

1 The Yards Objectives and Policies Appraisal

1.1 Queenstown Lakes District Plan

The Council has undertaken the review of the 2007 District Plan (**ODP**) by way of a series of plan changes (referred to as a Proposed District Plan), notified in a series of stages from August 2015.

The majority of the site and development area is located within the Gibbston Character Zone (**GCZ**) and the outer portions of the site and development area are within the Rural Zone and Outstanding Natural Landscape overlay which applies to the majority of Rural Zoned land in the District.

Where the site is within the Rural Zone, it is subject to a landscape values identification priority area (this overlay does not apply to the Gibbston Character Zone). The Gibbston Character Zone is not subject to the priority area values identification framework or plan change process.

A small part of the eastern margin of the site is also subject to the Wahi Tupuna Overlay #24 Kawarau River, and the Kawarau River landscape priority area. However neither the proposed development areas nor any associated land development will not encroach into the Wahi Tupuna overlay.

The PDP Strategic (Chapters 3-6), Rural Zone (Chapter 21) and Gibbston Character Zone (Chapter 23) provisions have substantially advanced through the appeals process and are afforded substantially more weight than any relative Operative District Plan 2007 provisions.

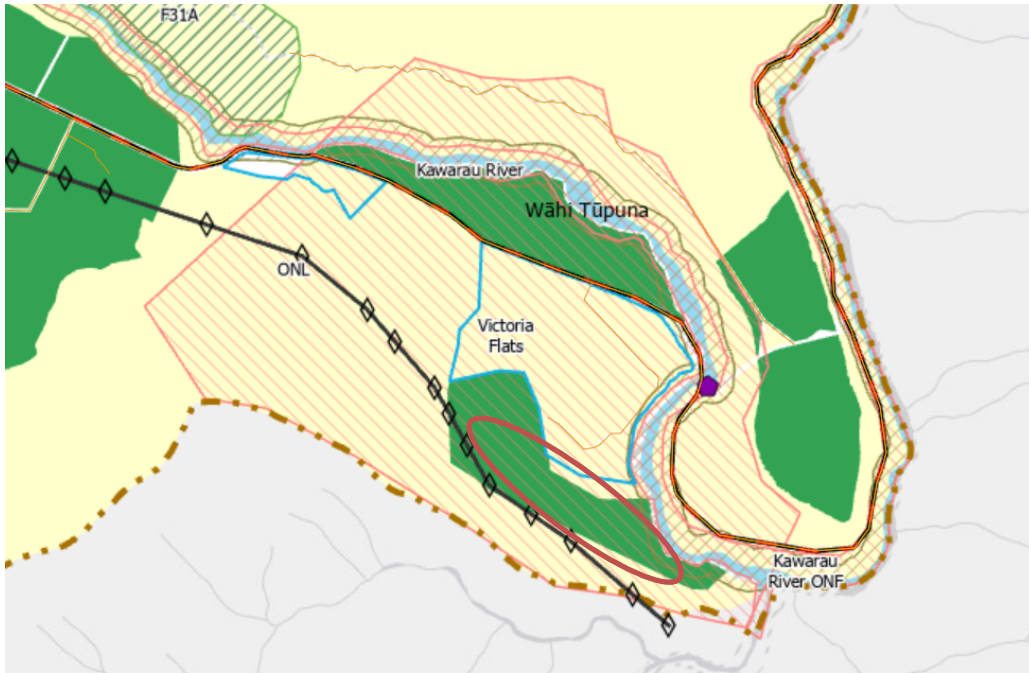


Figure 1: General location of the subject site (red circle) identifying its location within the Rural Zone (Yellow shading), Gibbston Character Zone (green shading) and priority area overlay (red diagonal hatching) and National Grid (black line with diamonds showing the tower location) (Source: QLDC Web Map Application).

