trade Competition: The submitter cannot gain an advantage in trade competition through this submission.

Submission and decisions sought: This submission by Cardrona Alpine Resort Ltd is focused on the Proposed District Plan provisions affecting the Cardrona Alpine Resort, including supporting infrastructure, and the need to provide and access to the resort via road and air, and to facilitate the growth of and investment into the resort to provide four season visitor attractions. The specific proposed district plan provisions this submission relates to, and the decisions sought, are as set out in the attached table.

Hearings: The submitter wishes to be heard in support of this submission.

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Phone: 03 450 0009

Date: 23rd October 2015

Replacement Submission Received 28 October 2015

Cardrona Alpine Resort submission on the Proposed QLDC District Plan – Stage 1

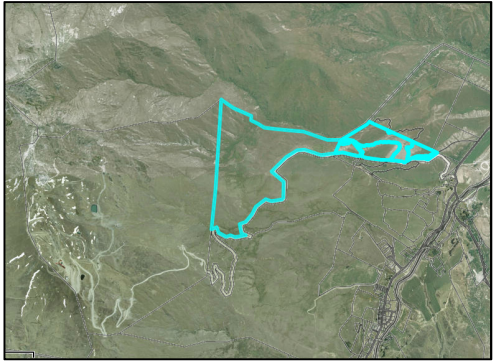
| Submission point | Plan Provision | Relief sought (amended wording sought shown in <u>underline</u> strikeout) |
|------------------|---|---|
| 1 | All provisions | Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions. |
| 2 | All provisions | That all provisions not amended in response to this submission be retained as notified unless it duplicates another provision in which case it should be deleted. |
| 3 | All provisions | Delete provisions where they duplicate or repeat other provisions. |
| 4 | Whole Plan | Delete all provisions which require “a report from an appropriately qualified and experienced”, or amend provisions to clarify precisely what “appropriately qualified and experienced” entails. |
| 5 | Definitions Tourism Activity (new) | Insert new definition for “Tourism Activity”. Suggested wording is as follows: <u>Tourism Activity:</u> <u>Means the use or development of a resource for the purpose of attracting visitors to the district, and includes associated buildings, structures, transport activities, and administration activities.</u> |
| 6 | New Strategic Goal | If Goals are to be retained, then insert new strategic goal relating specifically to tourism. Suggested wording is as follows: <u>The ongoing growth of and support for tourism activities.</u> |
| 7 | New Strategic Objective | Insert new strategic objective: <u>To recognise and provide for the significant socioeconomic benefits of tourism activities across the District.</u> |
| 8 | New Strategic Policy | Insert new strategic policy: <u>To provide for the significant socioeconomic benefits of tourism activities across the district by:</u> i. <u>Maintaining and enhancing the districts natural character</u> ii. <u>Protecting existing transport routes and access to key visitor attractions from incompatible uses and development of land and water</u> iii. <u>Protecting existing buildings, structures and informal airports that support tourism activities from incompatible land use or development</u> iv. <u>Enabling the use and development of natural and physical resources for tourism activity where adverse effects are avoided, remedied, or mitigated</u> v. <u>Providing for the use and development of natural and physical resources for tourism activity where residual adverse effects can</u> |

