

Appendix A - Relief sought

Provision (PDP decision version)	Reason for appeal	Relief sought
Chapter 3 Strategic Direction		
3.2.1.7	Delete 3.2.1.7 as unnecessary and duplicates 3.3.20 (farming is a permitted activity) there is a risk of this strategic objective having priority over diversification of land resource which is appropriate subject to landscape character (provided for in Chapter 6).	Amend objective 3.2.1.7 as follows: Agricultural <u>and tourism</u> land uses <u>that maintain consistent with the maintenance of the districts outstanding natural landscape character of rural landscapes</u> and significant nature conservation values are enabled. (also elaborates on SO 3.2.4 and 3.2.5 following)
3.2.1.8	The Objective fails to recognise and provide for tourism activities in the rural zone. Maintaining character of rural landscapes and is contrary to maintaining and enhancing nature conservation values.	Amend Objective 3.2.1.8 as follows: 3.2.1.8 Diversification of land use in rural areas beyond traditional activities, including farming, provided that the character of rural landscapes, significant nature conservation values and Ngāi Tahu values, interests and customary resources, are maintained. (also elaborates on S.O.3.2.5 following)
3.3.21	Objective 3.3.21 is important in recognising the appropriateness of commercial recreation and tourism related activities in the Rural Zone. The qualifier included within this objective to “protect, maintain or enhance” combines various outcomes relating to each classifications of landscape. Because the outcomes for managing all types of subdivision, use and development	Amend Objective 3.3.21, as follows: Recognise that commercial recreation and tourism related activities seeking to locate within the Rural Zone may be appropriate where these activities enhance the appreciation of landscapes, and on the basis they would protect, maintain or enhance <u>appropriately manage effects on</u> landscape quality, character and visual amenity values. (relevant to S.O. 3.2.1.1, 3.2.1.8, 3.2.5.1 and 3.2.5.2)

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	<p>within the District's landscapes are separately stated, wording covering all bases renders it less effective. DPL seek to replace "protect, maintain or enhance" with the appropriate management of the effects on landscape quality, character and visual amenity values. This does not diminish landscape values but rather have that guidance provided through the more specific strategic and detailed objectives</p>	
<p>Values 6.2</p>	<p>The open character of rural land is a key element of the landscape character that can be vulnerable to degradation from subdivision, development and non-farming activities. The prevalence of large farms and landholdings contributes to the open space and rural working character of the landscape. The predominance of open space over housing and related domestic elements is a strong determinant of the character of the District's rural landscapes.</p> <p>SASZs should be recognised specifically in introduction of values</p>	<p>Amend Values 6.2 as follows:</p> <p>While acknowledging these rural areas have established rural living and development, and a substantial amount of further subdivision and development has already been approved in these areas, the landscape values of these areas are vulnerable to degradation from further subdivision and development. Areas where rural living development is at or is approaching the finite capacity of the landscape need to be identified if the District's distinctive rural landscape values are to be sustained. Areas where the landscape can accommodate sensitive and sympathetic rural living developments similarly need to be identified.</p> <p>...</p>

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		<p><u>recognise that diversification of rural land use beyond historical agricultural use can provide for positive social cultural and environmental benefits. (strategic objective 3.2.1.8)</u></p> <p><u>Ski Area Subzones are excluded from the provisions of Chapter 6 applying to outstanding natural landscapes and features. These areas are recognised for their significant contribution to the District's economic and social wellbeing, and for enhancing people's appreciation of and access to the natural environment. .</u></p>
6.3.9	Amend to also recognise benefits of development which result in increased access to landscapes and recreation opportunities (or provide separate policy)	<p>Include new policy 6.3.x as follows:</p> <p><u>Encourage subdivision and development proposals to promote access to outstanding natural landscapes and outstanding natural features, and increased recreation opportunities where the landscape 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. (3.2.1.7, 3.2.4.1, 3.2.5.1, 3.2.5.2, 3.3.19, 3.3.20, 3.3.30, 3.3.32).</u></p>
Chapter 21 Rural		
Policy 21.2.6.4 Provide for appropriate alternative (non-road) means of	This provision has accepted the relief sought by adding a new policy to provide for appropriate alternative (non-	Amend Policy 21.2.6.4, as follows: Provide for appropriate alternative (non-road) means of transport to and