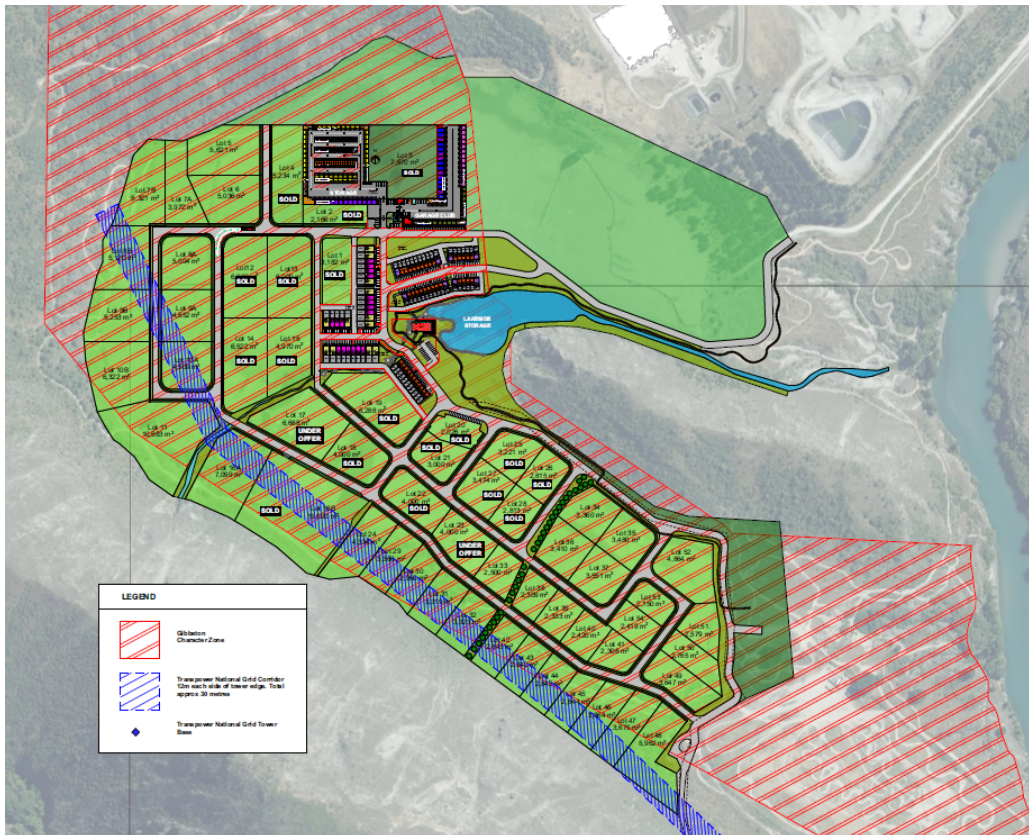


Figure 2: Excerpt of the site plan illustrating the extent of Gibbston Character Zone (red hatching) and Rural Zone (no hatching) and the extent of the National Grid Yard setback (12m from the edge of each line) by blue hatching.



1.1.1 Priority Area and Values Identification Framework

The parts of the site zoned Rural are subject to the Victoria Flats landscape values identification framework priority area, as identified in PDP Strategic Policy 3.3.36. The Victoria Flats priority area is one of 25 priority areas identified throughout the District's Rural Zone's ONFs and ONLs.

The extent of this priority area encapsulates a substantial portion of the eastern extent of the Gibbston area surrounding mountain context.

The Priority Areas will be subject to a plan change/variation by QLDC to include schedules identifying the landscape attributes, landscape values and the related landscape capacity of each of those areas.

Where a resource consent application is made within a priority area prior to the plan change/variation having effect, PDP Strategic Policy 3.3.29 contemplates this by requiring applications to refer to the landscape assessment methodology in Strategic Policy 3.3.45 and by applying best practice landscape assessment methodology, as follows:

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

- a. *for Priority Areas identified in Schedule 21.22, in accordance with the values identification framework in SP 3.3.36 - 3.3.38 and otherwise through the landscape assessment methodology in SP 3.3.45 and through best practice landscape assessment methodology; and*
- b. *outside of identified Priority Areas, in accordance with the landscape assessment methodology in SP 3.3.45 and through best practice landscape assessment methodology.*

The PDP values identification framework does not preclude applications for resource consent being made within a Rural Zone priority area, but that the landscape assessment methodology, in the absence of the landscape attribute schedules being added to PDP Chapter 21, are undertaken in accordance with SP 3.3.45 and best practice.

The RMM Report has detailed the landscape methodology undertaken in section 4, and the landscape assessment is accordance with best practice and SP 3.3.45.

1.1.2 Resource Consents Required¹

Overall, the proposal requires a resource consent under the PDP for a **non-complying** activity.

Land Use Activities (Rural Zone Chapter 21 and Gibbston Character Zone Chapter 23)

¹ The relevant rules to this proposal were not subject to appeal, as indicated by the Council's 'Annotated Appeals' version of Chapters 21, 23, 27 and 30. Therefore, the Operative District Plan rules have not been applied.



- Industrial activities in the Rural Zone are a non-complying activity pursuant to Rule 21.4.33. While the activities are not 'urban development' industrial activities overall, the Yard and Resource Recovery activities are likely to include processing and manufacturing activities which are included in the PDP definition of industrial activity.
- Rule 21.4.34 and Rule 23.4.20 requires a non-complying activity resource consent for activities not otherwise specified in the Rural Zone and Gibbston Character Zone, where the 'default' class of activity for unspecified activities is non-complying. As noted above, the proposal comprises a range of storage, contractor and service activities which broadly fall into the PDP definition of an industrial and or service activity.

Buildings (Rural Zone Chapter 21 and Gibbston Character Zone Chapter 23)

- The storage units and associated buildings, and the future buildings associated the Yards and Resource Recovery Area will require a discretionary activity resource consent pursuant to Rules 21.4.11 and 23.4.10.
- Buildings in the Rural Zone require a 15m setback from internal boundaries, while the Gibbston Character Zone requires a 6m setback. It is sought to allow future buildings to be located up to the internal boundary of the lots. Resource consent for a restricted discretionary activity is sought pursuant to Rules 21.5.1. and 23.5.5.
- Buildings in the Rural Zone and Gibbston Character Zone require a 20m setback from roads. It is sought to allow future buildings to be located up to 10 metres from the road boundary of the lots. Resource consent for a restricted discretionary activity is sought pursuant to Rules 21.5.2 and 23.5.6.
- Rules 21.5.4 and 23.5.7 require a setback of buildings from waterbodies of 20m is required in the Rural Zone and Gibbston Character Zone. On the basis that the water race is a waterbody, resource consent is required for future buildings to be located up to 10m from the water race. Resource consent is also required for the same in the Gibbston Character Zone to locate buildings in the Resource Recovery Area and yards up to 10m from the setback, while the Storage Units will require a resource consent to locate as identified on the site plan adjacent to the water race and pond.