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| | | <p style="text-align: center;"><u>be appropriately offset or compensated</u></p> <p>vi. <u>Providing for activities and development which support tourism activities.</u></p> |
| 9 | All Rules in the plan | <p>Amend rules as required to ensure:</p> <ul style="list-style-type: none"> (i) Tourism activities outside or not affected by a value protected by s6 of the RMA are enabled via the permitted, controlled, or restricted discretionary activity status; (ii) Tourism activities within or affected by a value protected by section 6 of the RMA are provided for as a restricted discretionary or discretionary activity; (iii) Tourism activities are not classified as a non-complying or prohibited activity. |
| 10 | Policy 3.2.1.1.3 | <p>Amend policy so that it applies across the district, not just in the Queenstown and Wanaka central business areas.</p> <p><i>Promote growth in the visitor industry and encourage investment in lifting the scope and quality of attractions, facilities and services across the district within the Queenstown and Wanaka central business areas.</i></p> |
| 11 | Policy 3.2.1.3.1 | <p>Amend policy as follows:</p> <p>Provide for <u>Enable</u> a wide variety of activities and sufficient capacity within commercially zoned land to accommodate business growth and diversification.</p> |
| 12 | Objective 3.2.1.4 | <p>Amend objective as follows:</p> <p>Recognise <u>Enable</u> the potential for rural areas to diversify their land use beyond the strong productive value of farming, provided a sensitive approach is taken to rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests.</p> |
| 13 | Objective 3.2.3.2 | <p>Amend objective as follows:</p> <p>Protect the District's cultural heritage values <u>from inappropriate activities</u> and ensure development is sympathetic to them.</p> |
| 14 | Policies 3.2.3.2.1 | <p>Amend policy as follows:</p> <p>Identify heritage items and, <u>in consultation with landowners and tenants,</u> ensure they are protected from inappropriate development.</p> |
| 15 | Objective 3.2.4.5 | <p>Amend objective as follows:</p> <p><u>Maintain</u> Preserve or enhance the natural character of the beds and margins of the District's lakes, rivers and wetlands.</p> |
| 16 | Objective 3.2.5.1 | <p>Amend objective as follows:</p> <p>Protect the natural character of Outstanding Natural Landscapes and Outstanding Natural Features from <u>inappropriate</u> subdivision, use and development.</p> |

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| 17 | Policies 3.2.5.1.1 | Amend policy as follows: <i>Identify the district's Outstanding Natural Landscapes and Outstanding Natural Features on the District Plan maps, and protect them from <u>manage</u> the adverse effects of subdivision and development.</i> |
| 18 | Objective 3.2.5.2 | Amend objective as follows: Minimise <u>Manage</u> the adverse landscape effects of subdivision, use or development in specified Rural Landscapes. |
| 19 | Policy 3.2.5.5.2 | Amend policy as follows: <i>Recognise that the retention of the character of rural areas is often dependent on the ongoing viability of <u>land use farming</u> and that evolving forms of agricultural land use, which may change the landscape <u>character</u>, are anticipated.</i> |
| 20 | Objective 3.2.7.1 | Amend objective as follows: <i>Protect Ngai Tahu values, rights and interests <u>from inappropriate subdivision, use and development</u>, including taonga species and habitats, and wahi tupuna.</i> |
| 21 | Objective 3.2.7.2 | Amend objective as follows: <i>Enable the expression of kaitiakitanga by providing for meaningful collaboration with Ngai Tahu in <u>significant</u> resource management decision making and <u>plan</u> implementation.</i> |
| 22 | Definitions | Amend definition as follows: <i>Ski Area Activities</i> <i>Means the use of natural and physical resources for the purpose of providing for: (a) recreational activities either commercial or non-commercial (b) chairlifts, gondolas, surface lifts, t-bars and rope tows to facilitate commercial recreational activities. (c) use of snowgroomers, snowmobiles and 4WD vehicles for support or operational activities. (d) activities ancillary to commercial recreational activities, <u>including earthworks and vegetation clearance</u>. (e) in the Waiorau Snow Farm Ski Area Sub Zone vehicle and product testing activities, being activities designed to test the safety, efficiency and durability of vehicles, their parts and accessories.</i> |
| 23 | Zone – Planning Maps | Rename the Cardrona Ski Area Sub-Zone “Cardrona Alpine Resort Area” |
| 24 | Zone – Planning Maps | Rezone Rural zoned land legally described as LOT 3 DP 344432 LOTS 4 9 DP 21223 (illustrated below) to “Cardrona Ski Area Sub-Zone” or “Cardrona Alpine Resort Area”: |