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<p>transport to and within Ski Area Sub-Zones, by way of passenger lift systems and ancillary structures and facilities.</p>	<p>road) means of transport to and within Ski Area Sub-Zones, by way of passenger lift systems and ancillary structures and facilities.</p> <p>This however does support road based vehicle access to ski areas which is currently the only means of access to ski areas. The protection and recognition of the importance of road access is critical</p>	<p>within Ski Area Sub-Zones, by way of passenger lift systems <u>or other systems, vehicle access</u> and ancillary structures and facilities.</p> <p>And insert new policy:</p> <p><u>21.2.6.x Recognise and provide for the functional dependency of ski area activities to transportation infrastructure, such as vehicle access and passenger lift based or other systems, by enabling the linking of Ski Area Sub Zones on-mountain facilities to the District's road and transportation network.</u></p>
<p>Definition of Passenger Lift System:</p> <p>Means any mechanical system used to convey or transport passengers and other goods within or to a Ski Area Sub-Zone, including chairlifts, gondolas, T-bars and rope tows, and including all moving, fixed and ancillary components of such systems such as towers, pylons, cross arms, pulleys, cables, chairs, cabins, and structures to enable the embarking and disembarking of passengers. Excludes base and terminal buildings.</p>	<p>The definition crucially excludes the base and terminal buildings of any passenger lift system.</p> <p>Soho supports the addition of a new definition of Passenger Lift System, particular as it now distinguishes this type of structure from buildings and the related standards that apply to buildings. The new definition however excludes base and terminal buildings. Such components are considered important for the establishment of any passenger lift based access to a SASZ and by their exclusion would be captured by the Rule 21.4.25 as a non-complying activity for any Ski Area Activity not located within a SASZ. It may well be more</p>	<p>Amend the definition of Passenger lift System as follows:</p> <p>Means any mechanical system used to convey or transport passengers and other goods within or to a Ski Area Sub-Zone, including chairlifts, gondolas, T-bars and rope tows, and including all moving, fixed and ancillary components of such systems such as towers, pylons, cross arms, pulleys, cables, chairs, cabins, and structures to enable the embarking and disembarking of passengers, <u>including base and terminal buildings.</u></p>

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	<p>efficient to amend Rule 25.4.25 to exempt base and terminal buildings. As alternate relief and in the event such changes to Rule 21.4.25 are not made, Soho seek to amend the definition of Passenger Lift System to include base and terminal buildings.</p>	
<p>Rule 21.4.24 Passenger Lift Systems not located within a Ski Area Sub-Zone (RD Activity)</p>	<p>This rule does not provide for the establishment of land based vehicle access or other forms of access to ski areas through the rural zone.</p>	<p>Amend Rule 21.4.24 to include the establishment of land based vehicle access and any base or terminal buildings associated with the operation of the but not located within a SASZ.</p>
<p>Rule 21.4.25 – Ski Area Activities not located within a Ski Area Sub Zone</p>	<p>This rule is unclear, and potentially makes any land based vehicle access to a SASZ a non-complying activity which is opposed; this is not supported by the requested amendment to policy 21.2.6.5 supporting land based vehicle access (above).</p> <p>This rule also makes any terminal buildings/activities, associated with a Passenger Lift System as provided for by new Rule 21.4.24, a non-complying activity. The rule elevates the status of such activities and buildings associated with PLS within the Rural Zone above that applied to any other building not associated with a ski</p>	<p>Amend Rule 21.4.25 to a Discretionary activity status</p> <p>Amend Rule 21.4.25 to exempt any base or terminal buildings constructed in associated within any access or Passenger Lift System through Rule 21.4.24</p>

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	area activity.	
Chapter 27 subdivision		
<p>The decision declined to create a new rule enabling subdivision within the SASZs with addition controls on landscape and ecological benefits as a condition of consent</p>	<p>This is opposed on the basis the proposed rules sought by the appellant provided sufficient controls, and enabled subdivision associated with ski area activities as a controlled activity.</p>	<p><u>Subdivision within any Ski Area Sub Zone for any Ski Area Activity and associated building is controlled</u> <u>Council’s control is restricted to:</u></p> <ul style="list-style-type: none"> a. <u>The intended purpose of any future land use, having regard to the relevant standards of the zone;</u> b. <u>Subdivision design and the urban design principles set out in the QLDC Subdivision Design Guidelines;</u> c. <u>Property access and roading;</u> d. <u>Esplanade provision;</u> e. <u>Natural hazards;</u> f. <u>Fire fighting water supply;</u> g. <u>Water supply;</u> h. <u>Stormwater disposal;</u> i. <u>Sewage treatment and disposal;</u> j. <u>Energy supply and telecommunications;</u> k. <u>Open space and recreation; and</u> l. <u>Easements</u> m. <u>The relationship between the subdivision layout and ski</u>