Earthworks (Chapter 25)

- Rule 25.3.2.5 exempts subdivision activities from the Earthworks rules in relation to maximum volume, cut and fill, and transportation of clean fill standards on the basis that all subdivision requires a resource consent and applications for subdivision involving any earthworks shall be considered against the matters of discretion for earthworks in Part 25.7 and assessment matters in Part 25.8.

- Rule 25.5.11 requires a restricted discretionary activity resource consent for earthworks greater in area than 10,000m². the subdivision development and earthworks associated with the establishment of the storage units will exceed 10,000m². The purpose of the rule is to manage potential erosion and sediment and dust nuisance effects associated with construction activities.
- Earthworks within 10m of the edge of a waterbody shall be limited to 5m³ in any 12 month period. The subdivision and development will involve earthworks greater than 5m³ within 10m of the water race. The water race itself will require reshaping to contain flows, particularly where it is currently used for wild flooding irrigation. A restricted discretionary activity resource consent is required pursuant to Rule 25.5.19.

Subdivision (Chapter 27 Subdivision and Development)

- Rule 27.5.6 requires a discretionary activity resource consent for any subdivision not otherwise identified in Chapter 27.
- Rule 27.5.10 requires a restricted discretionary activity resource consent for the subdivision of land in any zone within the National Grid Subdivision Corridor. The southern
- Rule 27.5.15 requires a discretionary activity resource consent for subdivision of land containing a known archaeological site. The site contains the Doolans Creek Tunnel and associated water race system, which although constructed post 1900 are recorded as archaeological site, albeit this structure will not be modified.

Activities within the National Grid Yard (Chapter 30 Energy and Utilities)

- Rule 30.5.3.2 permits buildings, structures and activities that are not National Grid Sensitive Activities within the National Grid Yard subject to compliance with standards. Those standards require the following matters are adhered to:
 - 30.5.4.1.1 *Buildings and structures that meets the safe electrical clearance distances required by New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).*
 - 30.5.4.1.2 *A non-conductive fence located 5m or more from any National Grid Support Structure and no more than 2.5m in height.*
 - 30.5.4.1.3 *A network utility, excluding a building or structure for the reticulation and storage of water for irrigation purposes.*
 - 30.5.4.1.4 *Any new non-habitable building less than 2.5m high and 10m² in floor area and is more than 12m from a National Grid transmission line support structure.*
 - 30.5.4.1.5 *Any non-habitable building or structure used for agricultural or horticultural activities provided that they are: a. less than 2.5m high; b. located at least 12m from a National Grid transmission line support structure; c. not a*



wintering barn, produce packing facility, milking shed/dairy shed (excluding the stockyards and ancillary platforms), or a commercial glasshouse, or a structure associated with irrigation, or a factory farm.

30.5.4.1.6 *Alterations to existing buildings that do not alter the building envelope.*

30.5.4.1.7 *An agricultural or horticultural structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34:2001.*

Future activities associated with the Yard and Resource Recovery Area and Yards, to the extent they are within the National Grid Yard are able to comply with the above standards and these standards would be adopted as volunteered conditions of consent.

- Rule 30.5.3.3 permits earthworks within the National Grid Yard subject to compliance with standards. Those standards require the following matters are adhered to:

30.5.4.2.1 *Earthworks within 6 metres of the outer visible edge of a National Grid transmission line support structure must be no deeper than 300mm.*

30.5.4.2.2 *Earthworks between 6 metres to 12 metres from the outer visible edge of a National Grid transmission line support structure must be no deeper than 3 metres.*

30.5.4.2.3 *Earthworks must not create an unstable batter that will affect a National Grid transmission line support structure.*

30.5.4.2.4 *Earthworks must not result in a reduction in the existing conductor clearance distance below what is required by the NZECP 34:2001.*

Like the case with buildings, future earthworks and the subdivision and development activities associated with the Yard and Resource Recovery Area, to the extent they are within the National Grid Yard are able to comply with the above standards and these standards would be adopted as volunteered conditions of consent.

Signs (Chapter 31)

While no signage is currently proposed, the more detailed resource consent will include signage parameters for each lot within the Yard, the resource Recovery Area and the storage units, including directional signage at the entrance to the site at Victoria Flats Road. On the basis of the above a resource consent would be required under the PDP Signs rules for activities in the Rural Zone and Gibbston Character Zone.

- Rule 31.10.1 requires a discretionary activity consent for operational, directional and safety signage relating to the movement of vehicles and people.
- Rule 31.1.11 limits the area of signage to 2m².

The more detailed resource consent will include provision for signage platforms for each site within the proposal. Future tenants and occupiers would be able to establish

signage without any further resource consent requirements, subject to compliance with a range of conditions controlling, the size, location, height, colours and lighting of signs.

1.2 Objectives and Policies

PDP Chapter 3 provides overarching strategic direction for the Queenstown Lakes District. The Chapter 3 strategic objectives and policies are further elaborated on in Chapters 4 and 5 that provide more detailed objectives and policies for urban development and tangata whenua. Chapter 6 provides more detailed policies for landscapes and rural character.