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| 25 | 21.1 Zone purpose | <p>Amend Zone Purpose to include reference to the Cardrona Alpine Resort Area. Suggested wording is as follows:</p> <p><i>Ski Area sub zones <u>and the Cardrona Alpine Resort Area</u> are located within the Rural Zone. These sub zones recognise the contribution <u>seasonal tourism activities</u> infrastructure makes to the economic and recreational values of the District. The purpose of the Ski Area sub zones is to enable the continued development of Ski Area Activities within the identified sub zones where the effects of the development would be cumulatively minor. <u>The purpose of the Cardrona Alpine Resort Area is to enable the continued development and expansion of tourism activities and visitor accommodation within the identified area where the effects of the development would be cumulatively minor.</u></i></p> |
| 26 | Objective 21.2.3 | <p>Encourage the future growth, development and consolidation of existing Ski Areas <u>and the Cardrona Alpine Resort</u> within identified Sub Zones, while avoiding, remedying or mitigating adverse effects on the environment.</p> |
| 27 | Policy 21.2.6.1 | <p>Identify Ski Field Sub Zones and encourage Ski Area <u>and Tourism Activities</u> to locate and consolidate within the sub zones.</p> |
| 28 | Policy 21.2.6.2 | <p>Control the visual impact of roads, buildings and infrastructure associated with Ski Area Activities.</p> |
| 29 | New Policy | <p>Insert new policy as follows:</p> <p><u>Provide for expansion of four season tourism and accommodation activities at the Cadrona Alpine Resort Zone.</u></p> |
| 30 | Table 7 | <p>Rename Table 7 as follows:</p> <p><u>Standards for Ski Area Activities within the Ski Area Sub Zones and Tourism Activities within the Cardrona Alpine Resort</u></p> |

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| 31 | Table 7 | <p>Retain all rules and standards as notified except for the amendments and additions suggested below:</p> <p><u>21.5.27A Earthworks and vegetation clearance ancillary to Ski Area Activities and Tourism Activities in the Cardona Alpine Resort Area are permitted provided:</u></p> <p><i>(a) No more than 50,000m³ in volume within one 12 month period shall be undertaken per allotment;</i></p> <p><i>(b) Earthworks undertaken within 5m of any water body shall not exceed 20m³ in volume, within one consecutive 12 month period;</i></p> <p><i>(c) No material shall be deposited within 5m of any water body or where it may dam, divert or contaminate water; and</i></p> <p><i>(d) Excavations that exceed 1.5m in height are not undertaken in any location visible from a public road.</i></p> <p><u>21.5.27B Any alteration of or additions to buildings and structures used for Ski Area Activities and Tourism Activities in the Cardona Alpine Resort Area is a permitted activity provided:</u></p> <p><i>(a) the building footprint shall not increase by 25% within one consecutive 5 year period;</i></p> <p><i>(b) the alterations or additions is not visible from the Crown Range Road or any adjoining allotment;</i></p> <p><u>21.5.27C The construction and use of new infrastructure or structures required as part of, or to facilitate, a Ski Area Activity or Tourism Activity in the Cardona Alpine Resort Area is a permitted activity provided the infrastructure or structure is not visible from the Crown Range Road;</u></p> <p><u>21.5.27D Snow grooming is a permitted activity 24hrs a day and shall not be subject to any other rules in this district plan (including any glare and noise standards).</u></p> <p><u>21.5.28 Ski tows and lifts which are not permitted by the above rules. Control is reserved to all of the following:</u></p> <ul style="list-style-type: none"> • The extent to which the ski tow or lift or building breaks the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes. • Whether the materials and colour to be used are consistent with the rural landscape of which the tow or lift or building will form a part. • Balancing environmental considerations with operational characteristics. <p><u>21.5.32A Earthworks and vegetation clearance ancillary to Ski Area Activities and Tourism Activities carried out in the Cardrona Alpine Resort Area and not permitted by Rule 21.5.27A are a controlled activity. Control is reserved to the following:</u></p> <p><i>(a) Effects on waterbodies;</i></p> <p><i>(b) Measures taken to avoid or mitigate adverse effects of dust and sedimentation on waterbodies and neighbouring sites; and</i></p> |