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		<p><u>area activities</u></p> <p>n. Effects on landscape values</p> <p>o. <u>Effects on ecological values;</u></p> <p>p. <u>Measures to secure positive benefits for landscape and ecological values, including:</u></p> <ul style="list-style-type: none"> i. <u>The identification and protection of prominent rock outcrops, ridgelines and areas of particular landscape sensitivity;</u> ii. <u>Opportunities to remedy visually adverse landscape effects related to past ski areas;</u> iii. <u>The identification of streams, wetland, bogs and any habitats of any significant flora and fauna;</u> iv. <u>Measures to enhance degraded habitats and protect any other significant ecological habitats</u>
Provision 27.10 – Non-Notification	Subdivision within the SASZs was sought to be added to the list of non-notified subdivisions to recognise the benefits of subdivision in SASZs	Add subdivision in Ski Area Subzones to the list of non-notified subdivision.
Chapter 33 Indigenous vegetation and biodiversity		
New Rule 33.3.XX sought	Vegetation clearance within SASZ for the purpose of enabling Ski Area Activities should be subject to a more	Introduce a new controlled indigenous vegetation clearance rule undertaken in association with a ski area activity within a SASZ. This is

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	<p>permissive framework, due to the comparatively small extent of SASZ, and corresponding enabling framework.</p>	<p>aimed at those SASZs not located on land administered by DoC covered under the new Permitted Activity Rule 33.4.5.</p> <p>insert a new Rule 33.4.5 within Chapter 33 Indigenous Vegetation and Biodiversity, listing Ski Area Activities located within a SASZ as a controlled activity, as follows:</p> <table border="1" data-bbox="1346 743 2051 1430"> <thead> <tr> <th data-bbox="1346 743 1451 834">Table 1</th> <th data-bbox="1451 743 1877 834">Any activity involving the clearance of indigenous vegetation shall be subject to the following rules:</th> <th data-bbox="1877 743 2051 834">Non-compliance Status</th> </tr> </thead> <tbody> <tr> <td data-bbox="1346 834 1451 1430"> <u>33.4.5</u> </td> <td data-bbox="1451 834 1877 1430"> <p><u>Indigenous vegetation clearance undertaken in association with a Ski Area Activity located within a Ski Area Sub-Zone</u></p> <p>Information Requirements <u>Any application for resource consent under this rule shall include an Ecological Management Plan (EMP) in respect of the particular ski area (noting this may not relate to the whole of the SASZ). The EMP shall outline:</u></p> <p>(a) <u>The areas of vegetation proposed to be disturbed in association with any ski area activities, including any associated with trail development, terrain modification, buildings and passenger</u></p> </td> <td data-bbox="1877 834 2051 1430"> <u>C</u> </td> </tr> </tbody> </table>	Table 1	Any activity involving the clearance of indigenous vegetation shall be subject to the following rules:	Non-compliance Status	<u>33.4.5</u>	<p><u>Indigenous vegetation clearance undertaken in association with a Ski Area Activity located within a Ski Area Sub-Zone</u></p> <p>Information Requirements <u>Any application for resource consent under this rule shall include an Ecological Management Plan (EMP) in respect of the particular ski area (noting this may not relate to the whole of the SASZ). The EMP shall outline:</u></p> <p>(a) <u>The areas of vegetation proposed to be disturbed in association with any ski area activities, including any associated with trail development, terrain modification, buildings and passenger</u></p>	<u>C</u>
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			<p><u>lift systems:</u></p> <p>(b) <u>A programme with expected timeframes and the duration of any works within the SASZ resulting in indigenous vegetation clearance:</u></p> <p>(c) <u>The formulation of a Construction Methodology Statement outlining:</u></p> <p>(i) <u>Erosion and Sediment Controls</u></p> <p>(ii) <u>Details on how the ecologically sensitive areas will be fenced and kept free from disturbance during construction activities.</u></p> <p>(iii) <u>Details on how the hydrological regime of any cushion and rushland bog environments will be maintained.</u></p> <p>(iv) <u>A plan showing the location of restoration planting and the</u></p>

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			<p><u>designated areas for the storage of tussocks prior to re-planting.</u></p> <p>(v) <u>Methods to manage the relocation of tussock plants to ensure a high level of survival.</u></p> <p>(vi) <u>Methods shall include removal of plants to maintain their full root structure, avoidance of stockpiling to avoid crushing and die off, watering during storage and re planting as quickly as possible after removal.</u></p> <p>(vii) <u>Methods to manage and avoid spillage of cement or diesel and any other noxious substances.</u></p> <p>(viii) <u>Methods to avoid the spread of invasive weed</u></p>

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			<p style="text-align: center;"><u>spread.</u></p> <p>(d) <u>Consistency with any management plans relevant to indigenous vegetation prepared under any other legislation that applies to the land;</u></p> <p>(e) <u>An on-going monitoring regime to report on the ecological effects of construction works and the performance of restoration works;</u></p> <p>(f) <u>The process for reviewing and updating the EMP on the basis of further information, greater knowledge of the environment and outcomes from monitoring; and</u></p> <p>(g) <u>Detailed design plans showing the final locations of any buildings, structures and passenger lift systems, following construction.</u></p> <p><u>With Councils control limited to:</u></p> <ul style="list-style-type: none"> • <u>Effects on nature conservation values</u>