1.2.1 Urban Development within rural zones

An important component of the proposal, and the extent to whether the proposal engages with several important PDP provisions, such as Chapter 4 Urban Development, is whether the proposal constitutes urban development within a rural zone. PDP Chapters 4 (Urban Development) and Chapter 6 (Landscapes and Rural Character) discourage resource consent applications for urban extensions within the rural zones and instead, encourage plan change processes.

The PDP definition of urban development is relevant and is:

Means development which is not of a rural character and is differentiated from rural development by its scale, intensity, visual character and the dominance of built structures. Urban development may also be characterised by a reliance on reticulated services such as water supply, wastewater and stormwater and by its cumulative generation of traffic. For the avoidance of doubt, a resort development in an otherwise rural area does not constitute urban development, nor does the provision of regionally significant infrastructure within rural areas.

The proposal comprises a resource recovery area, contractor yard based storage and service activities which will comprise processing and storage of landscape material such as topsoil, mulch and bark, firewood processing. Storage of aggregate and processed rock for use by trade contractors. Storage of heavy vehicle equipment such as trucks and excavators and associated material.

Each site within the yard area will be anticipated to include buildings up to 600m² to house plant, service and maintain vehicles and ancillary administration offices.

The resource recovery area could be located within an urban environment, however, this does not make the activity itself an urban development, the same way that a landfill or a wastewater treatment plant may service an urban area but is not itself a characterisation of urban development as defined in the PDP. The resource recovery area will require a large outdoor space for the storage of material and manoeuvring of heavy vehicles and machinery associated with the operation. The buildings associated with the resource recovery area and the Yards will more likely than comprise simple lean-to buildings and gable forms for the storage of machinery and material, with small onsite administration and amenity facilities. These aspects of the development will be rural in character.

The storage units will comprise some urban elements, however these are contained centrally within the development suite and are not visible from State Highway 6. Aspects such as lighting and hardstand areas will not be visible from the highway and any views from public places will be at an elevated and long distance if visible at all.

These activities and the development overall will be of a nature and scale which is of a rural character and dominated by open space relative to buildings.

For comparative guidance on the PDP's qualitative definition of urban development, the Rural Industrial Sub Zone located near Luggate (approximately 10km south of Wanaka) has a Rural Industrial Sub Zone and consented development for a 4,000m² building (resource consent RM210465) which will be used for storage of fertiliser and other products by Upper Clutha Transport Limited. The development of the Rural Industrial Sub Zone at Luggate is of a nature and scale that is similar, if not somewhat greater than the nature and scale of the development proposed. This example of a consented development in the rural zone provides an example of the nature and scale of development which not regarded as urban development.

Additionally, the Yards and Resource Recovery Area comprises 12 or so lots, comprising of some 41,150 m². The smallest lot is around 2,308m² and the largest is around 5,962 m². Both individually and collectively, the lot sizes are substantially larger than the minimum lot size in the PDP General Industrial and Service Zone which is 500m² to 1000m², and in addition the permitted building coverage is 75%³.

In this regard, the comparative intensity of activities proposed overall is substantially less than that which is characteristic of service, yard and industrial type of activities in the urban environment.

The proposal will not be reliant upon by reticulated services, each yard activity will have its own on-site wastewater treatment and disposal and the Storage Units will have one shared system. Water will be sourced from Doolans Creek by way of an existing permit to take water.

The nature and scale of the activity and its associated density and form will not rely on reticulated services and will overall not constitute urban development.

For these reasons, the proposal does not need to engage with PDP Chapter 4 Urban Development.

1.2.2 Chapter 3 Strategic Directions

The following Strategic Objectives (**SO**) and Strategic Policies (**SP**) are relevant to the proposal.

SO 3.2.1.5 Local service and employment functions served by commercial centres and industrial areas outside of the Queenstown and Wānaka town centres, Frankton and Three Parks, are sustained.

² PDP Rule 27.6.1 Subdivision and Development Minimum Lot Sizes.

³ PDP Rule 18.A.5.9 General Industrial and Service Zone



The Proposal presents an opportunity to provide for local service and employment functions. The nature and scale of the proposal is distinct from the industrial activities within Queenstown urban environment and will not compromise the role the main centres play as part of the District's commercial land resource.

- SO 3.2.1.6 *Diversification of the District's economic base and creation of employment opportunities through the development of innovative and sustainable enterprises.*
- SO 3.2.1.8 *Diversification of land use in rural areas beyond traditional activities, including farming, 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.*

The proposal provides an opportunity for diversification of the District's economic base by providing for yard and storage activities which require relatively larger landholdings for the storage of material and manoeuvring of vehicles. The diversification will be undertaken in a way that protects the values of the surrounding ONL.

- SO 3.2.4.3 *The natural character of the beds and margins of the District's lakes, rivers and wetlands is preserved, or enhanced where possible, and protected from inappropriate subdivision, use and development.*
- SO 3.2.4.4 *The water quality and functions of the District's lakes, rivers and wetlands are maintained or enhanced.*
- SO 3.2.4.5 *Public access to the natural environment is maintained or enhanced.*

The proposal will not involve modification of the natural character of the beds and margins of the Kawarau River. The water race can be managed so that the water quality is maintained or enhanced. Particularly though riparian planting where the water race crosses through the site.

The site plan includes provision for a continuation of the Central Otago Cycle Trail.