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| | | <p><i><u>(c) Whether or not remedial vegetation should be planted to replace or offset the loss of any indigenous vegetation, and if so the type, extent and location of remedial vegetation to be planted.</u></i></p> <p><i><u>21.5.32B Earthworks and vegetation clearance activities carried out in the Cardrona Alpine Resort Area are not subject to any other earthwork or vegetation clearance provisions in the district plan.</u></i></p> |
| 32 | 21.4.1 | <p>Amend rule 21.4.1 to exclude Tourism and Visitor Activities and Tourism Related Activities. Suggested wording is as follows: <i><u>Any activity not listed in tables 1 to 10, excluding Tourism or Visitor Accommodation Activities which are discretionary activities unless otherwise provided for as a permitted, controlled, restricted discretionary, or discretionary activity.</u></i></p> |
| 33 | 21.4.18 | <p>Retain permitted activity for ski area activities for Cardrona and add additional permitted standard for Tourism Activities. Suggested wording is as follows: <i><u>Ski Area Activities within the Ski Area Sub Zone and Tourism Activities within the Cardrona Alpine Resort (including Ski Area Activities).</u></i></p> |
| 34 | Rule 21.4.19 | <p>Amend rule 21.4.19, or replace it with a new rule, to change the activity status of the following activities from non-complying to discretionary: <i><u>Ski Area Activities not located within a Ski Area Sub Zone, with the exception of heli-skiing and non-commercial skiing.</u></i></p> |
| 35 | Rule 21 – new sub-clause | <p>Insert new rule to capture activities that may be related to Ski Area and Tourism Activities but are located outside the sub-zones and are not specifically provided for as permitted, controlled, restricted discretionary or discretionary activities. Suggested wording is: <i><u>Any activity or development that is associated with a Tourism Activity or Visitor Accommodation within the Cardrona Alpine Resort but occurs outside the Cardrona Alpine Resort Area, and is not otherwise provided for as a permitted, controlled, restricted discretionary or discretionary activity, is a discretionary activity.</u></i></p> |
| 36 | Chapter 30 Energy and utilities | <p>Amend provisions to exclude tourism activities within rural visitor zones. If relief is not accepted then the submitter requests that all provisions in chapter 30 be amended as required to ensure the development, operation, maintenance and upgrading of energy, utilities, and infrastructure related to tourism activities are specifically enabled or provided for.</p> |
| 37 | Rule 30.4.17 | <p>Amend permitted activity rule as follows: <i><u>Flood Protection Works for the maintenance, reinstatement, repair or replacement of existing flood protection works, for the purpose of:</u></i></p> <ul style="list-style-type: none"> <i>• maintaining the flood-carrying capacity of water courses and/or maintaining the integrity of existing river protection works</i> <i>• fill works undertaken within Activity Area 1f of the Shotover Country Special Zone</i> |
| 38 | Rule 30.4.13.4 | <p>Amend rule to increase the permitted diameter of circular dishes (telecommunications) to a minimum of 2m.</p> |

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| 39 | Rule 30.4.13.4 | Amend rule to exclude earthworks and trenching associated with the installation of any telecommunication and radio communication facility, navigation or meteorological communication facility. |
| 40 | Policy 35.2.1.2 | Amend policy as follows: <i>Permit <u>weddings, temporary functions and small</u> and <u>medium-scale events</u> during daytime hours, subject to controls on event duration, frequency and hours of operation.</i> |
| 41 | Policy 35.2.1.7 | Amend policy as follows: <i>Recognise that noise is an anticipated component of temporary events and filming, while protecting <u>residential activities in residential zones</u> residential amenity from undue noise during night-time hours.</i> |
| 42 | Definitions | Insert definition for “temporary storage” |
| 43 | Objective 35.2.5 | Amend Objective as follows <i>Temporary Storage is provided for in rural areas, <u>visitor and resort zones</u>.</i> |
| 44 | Policy 35.2.5.1 | Amend policy as follows: <i>Permit temporary storage related to farming, transport, <u>tourism and visitor accommodation activities</u> y.</i> |
| 45 | Policy 35.2.5.1 | Amend policy as follows: <i>Ensure temporary storage not required for farming, transport, <u>tourism and visitor accommodation activities</u> purposes is of short duration and size to protect the visual amenity values of the area in which it is located.</i> |
| 46 | New Rule (35.4.2A) | Insert new rule to permit temporary activities (including storage) carried out within the Cardrona Ski Activity Area and the Walter Peak Rural Visitor Zone |
| 47 | Rule 35.4.8 | Amend rule to exclude activities carried out with the Cardrona Ski Activity Area, Walter Peak Rural Visitor Zone. Suggested wording is as follows: <i>Any other Temporary Events, provided that:</i> <ul style="list-style-type: none"> • <i>The number of persons (including staff) participating does not exceed 500 persons at any one time</i> • <i>The duration of the temporary event does not exceed 3 consecutive calendar days (excluding set up and pack down)</i> • <i>The event does not operate outside of the hours of 0800 to 2000. Set up and pack down outside of these hours is permitted</i> • <i>No site shall be used for any temporary event more than 12 times in any calendar 12 month period</i> • <i>All structures and equipment are removed from the site within 3 working days of the completion of the event</i> |

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| | | <ul style="list-style-type: none"> • <i>For the purpose of this rule the relevant noise standards of the Zone shall not apply.</i> <p><i><u>This rule does not apply to temporary activities undertaken within the Cardrona Ski Activity Area or the Rural Visitor Zone Walter Peak.</u></i></p> |
| 48 | New Rule | <p>Insert new rule to permit any temporary food/beverage retail activity, for the direct purpose of serving people at temporary events and functions. Suggested wording is as follows:</p> <p><u>Temporary food/beverage retail activity</u></p> <p><u>Any temporary food/beverage retail activity, for the direct purpose of serving people at temporary events and functions is a permitted activity.</u></p> |
| 49 | Rule 35.4.12 | <p>Amend rule as follows:</p> <p><i>Temporary Construction-Related Activities</i></p> <p><i>Any temporary building (including a Relocated Building), scaffolding, crane, safety fences, and other similar structures and activities that are:</i></p> <p><u>(i)</u></p> <ul style="list-style-type: none"> • <i>Ancillary to a building or construction project and located on the same site</i> • <i>Are limited to the duration of an active construction project</i> • <i>Are removed from the site upon completion of the active construction project.</i> <p><u>(ii)</u></p> <ul style="list-style-type: none"> • <u><i>Associated with the construction (including reconstruction, repair, maintenance, upgrading) of vessel survey work undertaken in relation to the "TSS Earnslaw" and associated buildings and structures including slipway at Kelvin Peninsula;</i></u> • <u><i>Associated with the construction (including reconstruction, repair, maintenance, upgrading) of buildings, structures and infrastructure with the Rural Visitor Zone Walter Peak and Cardrona Ski Activity Area.</i></u> |
| 50 | Rule 35.4.13 | <p>Amend rule as follows:</p> <p><i>Temporary Related Activities</i></p> <p><i>Any temporary food/beverage retail activity, for the direct purpose of serving <u>people at temporary events and functions</u> or workers of an active building or construction project.</i></p> |
| 51 | Rule 35.4.16 | <p>Amend rule as follows:</p> <p><i>Temporary Storage</i></p> <p><i>Any temporary storage or stacking of goods or materials, other than for farming purposes, that does not remain on the site for longer than 3 months and does not exceed 50m² in gross floor area.</i></p> |

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| | | <p><i>Note: Any temporary storage which fails to meet this permitted activity rule is subject to the rules of the relevant Zone.</i></p> <p><i><u>This rule does not apply to the Rural Visitor Zone Walter Peak or Cardrona Ski Activity Area.</u></i></p> |
| 52 | Rule 35.5.1 | <p>Amend rule as follows:</p> <p><i>Relocated Buildings</i></p> <p><i>A shipping container has had any signage removed and is painted out where used on a site for a period exceeding two <u>three</u> months.</i></p> |
| 53 | New Rule | <p>Insert new rule to permit glare from lighting used for health and safety. Suggested wording is as follows:</p> <p><i><u>Glare from lighting used for the purposes of health and safety is a permitted activity.</u></i></p> |
| 54 | Rule 35.5.2 | <p>Amend rule to exclude glare from lighting used for health and safety. Suggested wording is as follows:</p> <p><i>Glare</i></p> <p><i>All fixed exterior lighting shall be directed away from adjacent sites and roads.</i></p> <p><i>Discretion is restricted to the following:</i></p> <ul style="list-style-type: none"> • <i>the effect of lighting on the amenity of adjoining properties.</i> <p><i><u>This rule shall not apply to glare from lighting used for health and safety purposes.</u></i></p> |

Cardrona Alpine Resort submission on the Proposed QLDC District Plan – Stage 1

| Submission point | Plan Provision | Relief sought (amended wording sought shown in <u>underline</u> strikeout) |
|------------------|--|---|
| 23 | Zone – Planning Maps and district plan references to “ski area sub-zone” | Rename the Cardrona Ski Area Sub-Zone “Cardrona Alpine Resort Area” and include reference to “Cardrona Alpine Resort Area” alongside all references to “Ski Area Sub-Zone(s)” otherwise intended to apply to the “Cardrona Ski Area Sub-Zone” (e.g. landscape provisions 6.3.8.3, 6.4.1.3). |