- SO 3.2.5 *The retention of the District's distinctive landscapes.*
- SO 3.2.5.2 *Within the Rural Zone, new subdivision, use and development is inappropriate on Outstanding Natural Features or in Outstanding Natural Landscapes unless:*
 - a. *where the landscape values of Priority Areas of Outstanding Natural Features and Outstanding Natural Landscapes are specified in Schedule 21.22, those values are protected; or*
 - b. *where the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are not specified in Schedule 21.22, the values identified according to SP 3.3.45 are protected.*
- SP 3.3.45 *Landscape assessments shall:*
 - a. *for Outstanding Natural Features and Outstanding Natural Landscapes:*
 - i. *identify landscape attributes and values; and*
 - ii. *assess effects on those values and on related landscape capacity;*
 - b. *for Rural Character Landscapes:*

- i. define a relevant landscape character area and its wider landscape context;*
- ii. identify the landscape character and visual amenity values of that landscape character area and within its wider landscape context;*
- iii. and assess effects on that character and those values and on related landscape capacity;*
- c. in each case apply a consistent rating scale for attributes, values and effects.*

Note: QLDC may, from time to time, promulgate and update guidelines that provide assistance in the application of best practice landscape assessment methodologies

The proposal has accorded with SP 3.3.45 by identifying the attributes and values of the landscape and assessing those values and on related landscape capacity. The proposal will be able to be undertaken while protecting the values identified in the RMMLA report, which is based on best practice methods. The protection of landscape values, in the context of SO 3.2.5.2 is elaborated upon below.

SP 3.3.23 Ensure that the effect 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; and*
- b. the maintenance of the landscape character and maintenance or enhancement of the visual amenity values of Rural Character Landscapes.*

The proposal does not constitute rural living and is consistent with this policy.

SP 3.3.24 Provide for non-residential development with a functional need to locate in the rural environment, including regionally significant infrastructure where applicable, through a planning framework that recognises its locational constraints, while ensuring maintenance and enhancement of the rural environment.

The PDP does not define functional need, however this phrase is defined in the Partially Operative regional Policy Statement for Otago 2019⁴ and is:

The locational, operational, practical or technical needs of an activity, including development and upgrades.

The proposal has a functional need to locate within the rural environment because of the scarcity of commercially zoned land in the District, the very high price and associated availability for land hungry but low yield yard based activities (refer Urban Economics Report).

As elaborated upon in the Urban Economics report, the Yard activities have location constraints owing to the collective effects of a range of factors which affect the availability of commercial land in Queenstown. A related factor affecting any non farming activity seeking to locate in the rural environment is the high landscape values of the District's rural areas (all Rural Zoned land not on the valley floors of the Wakatipu and Upper Clutha Basins are an ONL/ONF) and in this circumstance the proposal can be located within the rural environment where it is not near sensitive receivers, and while still protecting the values of the surrounding ONL.

⁴ https://www.orc.govt.nz/media/9658/rps_partially-operative_2019_2021.pdf

SP 3.3.25 That subdivision and / or development be designed in accordance with best practice land use management so as to avoid or minimise adverse effects on the water quality of lakes, rivers and wetlands in the District.

The proposal can be undertaken so that the land development activities including earthworks can be appropriately managed to avoid effects on water quality. The proposal is consistent with this policy.

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

SP 3.3.31 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.

The RMMLA Report has identified the landscape values of the site and receiving environment and the proposal will be sited where there is capacity to absorb change.

The proposal is consistent with SP 3.3.30 and SP 3.3.31 because it will be located where there is capacity for change, and the nature and scale of the development will be suitably recessive such that the identified values of the ONL are protected.

SPs 3.3.3 to 3.3.12 are relevant to town centres and commercial and industrial areas. The proposal does not engage with these policies because the activity is not within an urban zone. The nature and scale of the proposal however is not contrary to these policies because the activity will not detract from the role and function of the District's commercial zones.

1.2.3 Summary Chapter 3 Strategic Directions

The proposal is not contrary to any of the objectives and policies of PDP Chapter 3 Strategic Directions.

1.2.4 Chapter 6 Landscapes and Rural Character

The following policies are applicable to the Rural Zone ONL and Gibbston Character Zone and relevant to this proposal:

6.3.2 *Managing Activities in the Rural Zone, the Gibbston Character Zone, the Rural Residential Zone and the Rural Lifestyle Zone*

6.3.2.1 Avoid urban development and subdivision to urban densities in the rural zones.

The proposal will not comprise urban development. The proposal is not contrary to this policy.

6.3.2.2 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.

Conditions of consent can be imposed are volunteered to limit light spill beyond the site. glare. The proposal is consistent with this policy.

6.3.2.3 Ensure the District's distinctive landscapes are not degraded by production forestry planting and harvesting activities.



The proposal does not involve forestry and is consistent with this policy.

- 6.3.2.4 *Enable continuation of the contribution low-intensity pastoral farming in the Rural Zone and viticulture in the Gibbston Character Zone on large landholdings makes to the District's landscape character.*

The site is characterised by low-intensity pastoral farming. As identified in the RMM report the site and wider Victoria flats area has not been development for viticulture.

The effects of the change in landscape character from low intensity to pastoral farming over the Rural Zoned portion of the site is relatively minimal and will occur at the edge of the Yard and Resource Recovery activities. The effects of the change are therefore low, and the effects of the change over the Gibbston Character Zoned portion of the site are also minimal because the site does not make any contribution to the character of Gibbston, which is synonymous with viticulture. In addition, the visual impact of the change in landscape character will be avoided where viewed from SH6.

For these reasons, the proposal is not contrary to this policy.

- 6.3.2.5 *Avoid indigenous vegetation clearance where it would significantly degrade the visual character and qualities of the District's distinctive landscapes.*
- 6.3.2.6 *Encourage subdivision and development proposals to promote indigenous biodiversity protection and regeneration where the landscape values and nature conservation values would be maintained or enhanced, particularly where the subdivision or development constitutes a change in the intensity in the land use or the retirement of productive farm land.*

The proposed activity does not involve the clearance of indigenous vegetation and does not involve the retirement of productive land. The proposal is not contrary to this policy.

- 6.3.2.7 *Ensure that subdivision and development in the Outstanding Natural Landscapes and Rural Character Landscapes in proximity to an Outstanding Natural Feature or Outstanding Natural Landscape does not compromise the landscape values of that Outstanding Natural Feature or Outstanding Natural Landscape.*

The landscape values of the ONL have been identified in the RMM Report. The site is located on the valley floor within an ONL mountain context, and the Kawarau River ONF is located nearby. The proposal will not comprise the values of the surrounding ONL and ONF and is not contrary to this policy.

- 6.3.2.8 *Encourage any landscaping to be ecologically viable and consistent with the established character of the area.*

The proposed planting associated with the proposal will comprise manuka, flax and Kowhai which are indigenous species common to the Victoria Flats area, particularly for any riparian planting that would be required. The proposal is not contrary with this policy.



6.3.3 Managing Activities on Outstanding Natural Features and in Outstanding Natural Landscapes

The following policies only apply to the Rural Zoned parts of the site.

6.3.3.1 *Recognise that subdivision and development is inappropriate on Outstanding Natural Features or in Outstanding Natural Landscapes unless:*

- a. *landscape values are protected; and*
- b. *in the case of any subdivision or development, all buildings and other structures and all changes to landform or other physical changes to the appearance of land will be reasonably difficult to see from beyond the boundary of the site in question.*

Referring to the RMM Report which has identified the landscape values of the site and receiving environment and the scale of adverse effects, the proposal is consistent with limb (a) where it will be protect the identified values of the Victoria Flats ONL.

Limb (b) requires that the building and changes to the appearance of land will be reasonably difficult to see from beyond the boundary of the site in question. The RMMLA report confirms that visibility of the storage area will be effectively screened by the existing hill and topography as viewed from SH6.

With regards to the Yards and the Resource Recovery area, mounding and landscape planting can be undertaken along the eastern boundary of the site which will be able to provide effective screening of the development, storage of material, and as the landscaping matures will be able to screen buildings from view. As noted in the RMMLA report the views into the site are from an area of SH6, visible to westbound (Queenstown direction of travel) motorists approximately 500m south of the Victoria Falls Bridge. The distance from SH6 to the site is approximately 450 metres, across the Kawarau River. The mounding and landscaping deployed to assist with mitigation of the effect of buildings as viewed form SH6 at this location will not obscure foreground views of the ONL. In this regard, efforts to mitigate the development will not be contrary with Policy 6.5.5 which relates to maintaining open character.

6.3.3.2 *Ensure that the protection of Outstanding Natural Features and Outstanding Natural Landscapes includes recognition of any values relating to cultural and historic elements, geological features and matters of cultural and spiritual value to Tangata Whenua, including tōpuni and wāhi tūpuna.*

To the extent known, the site does not contain any substantial cultural or historic values (noting the Doolans Creek water race and tunnel exit as not substantial landscape features in their own right). The proposal is not contrary to this policy.

6.3.3.5 *Maintain the open landscape character of Outstanding Natural Features and Outstanding Natural Landscapes where it is open at present.*

The portions of the site zoned Rural consist of small slithers at the outer edge of the development area, and do not make any meaningful contribution to open space. In addition, any mounding and landscaping (as discussed with regard to Policy 6.3.3.1) will not remove openness of the site nor degrade views of the wider ONL.

The proposal will be not contrary to this policy.

1.2.5 Summary Chapter 6 Landscapes and Rural Character

The proposal is not contrary to Chapter 6 Landscapes and Rural Character.

1.2.6 Chapter 21 Rural Zone

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

The objectives and policies relevant to the proposal are discussed as follows.

- 21.2.1 *Objective - A range of land uses, including farming and established activities, are enabled while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.*
- 21.2.1.3 *Policy - Require buildings to be set back a minimum distance from internal boundaries and road boundaries in order to mitigate potential adverse effects on landscape character, visual amenity, outlook from neighbouring properties and to avoid adverse effects on established and anticipated activities.*
- 21.2.1.4 *Minimise the dust, visual, noise and odour effects of activities by requiring them to locate a greater distance from formed roads, neighbouring properties, waterbodies and zones that are likely to contain residential and commercial activity.*
- 21.2.1.5 *Have regard to the location and direction of lights so they do not cause glare to other properties, roads, public places or views of the night sky.*
- 21.2.1.6 *Avoid adverse cumulative impacts on ecosystem services and nature conservation values.*

The relevant road boundary and internal boundary setbacks have been met, the proposal is not located near sensitive receivers (i.e. residential activity) and while dust and noise will be managed to a reasonable level, there is no potential for amenity effects on adjoining or nearby properties.

Night lighting can be controlled by restricting lighting to downlighting and the height of lighting associated with each activity so that the effects are minimised.

The effects of the activity on ecosystem services and nature conservation can also be managed so that cumulative effects are avoided.

The proposal is not contrary to the above policies.

- 21.2.1.8 *Policy - Have regard to fire risk from vegetation and the potential risk to people and buildings, when assessing subdivision and development in the Rural Zone.*
- 21.2.1.9 *Policy - Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.*

The proposal will be able to provide adequate fire fighting and fire service vehicle access and the identified development areas are not located where there is an existing risk of wildfire, for instance there are not any dense stands of vegetation proposed to be retained or planted, nor adjoining the site.

Objective 21.2.1 provides for a range of activities providing environmental 'bottom lines' including nature conservation and landscape values are maintained. The proposal will achieve this objective and it is not contrary to nor the associated policies.

- 21.2.4 *Objective - Situations where sensitive activities conflict with existing and anticipated activities are managed to minimise conflict between incompatible land uses.*
- 21.2.4.1 *New activities must recognise that permitted and established activities in the Rural Zone may result in effects such as odour, noise, dust and traffic generation that are reasonably expected to occur and will be noticeable to residents and visitors in rural areas.*
- 21.2.4.2 *Control the location and type of non-farming activities in the Rural Zone, so as to minimise conflict between permitted and established activities and those that may not be compatible with such activities.*

The proposal does not introduce sensitive activities where occupants could complain over any noise, odour or associated bird nuisance issues. The proposal will be undertaken outside of the buffer area of the Landfill, which is defined by the extent of the Designation as shown on the QLDC Plan Maps.

- 21.2.9 *Objective - Provision for diversification of farming and other rural activities that protect landscape and natural resource values and maintains the character of rural landscapes.*
- 21.2.9.1 *Policy - Encourage revenue producing activities that can support the long-term sustainability of the rural areas of the district and that maintain or enhance landscape values and rural amenity.*
- 21.2.9.2 *Policy - Ensure that revenue producing activities utilise natural and physical resources (including existing buildings) in a way that maintains and enhances landscape quality, character, rural amenity, and natural resources*
- 21.2.9.3 *Policy - Provide for the establishment of activities such as tourism, commercial recreation or visitor accommodation located within farms where these enable landscape values and indigenous biodiversity to be sustained in the longer term.*

The proposal will diversify from the existing low intensity pastoral farming activity to utilise the rural land resource for a yard and resource recovery activities. While the land resource will be lost for farming, it is compatible with the environment, which is unique given presence of the landfill and nearby quarry and asphalt plant, while still protecting the landscape values of the wider ONL. While the proposal does not involve the diversification of a part of a farm which would enable the ongoing viability of the residual farming operation, because of the environment and that the landscape values will be protected the proposal is not contrary to this policy.

1.2.7 Summary Chapter 21 Rural Zone

The proposal is not contrary to Chapter 32 Rural Zone.

1.2.8 Gibbston Character Zone

The outcomes of the Gibbston Character Zone are expressed through Objective 23.2.1 and address both landscape and compatibility issues associated with the retention and anticipated use and intensification of viticulture activity:

- 23.2.1 *Objective - The economic viability, character and landscape values of the Gibbston Character Zone are protected by enabling viticulture and other appropriate activities*

that rely on the rural resource of the Gibbston Valley and managing the adverse effects resulting from other activities locating in the Zone.

- 23.2.1.1 *Enable viticulture activities and provide for other appropriate activities that rely on the rural resource of the Gibbston Valley while protecting, maintaining or enhancing the values of indigenous biodiversity, ecosystems services, the landscape and surface of lakes and rivers and their margins.*

The proposal does not involve viticulture nor farming, however relies on the resource of the Zone for the resource recovery area, Yards and storage units for the reasons set out in the economic assessment, and the nature of the activities being low intensity service and contracting or storage activities. The location and design of the proposal will be undertaken in a way that maintains the values of the environment.

- 23.2.1.2 *Ensure land with potential value for rural productive activities is not compromised by the inappropriate location of other developments and buildings.*
- 23.2.1.3 *Ensure activities not based on the rural resources of the area occur only where the character and productivity of the Gibbston Character zone and wider Gibbston Valley will not be adversely impacted.*
- 23.2.1.4 *Provide for a range of buildings allied to rural productive activity and worker accommodation.*
- 23.2.1.5 *Avoid or mitigate adverse effects of development on the landscape and economic values of the Gibbston Character zone and wider Gibbston Valley.*

The Gibbston Character Zone at Victoria Flats has not been developed for viticulture, as otherwise anticipated by the Zone provisions. The location of the activities in the context of the environment will not be inappropriate. With the exception of the use of the land resource itself, elements of the proposal will not be primarily based on the rural resource because the services provided by the activities would not be limited to activities only in the rural area (i.e. farming and agricultural service related activities).

As described above, the character of the site has not evolved to that anticipated by the Gibbston Character Zone, and the character of Victoria Flats is different to that of the western and central portions of the Gibbston Valley. The use of the site for the proposal will not adversely impact the character and productive of the Gibbston Character Zone and wider Gibbston area. The proposal is compatible with established activities in the environment such as the landfill and quarry. The activity will therefore not adversely impact the character and productivity of the wider Gibbston Valley.

The adverse effects of the proposal and its associated development on the landscape and economic values of the wider Gibbston area will be mitigated by their location at Victoria Flats.

The proposal is not contrary to Policies 23.2.1.2 to 23.2.1.5.

- 23.2.1.6 *Protect, maintain and enhance landscape values by ensuring all structures are located in areas with the potential to absorb change.*
- 23.2.1.7 *Avoid the location of structures, including water tanks, other than regionally significant infrastructure, on skylines, ridges, hills and prominent slopes.*

The RMM report has addressed the impacts of the proposal on the landscape values of the environment and concludes that the proposal and associated development will be located within an area of the Gibbston Character Zone that is able to absorb the changes which the proposal would bring to the environment.

The proposal will not locate structures on a skyline, ridgeline or prominent slopes.

The proposal is not contrary to policies 23.2.1.6 and 23.2.1.7.

23.2.1.10 Provide for the establishment of activities such as commercial recreation, visitor accommodation and rural living that are complementary to the character and viability of the Gibbston Character zone, providing they do not impinge on rural productive activities.

The proposal will locate within a part of the Gibbston Character Zone that has not been developed for viticulture. The proposal will not compromise the character nor viability of Gibbston as a wine growing area. The commercial recreation activities in the environment are characterised as 'high energy' related experiences target shooting, 4wd off roading and jet boat sprints and are not considered sensitive to the proposal.

The proposal is not contrary to objective 23.2.1.10.

23.2.1.11 The location and direction of lights do not cause glare to other properties, roads, public places or degrade views of the night sky.

23.2.1.12 Avoid adverse cumulative impacts on ecosystem and nature conservation values.

23.2.1.13 Have regard to the risk of fire from vegetation and the potential risk to people and buildings, when assessing subdivision and development.

23.2.1.14 Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response

Night lighting can be controlled by restricting lighting to downlighting and the height of lighting associated with each activity so that the effects are minimised.

The effects of the activity on ecosystem services and nature conservation can also be managed so that cumulative effects are avoided.

The proposal will be able to provide adequate fire fighting and fire service vehicle access and the identified development areas are not located where there is an existing risk of wildfire, for instance there are not any dense stands of vegetation proposed to be retained or planted, nor adjoining the site.

Objective 23.2.2 relates to sustaining the ability of soils and is:

23.2.2 Objective - The life supporting capacity of soils is sustained.

The relates policies require that subdivision and development avoids adverse effects on the life-supporting capacity of soil. In the context of the Gibbston Character Zone this relates to not precluding opportunities for viticulture activities.

The supporting policies are:

23.2.2.1 Avoid the adverse effects of subdivision and development on the life-supporting capacity of soil.

23.2.2.2 Enable a range of activities to utilise the range of soil types and microclimates.



23.2.2.3 *Protect the soil resource by controlling activities including earthworks and indigenous vegetation clearance.*

23.2.2.4 *Encourage land management practices and activities that benefit soil and vegetation cover.*

The environment of this part of Gibbston is unique in it has not been developed for viticulture and the environment includes a range of activities which do not utilise soil for its life supporting capacity, such as the landfill and the quarry operation. While the soil resource wont be sustained for wine growing purposes, the environment is such that although the proposal does not implement Policy 23.2.2.1 it not regarded as contrary to it.

The proposal is not contrary to objective 23.2.4.

1.2.9 Summary Gibbston Character Zone

The proposal is not contrary to the objectives and policies of the Gibbston Character Zone.

1.2.10 Chapter 30 Energy and Utilities National Grid Yard

The District Plan provides for renewable energy by way of PDP Chapter 30 Energy and Utilities, and identifies a preference for electricity generation by renewable energy sources is desired over non-renewable sources and this is reinforced in the National Policy Statement on Renewable Electricity Generation 2011.

1.2.11 National Grid

The National Grid passes through the southern extent of the site where the Resource Recovery Park and Yards lots are proposed. The PDP provides protection for the National Grid through the following objective and policies:

30.2.8 *Objective - The ongoing operation, maintenance, development and upgrading of the National Grid subject to the adverse effects on the environment of the National Grid network being managed.*

30.2.8.1 *Policy - Enabling the use and development of the National Grid by managing its adverse effects by:*

- a. *only allowing buildings, structures and earthworks in the National Grid Yard where they will not compromise the operation, maintenance, upgrade and development of the National Grid;*
- b. *avoiding Sensitive Activities within the National Grid Yard;*
- c. *managing potential electrical hazards, and the adverse effects of buildings, structures and Sensitive Activities on the operation, maintenance, upgrade and development of the Frankton Substation;*
- d. *managing subdivision within the National Grid corridor so as to facilitate good amenity and urban design outcomes.*

The proposal will not involve activities that are sensitive to the National Grid Transmission Lines (lines i.e as defined as National Grid Sensitive Activities, being activities such as hospital, day care facilities, educational activity, residential activity and visitor accommodation).



Any buildings, structures or earthworks can be undertaken so as not to compromise the National Grid, and the potential electrical hazard or any maintenance requirements can be addressed as each site is specifically developed.

1.2.12 Summary National Grid

The proposal will not be contrary to the objectives and policies which protect the National Grid from potentially incompatible activities.

